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1
2 An act relating to sexual offenses; amending ss.
3 39.0138, 92.56, 92.561, 435.07, 456.074, 836.13,
4 836.14, 847.001, 847.002, 847.01357, 847.0139,
5 903.011, 948.06, 960.03, and 960.197, F.S.; replacing
6 the term "child pornography" with the term "child
7 sexual abuse material"; amending s. 775.0847, F.S.;
8 replacing the term "child pornography" with the term
9 "child sexual abuse material"; revising criteria
10 related to the reclassification of specified offenses;
11 amending s. 794.0116, F.S.; revising mandatory minimum
12 sentences for certain sexual offenses by persons
13 previously convicted of sexual offenses; amending s.
14 827.071, F.S.; replacing the term "child pornography"
15 with the term "child sexual abuse material";
16 increasing the penalty for employing, authorizing, or
17 inducing a child of a specified age to engage in a
18 sexual performance; prohibiting a person from
19 employing, authorizing, or inducing a child younger
20 than 12 years of age to engage in a sexual
21 performance; providing penalties; requiring mandatory
22 minimum sentences for certain offenses when committed
23 by specified offenders; increasing the penalty for
24 knowingly soliciting, possessing, controlling, or
25 intentionally viewing certain materials that include

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26 | child sexual abuse material; providing applicability
27 | of specified mandatory minimum sentences; amending s.
28 | 827.072, F.S.; replacing the term "child pornography"
29 | with the term "child sexual abuse material"; providing
30 | definitions; increasing the penalty for intentionally
31 | creating generated child sexual abuse material;
32 | prohibiting a person from transmitting child sexual
33 | abuse material to another person; providing penalties;
34 | amending s. 828.126, F.S.; revising punishments for
35 | certain sexual activities involving animals; requiring
36 | a certain court order to be effective for a certain
37 | number of years; amending s. 847.011, F.S.; increasing
38 | criminal penalties for possessing a child-like sex
39 | doll; providing that a prosecution for certain acts in
40 | connection with obscene, lewd, etc., materials does
41 | not prohibit a person from being prosecuted for other
42 | specified offenses; amending s. 847.0137, F.S.;
43 | replacing the terms "pornography" and "child
44 | pornography" with the term "child sexual abuse
45 | material"; providing definitions; requiring mandatory
46 | minimum sentences for certain offenses when committed
47 | by specified offenders; specifying applicability;
48 | amending s. 921.0022, F.S.; replacing the terms
49 | "pornography" and "child pornography" with the term
50 | "child sexual abuse material"; ranking offenses on the

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51 offense severity ranking chart of the Criminal
 52 Punishment Code; providing an effective date.

53

54 Be It Enacted by the Legislature of the State of Florida:

55

56 Section 1. Paragraph (c) of subsection (3) of section
 57 39.0138, Florida Statutes, is amended to read:

58 39.0138 Criminal history and other records checks; limit
 59 on placement of a child.—

60 (3) The department may not place a child with a person
 61 other than a parent if the criminal history records check
 62 reveals that the person has been convicted of any felony that
 63 falls within any of the following categories:

64 (c) Child sexual abuse material ~~pornography~~ or other
 65 felony in which a child was a victim of the offense; or

66 Section 2. Subsection (3) of section 92.56, Florida
 67 Statutes, is amended to read:

68 92.56 Judicial proceedings and court records involving
 69 sexual offenses and human trafficking.—

70 (3) The state may use a pseudonym instead of the victim's
 71 name to designate the victim of a crime described in s.
 72 787.06(3)(a)1., (c)1., or (e)1., in s. 787.06(3)(b), (d), (f),
 73 or (g), or in chapter 794 or chapter 800, or of child abuse,
 74 aggravated child abuse, or sexual performance by a child as
 75 described in chapter 827, or any crime involving the production,

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76 possession, or promotion of child sexual abuse material
 77 ~~pornography~~ as described in chapter 847, in all court records
 78 and records of court proceedings, both civil and criminal.

79 Section 3. Section 92.561, Florida Statutes, is amended to
 80 read:

81 92.561 Prohibition on reproduction of child sexual abuse
 82 material ~~pornography~~.—

83 (1) In a criminal proceeding, any property or material
 84 that portrays sexual performance by a child as defined in s.
 85 827.071, constitutes generated child sexual abuse material
 86 ~~pornography~~ as defined in s. 827.072, or constitutes child
 87 sexual abuse material ~~pornography~~ as defined in s. 847.001, must
 88 remain secured or locked in the care, custody, and control of a
 89 law enforcement agency, the state attorney, or the court.

90 (2) Notwithstanding any law or rule of court, a court
 91 shall deny, in a criminal proceeding, any request by the
 92 defendant to copy, photograph, duplicate, or otherwise reproduce
 93 any property or material that portrays sexual performance by a
 94 child, constitutes generated child sexual abuse material
 95 ~~pornography~~, or constitutes child sexual abuse material
 96 ~~pornography~~ so long as the state attorney makes the property or
 97 material reasonably available to the defendant.

98 (3) For purposes of this section, property or material is
 99 deemed to be reasonably available to the defendant if the state
 100 attorney provides ample opportunity at a designated facility for

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101 the inspection, viewing, and examination of the property or
 102 material that portrays sexual performance by a child,
 103 constitutes generated child sexual abuse material ~~pornography~~,
 104 or constitutes child sexual abuse material ~~pornography~~ by the
 105 defendant, his or her attorney, or any individual whom the
 106 defendant uses as an expert during the discovery process or at a
 107 court proceeding.

108 Section 4. Paragraph (c) of subsection (4) of section
 109 435.07, Florida Statutes, is amended to read:

110 435.07 Exemptions from disqualification.—Unless otherwise
 111 provided by law, the provisions of this section apply to
 112 exemptions from disqualification for disqualifying offenses
 113 revealed pursuant to background screenings required under this
 114 chapter, regardless of whether those disqualifying offenses are
 115 listed in this chapter or other laws.

116 (4)

117 (c) Disqualification from employment under this chapter
 118 may not be removed from, and an exemption may not be granted to,
 119 any current or prospective child care personnel, as defined in
 120 s. 402.302(3), and such a person is disqualified from employment
 121 as child care personnel, regardless of any previous exemptions
 122 from disqualification, if the person has been registered as a
 123 sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) or has
 124 been arrested for and is awaiting final disposition of, has been
 125 convicted or found guilty of, or entered a plea of guilty or

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126 | nolo contendere to, regardless of adjudication, or has been
 127 | adjudicated delinquent and the record has not been sealed or
 128 | expunged for, any offense prohibited under any of the following
 129 | provisions of state law or a similar law of another
 130 | jurisdiction:

131 | 1. A felony offense prohibited under any of the following
 132 | statutes:

133 | a. Chapter 741, relating to domestic violence.

134 | b. Section 782.04, relating to murder.

135 | c. Section 782.07, relating to manslaughter; aggravated
 136 | manslaughter of an elderly person or disabled adult; aggravated
 137 | manslaughter of a child; or aggravated manslaughter of an
 138 | officer, a firefighter, an emergency medical technician, or a
 139 | paramedic.

140 | d. Section 784.021, relating to aggravated assault.

141 | e. Section 784.045, relating to aggravated battery.

142 | f. Section 787.01, relating to kidnapping.

143 | g. Section 787.025, relating to luring or enticing a
 144 | child.

145 | h. Section 787.04(2), relating to leading, taking,
 146 | enticing, or removing a minor beyond the state limits, or
 147 | concealing the location of a minor, with criminal intent pending
 148 | custody proceedings.

149 | i. Section 787.04(3), relating to leading, taking,
 150 | enticing, or removing a minor beyond the state limits, or

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151 | concealing the location of a minor, with criminal intent pending
 152 | dependency proceedings or proceedings concerning alleged abuse
 153 | or neglect of a minor.

154 | j. Section 794.011, relating to sexual battery.

155 | k. Former s. 794.041, relating to sexual activity with or
 156 | solicitation of a child by a person in familial or custodial
 157 | authority.

158 | l. Section 794.05, relating to unlawful sexual activity
 159 | with certain minors.

160 | m. Section 794.08, relating to female genital mutilation.

161 | n. Section 806.01, relating to arson.

162 | o. Section 826.04, relating to incest.

163 | p. Section 827.03, relating to child abuse, aggravated
 164 | child abuse, or neglect of a child.

165 | q. Section 827.04, relating to contributing to the
 166 | delinquency or dependency of a child.

167 | r. Section 827.071, relating to sexual performance by a
 168 | child.

169 | s. Chapter 847, relating to child sexual abuse material
 170 | ~~pornography~~.

171 | t. Chapter 893, relating to a drug abuse prevention and
 172 | control offense, if that offense was committed in the preceding
 173 | 5 years.

174 | u. Section 985.701, relating to sexual misconduct in
 175 | juvenile justice programs.

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176 2. A misdemeanor offense prohibited under any of the
177 following statutes:

178 a. Section 784.03, relating to battery, if the victim of
179 the offense was a minor.

180 b. Section 787.025, relating to luring or enticing a
181 child.

182 c. Chapter 847, relating to child sexual abuse material
183 ~~pornography~~.

184 3. A criminal act committed in another state or under
185 federal law which, if committed in this state, constitutes an
186 offense prohibited under any statute listed in subparagraph 1.
187 or subparagraph 2.

188 Section 5. Paragraph (aa) of subsection (5) of section
189 456.074, Florida Statutes, is amended to read:

190 456.074 Certain health care practitioners; immediate
191 suspension of license.—

192 (5) The department shall issue an emergency order
193 suspending the license of any health care practitioner who is
194 arrested for committing or attempting, soliciting, or conspiring
195 to commit any act that would constitute a violation of any of
196 the following criminal offenses in this state or similar
197 offenses in another jurisdiction:

198 (aa) Section 847.0137, relating to the transmission of
199 child sexual abuse material ~~pornography~~ by electronic device or
200 equipment.

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201 Section 6. Paragraph (b) of subsection (1) and subsection
 202 (2) of section 775.0847, Florida Statutes, are amended and
 203 subsection (3) of that section is republished to read:

204 775.0847 Possession or promotion of certain images of
 205 child sexual abuse material ~~pornography~~; reclassification.—

206 (1) For purposes of this section:

207 (b) "Child sexual abuse material ~~pornography~~" means:

208 1. Any image depicting a minor engaged in sexual conduct;

209 or

210 2. Any image that has been created, altered, adapted, or
 211 modified by electronic, mechanical, or other means, to portray
 212 an identifiable minor engaged in sexual conduct.

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

216 (a) The offender possesses 10 or more images of any form
 217 of child sexual abuse material ~~pornography~~ regardless of
 218 content; and

219 (b) The content of at least one image contains one or more
 220 of the following:

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

222 2. Sadomasochistic abuse involving a child.

223 3. Sexual battery involving a child.

224 4. Sexual bestiality involving a child.

225 5. Any motion picture, film, video, or computer-generated

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226 motion picture, film, or video involving a child, regardless of
 227 length and regardless of whether the motion picture, film,
 228 video, or computer-generated motion picture, film, or video
 229 contains sound.

230 (3) (a) In the case of a felony of the third degree, the
 231 offense is reclassified to a felony of the second degree.

232 (b) In the case of a felony of the second degree, the
 233 offense is reclassified to a felony of the first degree.

234

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

240 Section 7. Subsection (1) of section 794.0116, Florida
 241 Statutes, is amended to read:

242 794.0116 Sexual offenses by persons previously convicted
 243 of sexual offenses.—

244 (1) A person who was previously convicted of or had
 245 adjudication withheld for an offense specified in s.
 246 943.0435(1)(h)1.a. and commits a violation of s. 800.04(5); s.
 247 825.1025(3); s. 827.071(2), (3), (4), or (5)(a); s. 847.0135; s.
 248 847.0137; or s. 847.0145 shall be sentenced to a mandatory
 249 minimum term of imprisonment as follows:

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	Statute	Mandatory Minimum
251		
	(a) 800.04 (5)	<u>15</u> 10 years
252		
	(b) 825.1025 (3)	10 years
253		
	(c) 827.071 (2)	<u>30</u> 20 years
254		
	(d) 827.071 (3)	20 years
255		
	(e) 827.071 (4)	15 years
256		
	(f) 827.071 (5) (a)	10 years
257		
	(g) 847.0135	10 years
258		
	(h) 847.0137	10 years
259		
	(i) 847.0145	<u>30</u> 20 years
260		
261	Section 8. Paragraph (b) of subsection (1), subsections	
262	(2), (3), and (4), and paragraph (a) of subsection (5) of	
263	section 827.071, Florida Statutes, are amended, and subsection	
264	(7) is added to that section, to read:	
265	827.071 Sexual performance by a child; child <u>sexual abuse</u>	

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266 material pornography; penalties.—

267 (1) As used in this section, the following definitions
268 shall apply:

269 (b) "Child sexual abuse material pornography" means:

270 1. Any image depicting a minor engaged in sexual conduct;
271 or

272 2. Any image that has been created, altered, adapted, or
273 modified by electronic, mechanical, or other means, to portray
274 an identifiable minor engaged in sexual conduct.

275 (2)(a) A person is guilty of the use of a child in a
276 sexual performance if, knowing the character and content
277 thereof, he or she employs, authorizes, or induces a child to
278 engage in a sexual performance or, being a parent, legal
279 guardian, or custodian of such child, consents to the
280 participation by such child in a sexual performance. A person
281 who violates this paragraph subsection commits a felony of the
282 first second degree, punishable as provided in s. 775.082, s.
283 775.083, or s. 775.084. Except as provided in subsection (7), a
284 person 18 years of age or older at the time of the offense who
285 is convicted of a violation of this paragraph must be sentenced
286 to a mandatory minimum term of imprisonment of 15 years.

287 (b) A person is guilty of aggravated use of a child in a
288 sexual performance if, knowing the character and content
289 thereof, he or she employs, authorizes, or induces a child
290 younger than 12 years of age to engage in a sexual performance.

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291 A person who violates this paragraph commits a life felony,
292 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
293 A person 18 years of age or older at the time of the offense who
294 is convicted of a violation of this paragraph must be sentenced
295 to a mandatory minimum term of imprisonment of 25 years.

296 (3) A person is guilty of promoting a sexual performance
297 by a child when, knowing the character and content thereof, he
298 or she produces, directs, or promotes any performance which
299 includes sexual conduct by a child. A person who violates this
300 subsection commits a felony of the second degree, punishable as
301 provided in s. 775.082, s. 775.083, or s. 775.084. Except as
302 provided in subsection (7), a person 18 years of age or older at
303 the time of the offense who is convicted of a violation of this
304 subsection must be sentenced to a mandatory minimum term of
305 imprisonment of 5 years.

306 (4) It is unlawful for any person to possess with the
307 intent to promote any photograph, motion picture, exhibition,
308 show, representation, or other presentation which, in whole or
309 in part, includes child sexual abuse material ~~pornography~~. The
310 possession of three or more copies of such photograph, motion
311 picture, representation, or presentation is prima facie evidence
312 of an intent to promote. A person who violates this subsection
313 commits a felony of the second degree, punishable as provided in
314 s. 775.082, s. 775.083, or s. 775.084.

315 (5) (a) It is unlawful for any person to knowingly solicit,

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316 possess, control, or intentionally view a photograph, motion
317 picture, exhibition, show, representation, image, data, computer
318 depiction, or other presentation which, in whole or in part, he
319 or she knows to include child sexual abuse material ~~pornography~~.
320 The solicitation, possession, control, or intentional viewing of
321 each such photograph, motion picture, exhibition, show, image,
322 data, computer depiction, representation, or presentation is a
323 separate offense. If such photograph, motion picture,
324 exhibition, show, representation, image, data, computer
325 depiction, or other presentation includes child sexual abuse
326 material ~~pornography~~ depicting more than one child, then each
327 such child in each such photograph, motion picture, exhibition,
328 show, representation, image, data, computer depiction, or other
329 presentation that is knowingly solicited, possessed, controlled,
330 or intentionally viewed is a separate offense. A person who
331 violates this paragraph commits a felony of the second ~~third~~
332 degree, punishable as provided in s. 775.082, s. 775.083, or s.
333 775.084.

334 (7) A court is not required to impose a mandatory minimum
335 term of imprisonment for a violation of this section if the
336 court makes the following written findings related to the sexual
337 performance that forms the basis of the violation:

338 (a) The child depicted in the sexual performance was 14
339 years of age or older at the time the sexual performance was
340 created;

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341 (b) The sexual performance was created with the depicted
 342 child's permission;

343 (c) The offender was not more than 4 years older than the
 344 depicted child at the time the sexual performance was created;
 345 and

346 (d) The offender did not promote the sexual performance to
 347 any third party.

348 Section 9. Section 827.072, Florida Statutes, is amended
 349 to read:

350 827.072 Generated child sexual abuse material
 351 ~~pornography.~~-

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

353 (a) "Generated child sexual abuse material ~~pornography~~"
 354 means any image that has been created, altered, adapted, or
 355 modified by electronic, mechanical, or other computer-generated
 356 means to portray a fictitious person, who a reasonable person
 357 would regard as being a real person younger than 18 years of
 358 age, engaged in sexual conduct.

359 (b) "Intentionally view" has the same meaning as in s.
 360 827.071.

361 (c) "Sexual conduct" has the same meaning as in s.
 362 827.071.

363 (d) "Transmit" has the same meaning as in s. 847.0137.

364 (2) (a) It is unlawful for a person to knowingly possess or
 365 control or intentionally view a photograph, a motion picture, a

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366 representation, an image, a data file, a computer depiction, or
367 any other presentation which, in whole or in part, he or she
368 knows includes generated child sexual abuse material
369 ~~pornography~~. The possession, control, or intentional viewing of
370 each such photograph, motion picture, representation, image,
371 data file, computer depiction, or other presentation is a
372 separate offense. A person who violates this paragraph commits a
373 felony of the third degree, punishable as provided in s.
374 775.082, s. 775.083, or s. 775.084.

375 (b)1. Notwithstanding ss. 847.012 and 847.0133, any person
376 in this state who knew or reasonably should have known that he
377 or she was transmitting generated child sexual abuse material to
378 another person in this state or in another jurisdiction commits
379 a felony of the second degree, punishable as provided in s.
380 775.082, s. 775.083, or s. 775.084.

381 2. Notwithstanding ss. 847.012 and 847.0133, any person in
382 any jurisdiction other than this state who knew or reasonably
383 should have known that he or she was transmitting generated
384 child sexual abuse material to any person in this state commits
385 a felony of the second degree, punishable as provided in s.
386 775.082, s. 775.083, or s. 775.084.

387 3. A person is subject to prosecution in this state
388 pursuant to chapter 910 for any act or conduct proscribed by
389 this paragraph, including a person in a jurisdiction other than
390 this state, if the act or conduct violates subparagraph 2.

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391 (c) A person who intentionally creates generated child
 392 sexual abuse material ~~pornography~~ commits a felony of the second
 393 ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083,
 394 or s. 775.084.

395 (d)~~(e)~~ Paragraph (a) does not apply to any material
 396 possessed, controlled, or intentionally viewed as part of a law
 397 enforcement investigation.

398 Section 10. Section 828.126, Florida Statutes, is amended
 399 to read:

400 828.126 Sexual activities involving animals.—

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

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

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

408 (c) The insertion, however slight, of any part of the body
 409 of a person or any object into the vaginal or anal opening of an
 410 animal, or the insertion of any part of the body of an animal
 411 into the vaginal or anal opening of a person.

412 (2) A person may not÷

413 ~~(a)~~ knowingly engage in any sexual contact with an animal.

414 A person who violates this subsection commits a felony of the
 415 second degree, punishable as provided in s. 775.082, s. 775.083,

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416 or s. 775.084.~~†~~

417 (3)~~(b)~~ A person may not knowingly cause, aid, or abet
 418 another person to engage in any sexual contact with an animal. A
 419 person who violates this subsection commits a felony of the
 420 second degree, punishable as provided in s. 775.082, s. 775.083,
 421 or s. 775.084.~~†~~

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

427 (5)~~(d)~~ A person may not knowingly organize, promote,
 428 conduct, aid, abet, participate in as an observer, or advertise,
 429 offer, solicit, or accept an offer of an animal for the purpose
 430 of sexual contact with such animal, or perform any service in
 431 the furtherance of an act involving any sexual contact with an
 432 animal. A person who violates this subsection commits a felony
 433 of the third degree, punishable as provided in s. 775.082, s.
 434 775.083, or s. 775.084.~~† or~~

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

439 ~~(3)~~ A person who violates this subsection ~~section~~ commits
 440 a felony of the third degree, punishable as provided in s.

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441 775.082, s. 775.083, or s. 775.084.

442 (7)~~(4)~~ In addition to other penalties prescribed by law,
 443 the court shall issue an order prohibiting a person convicted
 444 under this section from harboring, owning, possessing, or
 445 exercising control over any animal; from residing in any
 446 household in which animals are present; and from engaging in an
 447 occupation, whether paid or unpaid, or participating in a
 448 volunteer position at any establishment at which animals are
 449 present. The order shall ~~may~~ be effective for at least ~~up to~~ 5
 450 years after the date of the conviction, regardless of whether
 451 adjudication is withheld.

452 (8)~~(5)~~ This section does not apply to accepted animal
 453 husbandry practices, including, but not limited to, bona fide
 454 agricultural purposes, assistance with the birthing process or
 455 artificial insemination of an animal for reproductive purposes,
 456 accepted conformation judging practices, or accepted veterinary
 457 medical practices.

458 Section 11. Subsection (11) of section 836.13, Florida
 459 Statutes, is amended to read:

460 836.13 Altered sexual depictions; prohibited acts;
 461 penalties; applicability.—

462 (11) Prosecution of a person for an offense under this
 463 section does not preclude prosecution of that person in this
 464 state for a violation of any other law of this state, including
 465 a law providing for greater penalties than prescribed in this

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466 section or any other crime related to child sexual abuse
 467 material pornography or the sexual performance or the sexual
 468 exploitation of children.

469 Section 12. Subsection (9) of section 836.14, Florida
 470 Statutes, is amended to read:

471 836.14 Theft or unauthorized promotion of a sexually
 472 explicit image.—

473 (9) Prosecution of a person for an offense under this
 474 section does not preclude prosecution of that person in this
 475 state for a violation of any other law of this state, including
 476 a law providing for greater penalties than prescribed in this
 477 section or any other crime related to child sexual abuse
 478 material pornography or the sexual performance or the sexual
 479 exploitation of children.

480 Section 13. Subsection (3) of section 847.001, Florida
 481 Statutes, is amended to read:

482 847.001 Definitions.—As used in this chapter, the term:

483 (3) "Child sexual abuse material pornography" means:

484 (a) Any image depicting a minor engaged in sexual conduct;
 485 or

486 (b) Any image that has been created, altered, adapted, or
 487 modified by electronic, mechanical, or other means, to portray
 488 an identifiable minor engaged in sexual conduct.

489 Section 14. Section 847.002, Florida Statutes, is amended
 490 to read:

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491 847.002 Child sexual abuse material ~~pornography~~
 492 prosecutions.—

493 (1) Any law enforcement officer who, pursuant to a
 494 criminal investigation, recovers images or movies of child
 495 sexual abuse material ~~pornography~~ shall:

496 (a) Provide such images or movies to the law enforcement
 497 agency representative assigned to the Child Victim
 498 Identification Program at the National Center for Missing and
 499 Exploited Children, as required by the center's guidelines.

500 (b) Request the law enforcement agency contact information
 501 from the Child Victim Identification Program for any images or
 502 movies recovered which contain an identified victim of child
 503 sexual abuse material ~~pornography~~ as defined in s. 960.03.

504 (c) Provide case information to the Child Victim
 505 Identification Program, as required by the National Center for
 506 Missing and Exploited Children guidelines, in any case where the
 507 law enforcement officer identifies a previously unidentified
 508 victim of child sexual abuse material ~~pornography~~.

509 (2) Any law enforcement officer submitting a case for
 510 prosecution which involves the production, promotion, or
 511 possession of child sexual abuse material ~~pornography~~ shall
 512 submit to the designated prosecutor the law enforcement agency
 513 contact information provided by the Child Victim Identification
 514 Program at the National Center for Missing and Exploited
 515 Children, for any images or movies involved in the case which

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516 contain the depiction of an identified victim of child sexual
 517 abuse material ~~pornography~~ as defined in s. 960.03.

518 (3) In every filed case involving an identified victim of
 519 child sexual abuse material ~~pornography~~, as defined in s.
 520 960.03, the prosecuting agency shall enter the following
 521 information into the Victims in Child Pornography Tracking
 522 Repeat Exploitation database maintained by the Office of the
 523 Attorney General:

- 524 (a) The case number and agency file number.
- 525 (b) The named defendant.
- 526 (c) The circuit court division and county.
- 527 (d) Current court dates and the status of the case.
- 528 (e) Contact information for the prosecutor assigned.
- 529 (f) Verification that the prosecutor is or is not in
 530 possession of a victim impact statement and will use the
 531 statement in sentencing.

532 Section 15. Subsection (5) of section 847.011, Florida
 533 Statutes, is amended, subsection (12) is added to that section,
 534 and subsections (1) through (4) and (6) through (11) of that
 535 section are republished, to read:

536 847.011 Prohibition of certain acts in connection with
 537 obscene, lewd, etc., materials; penalty.—

- 538 (1) (a) Except as provided in paragraph (c), any person who
 539 knowingly sells, lends, gives away, distributes, transmits,
 540 shows, or transmutes, or offers to sell, lend, give away,

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541 distribute, transmit, show, or transmute, or has in his or her
542 possession, custody, or control with intent to sell, lend, give
543 away, distribute, transmit, show, transmute, or advertise in any
544 manner, any obscene book, magazine, periodical, pamphlet,
545 newspaper, comic book, story paper, written or printed story or
546 article, writing, paper, card, picture, drawing, photograph,
547 motion picture film, figure, image, phonograph record, or wire
548 or tape or other recording, or any written, printed, or recorded
549 matter of any such character which may or may not require
550 mechanical or other means to be transmuted into auditory,
551 visual, or sensory representations of such character, or any
552 article or instrument for obscene use, or purporting to be for
553 obscene use or purpose; or who knowingly designs, copies, draws,
554 photographs, poses for, writes, prints, publishes, or in any
555 manner whatsoever manufactures or prepares any such material,
556 matter, article, or thing of any such character; or who
557 knowingly writes, prints, publishes, or utters, or causes to be
558 written, printed, published, or uttered, any advertisement or
559 notice of any kind, giving information, directly or indirectly,
560 stating, or purporting to state, where, how, of whom, or by what
561 means any, or what purports to be any, such material, matter,
562 article, or thing of any such character can be purchased,
563 obtained, or had; or who in any manner knowingly hires, employs,
564 uses, or permits any person knowingly to do or assist in doing
565 any act or thing mentioned above, commits a misdemeanor of the

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566 first degree, punishable as provided in s. 775.082 or s.
567 775.083. A person who, after having been convicted of a
568 violation of this subsection, thereafter violates any of its
569 provisions, commits a felony of the third degree, punishable as
570 provided in s. 775.082, s. 775.083, or s. 775.084.

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

575 (c) A person who commits a violation of paragraph (a) or
576 subsection (2) which is based on materials that depict a minor
577 engaged in any act or conduct that is harmful to minors commits
578 a felony of the third degree, punishable as provided in s.
579 775.082, s. 775.083, or s. 775.084.

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

585 (2) Except as provided in paragraph (1)(c), a person who
586 knowingly has in his or her possession, custody, or control any
587 obscene book, magazine, periodical, pamphlet, newspaper, comic
588 book, story paper, written or printed story or article, writing,
589 paper, card, picture, drawing, photograph, motion picture film,
590 film, any sticker, decal, emblem or other device attached to a

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591 motor vehicle containing obscene descriptions, photographs, or
592 depictions, any figure, image, phonograph record, or wire or
593 tape or other recording, or any written, printed, or recorded
594 matter of any such character which may or may not require
595 mechanical or other means to be transmuted into auditory,
596 visual, or sensory representations of such character, or any
597 article or instrument for obscene use, or purporting to be for
598 obscene use or purpose, without intent to sell, lend, give away,
599 distribute, transmit, show, transmute, or advertise the same,
600 commits a misdemeanor of the second degree, punishable as
601 provided in s. 775.082 or s. 775.083. A person who, after having
602 been convicted of violating this subsection, thereafter violates
603 any of its provisions commits a misdemeanor of the first degree,
604 punishable as provided in s. 775.082 or s. 775.083. In any
605 prosecution for such possession, it is not necessary to allege
606 or prove the absence of such intent.

607 (3) No person shall as a condition to a sale, allocation,
608 consignment, or delivery for resale of any paper, magazine,
609 book, periodical, or publication require that the purchaser or
610 consignee receive for resale any other article, paper, magazine,
611 book, periodical, or publication reasonably believed by the
612 purchaser or consignee to be obscene, and no person shall deny
613 or threaten to deny or revoke any franchise or impose or
614 threaten to impose any penalty, financial or otherwise, by
615 reason of the failure of any person to accept any such article,

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616 paper, magazine, book, periodical, or publication, or by reason
 617 of the return thereof. Whoever violates this subsection is
 618 guilty of a felony of the third degree, punishable as provided
 619 in s. 775.082, s. 775.083, or s. 775.084.

620 (4) Any person who knowingly promotes, conducts, performs,
 621 or participates in an obscene show, exhibition, or performance
 622 by live persons or a live person before an audience is guilty of
 623 a misdemeanor of the first degree, punishable as provided in s.
 624 775.082 or s. 775.083. Any person who, after having been
 625 convicted of violating this subsection, thereafter violates any
 626 of its provisions and is convicted thereof is guilty of a felony
 627 of the third degree, punishable as provided in s. 775.082, s.
 628 775.083, or s. 775.084.

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

636 (b) ~~2.a.~~ Except as provided in paragraph (c) ~~sub-~~
 637 ~~subparagraph b.~~, a person who violates this paragraph (a)
 638 commits a felony of the third degree, punishable as provided in
 639 s. 775.082, s. 775.083, or s. 775.084.

640 (c) ~~b.~~ A person who is convicted of violating ~~this~~

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641 paragraph (a) a second or subsequent time commits a felony of
 642 the second degree, punishable as provided in s. 775.082, s.
 643 775.083, or s. 775.084.

644 ~~(b)1. Except as provided in subparagraph 2., a person who~~
 645 ~~knowingly has in his or her possession, custody, or control an~~
 646 ~~obscene, child-like sex doll commits a misdemeanor of the first~~
 647 ~~degree, punishable as provided in s. 775.082 or s. 775.083.~~

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

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

654 ~~2. Upon proper affidavits being made, a search warrant may~~
 655 ~~be issued to further investigate a violation of paragraph (b),~~
 656 ~~including to search a private dwelling.~~

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

660 (7) Proof that a defendant knowingly committed any act or
 661 engaged in any conduct referred to in this section may be made
 662 by showing that at the time such act was committed or conduct
 663 engaged in the defendant had actual knowledge of the contents or
 664 character of the material, matter, article, or thing possessed
 665 or otherwise dealt with, by showing facts and circumstances from

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666 | which it may fairly be inferred that he or she had such
667 | knowledge, or by showing that he or she had knowledge of such
668 | facts and circumstances as would put a person of ordinary
669 | intelligence and caution on inquiry as to such contents or
670 | character.

671 | (8) There shall be no right of property in any of the
672 | materials, matters, articles, or things possessed or otherwise
673 | dealt with in violation of this section; and, upon the seizure
674 | of any such material, matter, article, or thing by any
675 | authorized law enforcement officer, the same shall be held by
676 | the arresting agency. When the same is no longer required as
677 | evidence, the prosecuting officer or any claimant may move the
678 | court in writing for the disposition of the same and, after
679 | notice and hearing, the court, if it finds the same to have been
680 | possessed or otherwise dealt with in violation of this section,
681 | shall order the sheriff to destroy the same in the presence of
682 | the clerk; otherwise, the court shall order the same returned to
683 | the claimant if the claimant shows that he or she is entitled to
684 | possession. If destruction is ordered, the sheriff and clerk
685 | shall file a certificate of compliance.

686 | (9) (a) The circuit court has jurisdiction to enjoin a
687 | threatened violation of this section upon complaint filed by the
688 | state attorney or attorney for a municipality in the name of the
689 | state upon the relation of such state attorney or attorney for a
690 | municipality.

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691 (b) After the filing of such a complaint, the judge to
692 whom it is presented may grant an order restraining the person
693 complained of until final hearing or further order of the court.
694 Whenever the relator state attorney or attorney for a
695 municipality requests a judge of such court to set a hearing
696 upon an application for such a restraining order, such judge
697 shall set such hearing for a time within 3 days after the making
698 of such request. No such order shall be made unless such judge
699 is satisfied that sufficient notice of the application therefor
700 has been given to the party restrained of the time when and
701 place where the application for such restraining order is to be
702 made; however, such notice shall be dispensed with when it is
703 manifest to such judge, from the sworn allegations of the
704 complaint or the affidavit of the plaintiff or other competent
705 person, that the apprehended violation will be committed if an
706 immediate remedy is not afforded.

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

711 (d) In any action brought as provided in this subsection,
712 no bond or undertaking shall be required of the state attorney
713 or the municipality or its attorney before the issuance of a
714 restraining order provided for by paragraph (b), and there shall
715 be no liability on the part of the state or the state attorney

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716 or the municipality or its attorney for costs or for damages
 717 sustained by reason of such restraining order in any case where
 718 a final decree is rendered in favor of the person sought to be
 719 enjoined.

720 (e) Every person who has possession, custody, or control
 721 of, or otherwise deals with, any of the materials, matters,
 722 articles, or things described in this section, after the service
 723 upon him or her of a summons and complaint in an action for
 724 injunction brought under this subsection, is chargeable with
 725 knowledge of the contents and character thereof.

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

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

731 (12) Prosecution of a person for an offense under this
 732 section does not preclude prosecution of that person in this
 733 state for a violation of any other law of this state, including
 734 a law providing for greater penalties than prescribed in this
 735 section or any other crime punishing the sexual performance or
 736 the sexual exploitation of children.

737 Section 16. Subsections (1) and (4) of section 847.01357,
 738 Florida Statutes, are amended to read:

739 847.01357 Exploited children's civil remedy.—

740 (1) Any person who, while under the age of 18, was a

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741 victim of a sexual abuse crime listed in chapter 794, chapter
 742 800, chapter 827, or chapter 847, where any portion of such
 743 abuse was used in the production of child sexual abuse material
 744 ~~pornography~~, and who suffers personal or psychological injury as
 745 a result of the production, promotion, or possession of such
 746 images or movies, may bring an action in an appropriate state
 747 court against the producer, promoter, or possessor of such
 748 images or movies, regardless of whether the victim is now an
 749 adult. In any action brought under this section, a prevailing
 750 plaintiff shall recover the actual damages such person sustained
 751 and the cost of the suit, including reasonable attorney's fees.
 752 Any victim who is awarded damages under this section shall be
 753 deemed to have sustained damages of at least \$150,000.

754 (4) It is not a defense to a civil cause of action under
 755 this section that the respondent did not know the victim or
 756 commit the abuse depicted in any image of child sexual abuse
 757 material ~~pornography~~.

758 Section 17. Section 847.0137, Florida Statutes, is amended
 759 to read:

760 847.0137 Transmission of child sexual abuse material
 761 ~~pornography~~ by electronic device or equipment prohibited;
 762 penalties.—

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

764 (a) "Access credential" means any password, username,
 765 token, unique link, uniform resource locator (URL), hyperlink,

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766 or other data that enables a user to access a digital file or
767 other data in cloud storage.

768 (b) "Child sexual abuse material" has the same meaning as
769 in s. 847.001.

770 (c) "Cloud storage" means any remote, networked, or third-
771 party provided storage service that enables a user to store,
772 host, or share a digital file or other data and to access such a
773 digital file or other data via the Internet or other network,
774 whether by direct file transfer, access credential, link, or
775 other similar means.

776 (d) "Link" means any uniform resource locator (URL),
777 hyperlink, short link, shareable link, magnet link, or other
778 string, token, or data that, when used, directs or grants a user
779 access to a digital file or other data that is stored remotely,
780 including in cloud storage.

781 (e) "Transmit" means the act of sending and causing to be
782 delivered, including the act of providing access for receiving
783 and causing to be delivered, any image, information, or data
784 over or through any medium, including the Internet or an
785 interconnected network, by use of any electronic equipment or
786 other device. The term also includes the act of providing access
787 to any image, information, or data in cloud storage by sharing,
788 publishing, or otherwise making available a link, access
789 credential, or other similar means by which another person may
790 access, view, or obtain such image, information, or data.

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791 (2) Notwithstanding ss. 847.012 and 847.0133, any person
 792 in this state who knew or reasonably should have known that he
 793 or she was transmitting child sexual abuse material ~~pornography,~~
 794 ~~as defined in s. 847.001,~~ to another person in this state or in
 795 another jurisdiction commits a felony of the second ~~third~~
 796 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 797 775.084. Except as provided in subsection (7), a person 18 years
 798 of age or older at the time of the offense who is convicted of a
 799 violation of this subsection must be sentenced to a mandatory
 800 minimum term of imprisonment of 5 years.

801 (3) Notwithstanding ss. 847.012 and 847.0133, any person
 802 in any jurisdiction other than this state who knew or reasonably
 803 should have known that he or she was transmitting child sexual
 804 abuse material ~~pornography,~~ ~~as defined in s. 847.001,~~ to any
 805 person in this state commits a felony of the second ~~third~~
 806 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 807 775.084. Except as provided in subsection (7), a person 18 years
 808 of age or older at the time of the offense who is convicted of a
 809 violation of this subsection must be sentenced to a mandatory
 810 minimum term of imprisonment of 5 years.

811 (4) A person may not be prosecuted under this section for
 812 providing a link, access credential, or other information, in
 813 good faith, to a law enforcement agency, prosecuting authority,
 814 or authorized forensic examiner for the purpose of reporting
 815 suspected child sexual abuse material, cooperating with an

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816 investigation, preserving evidence, or seeking lawful removal of
 817 content.

818 (5)-(4) This section shall not be construed to preclude
 819 prosecution of a person in this state or another jurisdiction
 820 for a violation of any law of this state, including a law
 821 providing for greater penalties than prescribed in this section,
 822 for the transmission of child sexual abuse material ~~pornography,~~
 823 ~~as defined in s. 847.001,~~ to any person in this state.

824 (6)-(5) A person is subject to prosecution in this state
 825 pursuant to chapter 910 for any act or conduct proscribed by
 826 this section, including a person in a jurisdiction other than
 827 this state, if the act or conduct violates subsection (3).

828 (7) A court is not required to impose a mandatory minimum
 829 term of imprisonment for a violation of this section if the
 830 court makes the following written findings related to the image
 831 that forms the basis of the violation:

832 (a) The child depicted in the image was 14 years of age or
 833 older at the time the image was created;

834 (b) The image was created with the depicted child's
 835 permission;

836 (c) The offender was not more than 4 years older than the
 837 depicted child at the time the image was created; and

838 (d) The offender did not transmit the image to any third
 839 party.

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

843 Section 18. Section 847.0139, Florida Statutes, is amended
844 to read:

845 847.0139 Immunity from civil liability for reporting child
846 sexual abuse material ~~pornography~~, transmission of child sexual
847 abuse material ~~pornography~~, or any image, information, or data
848 harmful to minors to a minor in this state.—Any person who
849 reports to a law enforcement officer what the person reasonably
850 believes to be child sexual abuse material ~~pornography~~,
851 transmission of child sexual abuse material ~~pornography~~, or any
852 image, information, or data that is harmful to minors to a minor
853 in this state may not be held civilly liable for such reporting.
854 For purposes of this section, such reporting may include
855 furnishing the law enforcement officer with any image,
856 information, or data that the person reasonably believes to be
857 evidence of child sexual abuse material ~~pornography~~,
858 transmission of child sexual abuse material ~~pornography~~, or an
859 image, information, or data that is harmful to minors to a minor
860 in this state.

861 Section 19. Paragraph (g) of subsection (6) of section
862 903.011, Florida Statutes, is amended to read:

863 903.011 Pretrial release; general terms; statewide uniform
864 bond schedule.—

865 (6) A person may not be released before his or her first

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866 appearance hearing or bail determination and a judge must
867 determine the appropriate bail, if any, based on an
868 individualized consideration of the criteria in s. 903.046(2),
869 if the person meets any of the following criteria:

870 (g) The person's current offense of arrest is for one or
871 more of the following crimes:

872 1. A capital felony, life felony, felony of the first
873 degree, or felony of the second degree;

874 2. A homicide under chapter 782; or any attempt,
875 solicitation, or conspiracy to commit a homicide;

876 3. Assault in furtherance of a riot or an aggravated riot;
877 felony battery; domestic battery by strangulation; domestic
878 violence, as defined in s. 741.28; stalking; mob intimidation;
879 assault or battery on a law enforcement officer; assault or
880 battery on juvenile probation officer, or other staff of a
881 detention center or commitment facility, or a staff member of a
882 commitment facility, or health services personnel; assault or
883 battery on a person 65 years of age or older; robbery; burglary;
884 carjacking; or resisting an officer with violence;

885 4. Kidnapping, false imprisonment, human trafficking, or
886 human smuggling;

887 5. Possession of a firearm or ammunition by a felon,
888 violent career criminal, or person subject to an injunction
889 against committing acts of domestic violence, stalking, or
890 cyberstalking;

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891 6. Sexual battery; indecent, lewd, or lascivious touching;
 892 exposure of sexual organs; incest; luring or enticing a child;
 893 or child sexual abuse material ~~pornography~~;

894 7. Abuse, neglect, or exploitation of an elderly person or
 895 disabled adult;

896 8. Child abuse or aggravated child abuse;

897 9. Arson; riot, aggravated riot, inciting a riot, or
 898 aggravated inciting a riot; or a burglary or theft during a
 899 riot;

900 10. Escape; tampering or retaliating against a witness,
 901 victim, or informant; destruction of evidence; or tampering with
 902 a jury;

903 11. Any offense committed for the purpose of benefiting,
 904 promoting, or furthering the interests of a criminal gang;

905 12. Trafficking in a controlled substance, including
 906 conspiracy to engage in trafficking in a controlled substance;

907 13. Racketeering; or

908 14. Failure to appear at required court proceedings while
 909 on bail.

910 Section 20. Paragraphs (e), (f), and (g) of subsection (3)
 911 of section 921.0022, Florida Statutes, are amended to read:

912 921.0022 Criminal Punishment Code; offense severity
 913 ranking chart.—

914 (3) OFFENSE SEVERITY RANKING CHART

915 (e) LEVEL 5

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	Florida Statute	Felony Degree	Description
916	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
917	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.
918	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
919	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
920	327.30 (5) (a) 2.	3rd	Vessel accidents involving personal injuries other than

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921	365.172 (14) (b) 2.	2nd	serious bodily injury; leaving scene. Misuse of emergency communications system resulting in death.
922	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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923	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
924	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
925	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
926	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
927	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
928	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
929	624.401 (4) (b) 2.	2nd	Transacting insurance without a

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

930	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
931	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
932	790.162	2nd	Threat to throw or discharge destructive device.
933	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
934	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
935	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
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937	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
938	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
939	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
940	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
941	810.145 (4)	3rd	Commercial digital voyeurism dissemination.
942	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
943	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.

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944	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
945	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
946	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
947	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
948	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
949	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
950	812.081 (3)	2nd	Trafficking in trade secrets.

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951	812.131 (2) (b)	3rd	Robbery by sudden snatching.
952	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
953	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
954	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
955	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.
	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

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personal identification
information of 10 or more
persons.

956

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

957

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

958

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

959

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

960

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

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961			consent.
	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.
962			
	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
963			
	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
964			
	847.0137	3rd	Transmission of pornography by
	(2) & (3)		electronic device or equipment.
965			
	847.0138	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
	(2) & (3)		
966			
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal

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967	874.05 (2) (a)	2nd	gang; second or subsequent offense. Encouraging or recruiting person under 13 years of age to join a criminal gang.
968	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).
969	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.

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970	893.13(1)(d)1.	1st	<p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.</p>
971	893.13(1)(e)2.	2nd	<p>Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.</p>
972	893.13(1)(f)1.	1st	<p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.</p>

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973	893.13 (4) (b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
974	893.1351 (1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
975			
976	(f) LEVEL 6		
977	Florida Statute	Felony Degree	Description
978	316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
979	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
980	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
981	327.30 (5) (a) 3.	2nd	Vessel accidents involving serious bodily injury; leaving

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scene.

982

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

983

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

984

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

985

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

986

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

987

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

988

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989	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
990	784.041	3rd	Felony battery; domestic battery by strangulation.
991	784.048 (3)	3rd	Aggravated stalking; credible threat.
992	784.048 (5)	3rd	Aggravated stalking of person under 16.
993	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
994	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
995	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
996	784.081 (2)	2nd	Aggravated assault on specified official or employee.

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997	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
998	784.083 (2)	2nd	Aggravated assault on code inspector.
999	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
1000	787.025 (2) (a)	3rd	Luring or enticing a child.
1001	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
1002	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or

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			use of firearms in violent manner.
1003	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
1004	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
1005	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
1006	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.
1007	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
1008	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any

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			other person.
1009	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
1010	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
1011	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
1012	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
1013	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
1014	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
1015	812.015 (9) (b)	2nd	Retail theft; aggregated

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			property stolen within 120 days is \$3,000 or more; coordination of others.
1016	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
1017	812.015 (9) (e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
1018	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
1019	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
1020	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
1021	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.

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1022	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
1023	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
1024	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
1025	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
1026	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
1027	827.03 (2) (c)	3rd	Abuse of a child.
1028	827.03 (2) (d)	3rd	Neglect of a child.
1029	827.071 (5)	<u>2nd</u> 3rd	Possess, control, or intentionally view any

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			photographic material, motion picture, etc., which includes child <u>sexual abuse material</u> pornography .
1030	<u>828.126(4), (5)</u> & <u>(6)</u> 828.126(3)	3rd	Sexual activities involving animals.
1031	836.05	2nd	Threats; extortion.
1032	836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
1033	843.12	3rd	Aids or assists person to escape.
1034	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
1035	847.012	3rd	Knowingly using a minor in the

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			production of materials harmful to minors.
1036	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
1037	<u>847.0137 (2) & (3)</u>	<u>2nd</u>	<u>Transmitting child sexual abuse material.</u>
1038	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
1039	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
1040	918.13 (2) (b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
1041	944.35 (3) (a) 2.	3rd	Committing malicious battery upon or inflicting cruel or

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			inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
1042	944.40	2nd	Escapes.
1043	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
1044	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
1045	951.22(1)(i)	3rd	Firearm or weapon introduced into county detention facility.
1046			
1047	(g) LEVEL 7		
1048			
	Florida Statute	Felony Degree	Description
1049	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
1050			

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1051	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
1052			
	327.35 (3) (a) 3.b.	3rd	Vessel BUI resulting in serious bodily injury.
1053			
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1054			
	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1055			
	409.920	2nd	Medicaid provider fraud; more

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	(2) (b) 1.b.		than \$10,000, but less than \$50,000.
1056	456.065 (2)	3rd	Practicing a health care profession without a license.
1057	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1058	458.327 (1)	3rd	Practicing medicine without a license.
1059	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1060	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1061	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1062	462.17	3rd	Practicing naturopathy without a license.

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1063	463.015 (1)	3rd	Practicing optometry without a license.
1064	464.016 (1)	3rd	Practicing nursing without a license.
1065	465.015 (2)	3rd	Practicing pharmacy without a license.
1066	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1067	467.201	3rd	Practicing midwifery without a license.
1068	468.366	3rd	Delivering respiratory care services without a license.
1069	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1070	483.901 (7)	3rd	Practicing medical physics without a license.

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1071	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1072	484.053	3rd	Dispensing hearing aids without a license.
1073	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.
1074	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.
1075	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1076			

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1077	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1078	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1079	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1080	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1081	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

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1082	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1083	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1084	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1085	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1086	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.

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1087	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1088	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1089	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1090	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1091	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1092	784.081 (1)	1st	Aggravated battery on specified official or employee.
1093	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1094	784.083 (1)	1st	Aggravated battery on code

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			inspector.
1095	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
1096	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
1097	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1098	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.
1099	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
1100	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.

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1101	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1102	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1103	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1104	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1105	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1106	794.08 (4)	3rd	Female genital mutilation;

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			consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1107	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1108	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1109	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1110	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.
1111	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older

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			but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
1112	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1113	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1114	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1115	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1116	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1117	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law

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			enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1118	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1119	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1120	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1121	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
1122	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1123			

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1124	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1125	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1126	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1127	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1128	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1129	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1130	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
	817.2341	1st	Making false entries of

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	(2) (b) & (3) (b)		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.
1131	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1132	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1133	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1134	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1135	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or

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1136			disfigurement.
	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
1137			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1138			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1139			
	<u>827.071 (3)</u>	2nd	Use or induce a child in a sexual performance, or Promote or direct <u>sexual</u> such performance <u>by a child</u> .
	827.071 (2) & (3)		
1140			
	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child <u>sexual abuse material</u> pornography.

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1141	<u>828.126</u> <u>(2) & (3)</u>	<u>2nd</u>	<u>Sexual activities involving animals.</u>
1142	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1143	838.015	2nd	Bribery.
1144	838.016	2nd	Unlawful compensation or reward for official behavior.
1145	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1146	838.22	2nd	Bid tampering.
1147	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1148	843.0855 (3)	3rd	Unlawful simulation of legal process.
1149	843.0855 (4)	3rd	Intimidation of a public

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			officer or employee.
1150	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1151	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1152	872.06	2nd	Abuse of a dead human body.
1153	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1154	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
1155	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),

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1156	893.13(1)(e)1.	1st	(2) (a), (2) (b), or (2) (c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1157	893.13(4)(a)	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.
1158	893.135(1)(a)1.	1st	Use or hire of minor; deliver to minor other controlled substance.
1159			Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

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1160	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1161	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1162	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1163	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
1164	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1165	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
	893.135	1st	Trafficking in fentanyl, 4

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1166	(1) (c) 4.b. (I)		grams or more, less than 14 grams.
1167	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1168	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1169	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1170	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1171	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	893.135	1st	Trafficking in 1,4-Butanediol,

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1172	(1) (j) 1.a.		1 kilogram or more, less than 5 kilograms.
	893.135	1st	Trafficking in Phenethylamines,
1173	(1) (k) 2.a.		10 grams or more, less than 200 grams.
	893.135	1st	Trafficking in synthetic
1174	(1) (m) 2.a.		cannabinoids, 280 grams or more, less than 500 grams.
	893.135	1st	Trafficking in synthetic
1175	(1) (m) 2.b.		cannabinoids, 500 grams or more, less than 1,000 grams.
	893.135	1st	Trafficking in n-benzyl
1176	(1) (n) 2.a.		phenethylamines, 14 grams or more, less than 100 grams.
	893.1351 (2)	2nd	Possession of place for
1177			trafficking in or manufacturing of controlled substance.
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but

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1178			less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1179			
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1180			
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1181			
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1182			
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or

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1183			conceal a sexual offender.
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1184			
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1185			
	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1186			
	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1187			
	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false

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1188 registration information.

1189 985.4815(10) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

1190 985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

1191 985.4815(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

1192 Section 21. Paragraph (c) of subsection (8) of section
1193 948.06, Florida Statutes, is amended to read:

1194 948.06 Violation of probation or community control;
1195 revocation; modification; continuance; failure to pay
1196 restitution or cost of supervision.—

1197 (8)

1198 (c) For purposes of this section, the term "qualifying
1199 offense" means any of the following:

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- 1200 1. Kidnapping or attempted kidnapping under s. 787.01,
 1201 false imprisonment of a child under the age of 13 under s.
 1202 787.02(3), or luring or enticing a child under s. 787.025(2)(b)
 1203 or (c).
- 1204 2. Murder or attempted murder under s. 782.04, attempted
 1205 felony murder under s. 782.051, or manslaughter under s. 782.07.
- 1206 3. Aggravated battery or attempted aggravated battery
 1207 under s. 784.045.
- 1208 4. Sexual battery or attempted sexual battery under s.
 1209 794.011(2), (3), (4), or (8)(b) or (c).
- 1210 5. Lewd or lascivious battery or attempted lewd or
 1211 lascivious battery under s. 800.04(4), lewd or lascivious
 1212 molestation under s. 800.04(5)(b) or (c)2., lewd or lascivious
 1213 conduct under s. 800.04(6)(b), lewd or lascivious exhibition
 1214 under s. 800.04(7)(b), or lewd or lascivious exhibition on
 1215 computer under s. 847.0135(5)(b).
- 1216 6. Robbery or attempted robbery under s. 812.13,
 1217 carjacking or attempted carjacking under s. 812.133, or home
 1218 invasion robbery or attempted home invasion robbery under s.
 1219 812.135.
- 1220 7. Lewd or lascivious offense upon or in the presence of
 1221 an elderly or disabled person or attempted lewd or lascivious
 1222 offense upon or in the presence of an elderly or disabled person
 1223 under s. 825.1025.
- 1224 8. Sexual performance by a child or attempted sexual

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1225 performance by a child under s. 827.071.

1226 9. Computer pornography under s. 847.0135(2) or (3),

1227 transmission of child sexual abuse material ~~pornography~~ under s.

1228 847.0137, or selling or buying of minors under s. 847.0145.

1229 10. Poisoning food or water under s. 859.01.

1230 11. Abuse of a dead human body under s. 872.06.

1231 12. Any burglary offense or attempted burglary offense

1232 that is either a first degree felony or second degree felony

1233 under s. 810.02(2) or (3).

1234 13. Arson or attempted arson under s. 806.01(1).

1235 14. Aggravated assault under s. 784.021.

1236 15. Aggravated stalking under s. 784.048(3), (4), (5), or

1237 (7).

1238 16. Aircraft piracy under s. 860.16.

1239 17. Unlawful throwing, placing, or discharging of a

1240 destructive device or bomb under s. 790.161(2), (3), or (4).

1241 18. Treason under s. 876.32.

1242 19. Any offense committed in another jurisdiction which

1243 would be an offense listed in this paragraph if that offense had

1244 been committed in this state.

1245 Section 22. Paragraph (e) of subsection (3) and subsection

1246 (10) of section 960.03, Florida Statutes, are amended to read:

1247 960.03 Definitions; ss. 960.01-960.28.—As used in ss.

1248 960.01-960.28, unless the context otherwise requires, the term:

1249 (3) "Crime" means:

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1250 (e) A violation of s. 827.071, s. 847.0135, s. 847.0137,
 1251 or s. 847.0138, related to online sexual exploitation and child
 1252 sexual abuse material ~~pornography~~.

1253 (10) "Identified victim of child sexual abuse material
 1254 ~~pornography~~" means any person who, while under the age of 18, is
 1255 depicted in any image or movie of child sexual abuse material
 1256 ~~pornography~~ and who is identified through a report generated by
 1257 a law enforcement agency and provided to the National Center for
 1258 Missing and Exploited Children's Child Victim Identification
 1259 Program.

1260 Section 23. Paragraph (b) of subsection (1) of section
 1261 960.197, Florida Statutes, is amended to read:

1262 960.197 Assistance to victims of online sexual
 1263 exploitation and child sexual abuse material ~~pornography~~.—

1264 (1) Notwithstanding the criteria set forth in s. 960.13
 1265 for crime victim compensation awards, the department may award
 1266 compensation for counseling and other mental health services to
 1267 treat psychological injury or trauma to:

1268 (b) Any person who, while younger than age 18, was
 1269 depicted in any image or movie, regardless of length, of child
 1270 sexual abuse material ~~pornography~~ as defined in s. 847.001, who
 1271 has been identified by a law enforcement agency or the National
 1272 Center for Missing and Exploited Children as an identified
 1273 victim of child sexual abuse material ~~pornography~~, who suffers
 1274 psychiatric or psychological injury as a direct result of the

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1275 | crime, and who does not otherwise sustain a personal injury or
1276 | death.
1277 | Section 24. This act shall take effect July 1, 2026.