

By Senator DiCeglie

18-00923-26

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A bill to be entitled

An act relating to aggravated stalking; amending s. 784.048, F.S.; creating the offense of aggravated stalking if a person willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and in the course of such conduct commits specified acts; providing criminal penalties; amending ss. 921.0022 and 948.06, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Present subsections (6) through (9) of section 784.048, Florida Statutes, are redesignated as subsections (7) through (10), respectively, and a new subsection (6) is added to that section, to read:

784.048 Stalking; definitions; penalties.—

(6) A person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if he or she willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person, and in the course of such conduct commits any of the following acts:

(a) Enters onto the property of the other person without consent, or interferes with the other person's property, including, but not limited to, tampering with or disabling security or surveillance devices.

(b) Commits a lewd or lascivious act, including, but not limited to, the exposure of his or her genitals, masturbation,

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30 or other sexually explicit conduct, in the presence of or
31 directed toward the other person or the other person's property.

32 (c) Mails, delivers, causes to be delivered, or otherwise
33 transmits to the other person unsolicited sexually explicit
34 material with the intent to harass, degrade, or intimidate.

35 Section 2. Paragraph (g) of subsection (3) of section
36 921.0022, Florida Statutes, is amended to read:

37 921.0022 Criminal Punishment Code; offense severity ranking
38 chart.—

39 (3) OFFENSE SEVERITY RANKING CHART

40 (g) LEVEL 7

41 Florida Statute	Felony Degree	Description
42 316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
43 316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
44 316.1935(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

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enforcement officer who is in a patrol vehicle with siren and lights activated.

45

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

46

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

47

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

48

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

49

456.065(2) 3rd Practicing a health care profession without a license.

50

456.065(2) 2nd Practicing a health care profession without a license which results in

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serious bodily injury.

51	458.327(1)	3rd	Practicing medicine without a license.
52	459.013(1)	3rd	Practicing osteopathic medicine without a license.
53	460.411(1)	3rd	Practicing chiropractic medicine without a license.
54	461.012(1)	3rd	Practicing podiatric medicine without a license.
55	462.17	3rd	Practicing naturopathy without a license.
56	463.015(1)	3rd	Practicing optometry without a license.
57	464.016(1)	3rd	Practicing nursing without a license.
58	465.015(2)	3rd	Practicing pharmacy without a license.
59			

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60	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
61	467.201	3rd	Practicing midwifery without a license.
62	468.366	3rd	Delivering respiratory care services without a license.
63	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
64	483.901(7)	3rd	Practicing medical physics without a license.
65	484.013(1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
66	484.053	3rd	Dispensing hearing aids without a license.
	494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money

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and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

67

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.

68

560.125 (5) (a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

69

655.50 (10) (b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

70

775.21 (10) (a) 3rd Sexual predator; failure to register; failure to renew driver license or identification card;

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other registration
violations.

71	775.21(10) (b)	3rd	Sexual predator working where children regularly congregate.
72	775.21(10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
73	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
74	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
75	782.071	2nd	Killing of a human being or unborn child by the operation of a motor

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vehicle in a reckless manner (vehicular homicide).

76

782.072

2nd

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

77

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

78

784.045(1)(a)2.

2nd

Aggravated battery; using deadly weapon.

79

784.045(1)(b)

2nd

Aggravated battery; perpetrator aware victim pregnant.

80

784.048(4)

3rd

Aggravated stalking; violation of injunction or court order.

81

784.048(8)

3rd

Aggravated stalking; violation of court order.

82

784.07(2)(d)

1st

Aggravated battery on law

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enforcement officer.

83

784.074(1)(a)

1st

Aggravated battery on
sexually violent
predators facility staff.

84

784.08(2)(a)

1st

Aggravated battery on a
person 65 years of age or
older.

85

784.081(1)

1st

Aggravated battery on
specified official or
employee.

86

784.082(1)

1st

Aggravated battery by
detained person on
visitor or other
detainee.

87

784.083(1)

1st

Aggravated battery on
code inspector.

88

787.025(2)(b)

2nd

Luring or enticing a
child; second or
subsequent offense.

89

787.025(2)(c)

2nd

Luring or enticing a
child with a specified
prior conviction.

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90	787.06(3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
91	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.
92	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
93	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
94	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
95	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting

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96			to commit a felony.
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
97			
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
98			
	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
99			
	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.
100			
	796.05(1)	1st	Live on earnings of a

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101			prostitute; 2nd offense.
	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
102	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
103	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.
104	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.
105	806.01(2)	2nd	Maliciously damage

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106		structure by fire or explosive.	
	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
107			
	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
108			
	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
109			
	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
110			
	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.
111			
	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than

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112			\$50,000, grand theft in 2nd degree.
	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
113	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
114	812.014(2)(g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.
115	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
116	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
117	812.131(2)(a)	2nd	Robbery by sudden

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118	812.133 (2) (b)	1st	snatching.
119	817.034 (4) (a)1.	1st	Carjacking; no firearm, deadly weapon, or other weapon.
120	817.234 (8) (a)	2nd	Communications fraud, value greater than \$50,000.
121	817.234 (9)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
122	817.234 (11) (c)	1st	Organizing, planning, or participating in an intentional motor vehicle collision.
123	817.2341 (2) (b) & (3) (b)	1st	Insurance fraud; property value \$100,000 or more.
			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

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the insolvency of that entity.

124	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
125	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
126	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
127	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
128	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
129	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult

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

130	827.03(2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
131	827.04(3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
132	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
133	827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
134	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.

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136	838.015	2nd	Bribery.
137	838.016	2nd	Unlawful compensation or reward for official behavior.
138	838.021(3)(a)	2nd	Unlawful harm to a public servant.
139	838.22	2nd	Bid tampering.
140	843.0855(2)	3rd	Impersonation of a public officer or employee.
141	843.0855(3)	3rd	Unlawful simulation of legal process.
142	843.0855(4)	3rd	Intimidation of a public officer or employee.
143	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.

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144	872.06	2nd	Abuse of a dead human body.
145	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
146	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
147	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 recreational facility or community center.

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148

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.

149

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

150

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

151

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

152

893.135
(1) (c)1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

153

893.135
(1) (c)2.a. 1st Trafficking in hydrocodone, 28 grams or

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154			more, less than 50 grams.
	893.135	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
	(1) (c)2.b.		
155			Trafficking in oxycodone, 7 grams or more, less than 14 grams.
	893.135	1st	
	(1) (c)3.a.		
156			Trafficking in oxycodone, 14 grams or more, less than 25 grams.
	893.135	1st	
	(1) (c)3.b.		
157			Trafficking in fentanyl, 4 grams or more, less than 14 grams.
	893.135	1st	
	(1) (c)4.b. (I)		
158			Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
	893.135	1st	
	(1) (d)1.a.		
159			Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
	893.135 (1) (e)1.	1st	
160			

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	893.135(1)(f)1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
161	893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
162	893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
163	893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
164	893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
165	893.135 (1)(m)2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
166			

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893.135	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.	
(1) (m)2.b.			
167			
893.135	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.	
(1) (n)2.a.			
168			
893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.	
169			
896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.	
170			
896.104 (4) (a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.	
171			
943.0435 (4) (c)	2nd	Sexual offender vacating	

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permanent residence;
failure to comply with
reporting requirements.

172	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
173	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
174	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
175	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
176	944.607 (9)	3rd	Sexual offender; failure

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to comply with reporting requirements.

177

944.607(10)(a)

3rd

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

178

944.607(12)

3rd

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

179

944.607(13)

3rd

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

180

985.4815(10)

3rd

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

181

985.4815(12)

3rd

Failure to report or providing false

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information about a sexual offender; harbor or conceal a sexual offender.

182

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

183

184 Section 3. Paragraph (c) of subsection (8) of section
185 948.06, Florida Statutes, is amended to read:

186 948.06 Violation of probation or community control;
187 revocation; modification; continuance; failure to pay
188 restitution or cost of supervision.—

189 (8)

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

192 1. Kidnapping or attempted kidnapping under s. 787.01,
193 false imprisonment of a child under the age of 13 under s.
194 787.02(3), or luring or enticing a child under s. 787.025(2)(b)
195 or (c).

196 2. Murder or attempted murder under s. 782.04, attempted
197 felony murder under s. 782.051, or manslaughter under s. 782.07.

198 3. Aggravated battery or attempted aggravated battery under
199 s. 784.045.

200 4. Sexual battery or attempted sexual battery under s.

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201 794.011(2), (3), (4), or (8)(b) or (c).

202 5. Lewd or lascivious battery or attempted lewd or
203 lascivious battery under s. 800.04(4), lewd or lascivious
204 molestation under s. 800.04(5)(b) or (c)2., lewd or lascivious
205 conduct under s. 800.04(6)(b), lewd or lascivious exhibition
206 under s. 800.04(7)(b), or lewd or lascivious exhibition on
207 computer under s. 847.0135(5)(b).

208 6. Robbery or attempted robbery under s. 812.13, carjacking
209 or attempted carjacking under s. 812.133, or home invasion
210 robbery or attempted home invasion robbery under s. 812.135.

211 7. Lewd or lascivious offense upon or in the presence of an
212 elderly or disabled person or attempted lewd or lascivious
213 offense upon or in the presence of an elderly or disabled person
214 under s. 825.1025.

215 8. Sexual performance by a child or attempted sexual
216 performance by a child under s. 827.071.

217 9. Computer pornography under s. 847.0135(2) or (3),
218 transmission of child pornography under s. 847.0137, or selling
219 or buying of minors under s. 847.0145.

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

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

222 12. Any burglary offense or attempted burglary offense that
223 is either a first degree felony or second degree felony under s.
224 810.02(2) or (3).

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

226 14. Aggravated assault under s. 784.021.

227 15. Aggravated stalking under s. 784.048(3), (4), (5), or
228 (8) s. 784.048(3), (4), (5), or (7).

229 16. Aircraft piracy under s. 860.16.

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

232 18. Treason under s. 876.32.

233 19. Any offense committed in another jurisdiction which
234 would be an offense listed in this paragraph if that offense had
235 been committed in this state.

236 Section 4. This act shall take effect October 1, 2026.