

1 A bill to be entitled
 2 An act relating to assault or battery on a utility
 3 worker; amending s. 784.07, F.S.; defining the term
 4 "utility worker"; providing for reclassification of
 5 certain offenses committed against a utility worker;
 6 amending ss. 901.15, 943.051, 985.11, and 985.644,
 7 F.S.; conforming provisions to changes made by the
 8 act; reenacting and amending s. 921.0022(3)(d), (f),
 9 and (g), F.S., relating to the offense severity
 10 ranking chart of the Criminal Punishment Code, to
 11 incorporate the amendment made to s. 784.07, F.S., in
 12 references thereto; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Section 784.07, Florida Statutes, is amended to
 17 read:

18 784.07 Assault or battery of law enforcement officers,
 19 firefighters, emergency medical care providers, public transit
 20 employees or agents, or other specified persons ~~officers~~;
 21 reclassification of offenses; minimum sentences.—

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

23 (a) "Emergency medical care provider" means an ambulance
 24 driver, emergency medical technician, paramedic, registered
 25 nurse, physician as defined in s. 401.23, medical director as
 26 defined in s. 401.23, or any person authorized by an emergency
 27 medical service licensed under chapter 401 who is engaged in the
 28 performance of his or her duties. The term "emergency medical

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29 care provider" also includes physicians, employees, agents, or
30 volunteers of hospitals as defined in chapter 395, who are
31 employed, under contract, or otherwise authorized by a hospital
32 to perform duties directly associated with the care and
33 treatment rendered by the hospital's emergency department or the
34 security thereof.

35 (b) "Firefighter" means any person employed by any public
36 employer of this state whose duty it is to extinguish fires; to
37 protect life or property; or to enforce municipal, county, and
38 state fire prevention codes, as well as any law pertaining to
39 the prevention and control of fires.

40 (c) "Law enforcement explorer" means any person who is a
41 current member of a law enforcement agency's explorer program
42 and who is performing functions other than those required to be
43 performed by sworn law enforcement officers on behalf of a law
44 enforcement agency while under the direct physical supervision
45 of a sworn officer of that agency and wearing a uniform that
46 bears at least one patch that clearly identifies the law
47 enforcement agency that he or she represents.

48 (d) "Law enforcement officer" includes a law enforcement
49 officer, a correctional officer, a correctional probation
50 officer, a part-time law enforcement officer, a part-time
51 correctional officer, an auxiliary law enforcement officer, and
52 an auxiliary correctional officer, as those terms are
53 respectively defined in s. 943.10, and any county probation
54 officer; an employee or agent of the Department of Corrections
55 who supervises or provides services to inmates; an officer of
56 the Parole Commission; a federal law enforcement officer as

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57 defined in s. 901.1505; and law enforcement personnel of the
58 Fish and Wildlife Conservation Commission or the Department of
59 Law Enforcement.

60 (e) "Public transit employees or agents" means bus
61 operators, train operators, revenue collectors, security
62 personnel, equipment maintenance personnel, or field
63 supervisors, who are employees or agents of a transit agency as
64 described in s. 812.015(1)(1).

65 (f) "Utility worker" means a person who bears at least one
66 patch or emblem that is visible at all times and that clearly
67 identifies the employing or contracting utility and that clearly
68 identifies the person as a utility worker under contract with or
69 employed by an entity that owns, operates, leases, or controls a
70 plant, property, or facility for the generation, transmission,
71 or furnishing to or for the public of electricity, natural or
72 manufactured gas, water, telephone, or communications service,
73 including two or more utilities rendering joint service.

74 (2) Whenever any person is charged with knowingly
75 committing an assault or battery upon a law enforcement officer,
76 a firefighter, an emergency medical care provider, a traffic
77 accident investigation officer as described in s. 316.640, a
78 nonsworn law enforcement agency employee who is certified as an
79 agency inspector, a blood alcohol analyst, or a breath test
80 operator while such employee is in uniform and engaged in
81 processing, testing, evaluating, analyzing, or transporting a
82 person who is detained or under arrest for DUI, a law
83 enforcement explorer, a traffic infraction enforcement officer
84 as described in s. 316.640, a parking enforcement specialist as

85 | defined in s. 316.640, a person licensed as a security officer
 86 | as defined in s. 493.6101 and wearing a uniform that bears at
 87 | least one patch or emblem that is visible at all times that
 88 | clearly identifies the employing agency and that clearly
 89 | identifies the person as a licensed security officer, or a
 90 | security officer employed by the board of trustees of a
 91 | community college, or utility worker, while the officer,
 92 | firefighter, emergency medical care provider, traffic accident
 93 | investigation officer, traffic infraction enforcement officer,
 94 | inspector, analyst, operator, law enforcement explorer, parking
 95 | enforcement specialist, public transit employee or agent, ~~or~~
 96 | security officer, or utility worker is engaged in the lawful
 97 | performance of his or her duties, the offense for which the
 98 | person is charged shall be reclassified as follows:

99 | (a) In the case of assault, from a misdemeanor of the
 100 | second degree to a misdemeanor of the first degree.

101 | (b) In the case of battery, from a misdemeanor of the
 102 | first degree to a felony of the third degree.

103 | (c) In the case of aggravated assault, from a felony of
 104 | the third degree to a felony of the second degree.

105 | Notwithstanding any other provision of law, any person convicted
 106 | of aggravated assault upon a law enforcement officer shall be
 107 | sentenced to a minimum term of imprisonment of 3 years.

108 | (d) In the case of aggravated battery, from a felony of
 109 | the second degree to a felony of the first degree.

110 | Notwithstanding any other provision of law, any person convicted
 111 | of aggravated battery of a law enforcement officer shall be
 112 | sentenced to a minimum term of imprisonment of 5 years.

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113 (3) Any person who is convicted of a battery under
114 paragraph (2)(b) and, during the commission of the offense, such
115 person possessed:

116 (a) A "firearm" or "destructive device" as those terms are
117 defined in s. 790.001, shall be sentenced to a minimum term of
118 imprisonment of 3 years.

119 (b) A semiautomatic firearm and its high-capacity
120 detachable box magazine, as defined in s. 775.087(3), or a
121 machine gun as defined in s. 790.001, shall be sentenced to a
122 minimum term of imprisonment of 8 years.

123

124 Notwithstanding s. 948.01, adjudication of guilt or imposition
125 of sentence shall not be suspended, deferred, or withheld, and
126 the defendant is not eligible for statutory gain-time under s.
127 944.275 or any form of discretionary early release, other than
128 pardon or executive clemency, or conditional medical release
129 under s. 947.149, prior to serving the minimum sentence.

130 Section 2. Subsection (15) of section 901.15, Florida
131 Statutes, is amended to read:

132 901.15 When arrest by officer without warrant is lawful.—A
133 law enforcement officer may arrest a person without a warrant
134 when:

135 (15) There is probable cause to believe that the person
136 has committed assault upon a law enforcement officer, a
137 firefighter, an emergency medical care provider, public transit
138 employees or agents, or other specified persons ~~officers~~ as set
139 forth in s. 784.07 or has committed assault or battery upon any
140 employee of a receiving facility as defined in s. 394.455 who is

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141 engaged in the lawful performance of his or her duties.

142 Section 3. Paragraph (b) of subsection (3) of section
 143 943.051, Florida Statutes, is amended to read:

144 943.051 Criminal justice information; collection and
 145 storage; fingerprinting.—

146 (3)

147 (b) A minor who is charged with or found to have committed
 148 the following offenses shall be fingerprinted and the
 149 fingerprints shall be submitted to the department:

150 1. Assault, as defined in s. 784.011.

151 2. Battery, as defined in s. 784.03.

152 3. Carrying a concealed weapon, as defined in s.
 153 790.01(1).

154 4. Unlawful use of destructive devices or bombs, as
 155 defined in s. 790.1615(1).

156 5. Negligent treatment of children, as defined in former
 157 s. 827.05.

158 6. Assault or battery on a law enforcement officer, a
 159 firefighter, or other specified persons ~~officers~~, as defined in
 160 s. 784.07(2)(a) ~~and (b)~~.

161 7. Open carrying of a weapon, as defined in s. 790.053.

162 8. Exposure of sexual organs, as defined in s. 800.03.

163 9. Unlawful possession of a firearm, as defined in s.
 164 790.22(5).

165 10. Petit theft, as defined in s. 812.014(3).

166 11. Cruelty to animals, as defined in s. 828.12(1).

167 12. Arson, as defined in s. 806.031(1).

168 13. Unlawful possession or discharge of a weapon or

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169 | firearm at a school-sponsored event or on school property as
 170 | defined in s. 790.115.

171 | Section 4. Paragraph (b) of subsection (1) of section
 172 | 985.11, Florida Statutes, is amended to read:

173 | 985.11 Fingerprinting and photographing.—

174 | (1)

175 | (b) A child who is charged with or found to have committed
 176 | one of the following offenses shall be fingerprinted, and the
 177 | fingerprints shall be submitted to the Department of Law
 178 | Enforcement as provided in s. 943.051(3)(b):

179 | 1. Assault, as defined in s. 784.011.

180 | 2. Battery, as defined in s. 784.03.

181 | 3. Carrying a concealed weapon, as defined in s.
 182 | 790.01(1).

183 | 4. Unlawful use of destructive devices or bombs, as
 184 | defined in s. 790.1615(1).

185 | 5. Negligent treatment of children, as defined in former
 186 | s. 827.05.

187 | 6. Assault on a law enforcement officer, a firefighter, or
 188 | other specified persons ~~officers~~, as defined in s. 784.07(2)(a).

189 | 7. Open carrying of a weapon, as defined in s. 790.053.

190 | 8. Exposure of sexual organs, as defined in s. 800.03.

191 | 9. Unlawful possession of a firearm, as defined in s.
 192 | 790.22(5).

193 | 10. Petit theft, as defined in s. 812.014.

194 | 11. Cruelty to animals, as defined in s. 828.12(1).

195 | 12. Arson, resulting in bodily harm to a firefighter, as
 196 | defined in s. 806.031(1).

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197 13. Unlawful possession or discharge of a weapon or
198 firearm at a school-sponsored event or on school property as
199 defined in s. 790.115.

200

201 A law enforcement agency may fingerprint and photograph a child
202 taken into custody upon probable cause that such child has
203 committed any other violation of law, as the agency deems
204 appropriate. Such fingerprint records and photographs shall be
205 retained by the law enforcement agency in a separate file, and
206 these records and all copies thereof must be marked "Juvenile
207 Confidential." These records are not available for public
208 disclosure and inspection under s. 119.07(1) except as provided
209 in ss. 943.053 and 985.04(2), but shall be available to other
210 law enforcement agencies, criminal justice agencies, state
211 attorneys, the courts, the child, the parents or legal
212 custodians of the child, their attorneys, and any other person
213 authorized by the court to have access to such records. In
214 addition, such records may be submitted to the Department of Law
215 Enforcement for inclusion in the state criminal history records
216 and used by criminal justice agencies for criminal justice
217 purposes. These records may, in the discretion of the court, be
218 open to inspection by anyone upon a showing of cause. The
219 fingerprint and photograph records shall be produced in the
220 court whenever directed by the court. Any photograph taken
221 pursuant to this section may be shown by a law enforcement
222 officer to any victim or witness of a crime for the purpose of
223 identifying the person who committed such crime.

224 Section 5. Paragraph (a) of subsection (3) of section

225 985.644, Florida Statutes, is amended to read:

226 985.644 Departmental contracting powers; personnel
 227 standards and screening.—

228 (3) (a) All employees of the department and all personnel
 229 of contract providers for any program for children, including
 230 all owners, operators, employees, persons who have access to
 231 confidential juvenile records, and volunteers, must complete:

232 1. A level 2 employment screening pursuant to chapter 435
 233 before employment. The security background investigation
 234 conducted under this section must ensure that, in addition to
 235 the disqualifying offenses listed in s. 435.04, no person
 236 subject to the background screening provisions of this section
 237 has an arrest awaiting final disposition for, been found guilty
 238 of, regardless of adjudication, or entered a plea of nolo
 239 contendere or guilty to, or been adjudicated delinquent and the
 240 record has not been sealed or expunged for, any offense
 241 prohibited under the following provisions of state law or
 242 similar laws of another jurisdiction:

243 a. Section 784.07, relating to assault or battery of law
 244 enforcement officers, firefighters, emergency medical care
 245 providers, public transit employees or agents, or other
 246 specified persons ~~officers~~.

247 b. Section 817.568, relating to criminal use of personal
 248 identification information.

249 2. A national criminal records check by the Federal Bureau
 250 of Investigation every 5 years following the date of the
 251 person's employment.

252 Section 6. Paragraphs (d), (f), and (g) of subsection (3)

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253 of section 921.0022, Florida Statutes, are amended to read:

254 921.0022 Criminal Punishment Code; offense severity
 255 ranking chart.—

256 (3) OFFENSE SEVERITY RANKING CHART

257 (d) LEVEL 4

258

Florida	Felony	
Statute	Degree	Description

259

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.
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260

499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
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261

499.0051(2)	3rd	Failure to authenticate pedigree papers.
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262

499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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263

517.07(1)	3rd	Failure to register securities.
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264

517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
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265	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
266	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
267	784.075	3rd	Battery on detention or commitment facility staff.
268	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
269	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
270	784.081 (3)	3rd	Battery on specified official or employee.
271	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
272	784.083 (3)	3rd	Battery on code inspector.
273	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

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274	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
275	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
276	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
277	787.07	3rd	Human smuggling.
278	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
279	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
280	790.115(2)(c)	3rd	Possessing firearm on school property.
281	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
282	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an

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283			unoccupied structure; unarmed; no assault or battery.
284	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
285	810.06	3rd	Burglary; possession of tools.
286	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
287	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
288	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
289	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
290	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
291	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.

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292	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
293	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
294	837.02 (1)	3rd	Perjury in official proceedings.
295	837.021 (1)	3rd	Make contradictory statements in official proceedings.
296	838.022	3rd	Official misconduct.
297	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
298	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
299	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
300	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
	843.15 (1) (a)	3rd	Failure to appear while on bail for

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301			felony (bond estreature or bond jumping).
302	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
303	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
304	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
305	914.14(2)	3rd	Witnesses accepting bribes.
306	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
307	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
308	918.12	3rd	Tampering with jurors.
309	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
310	(f) LEVEL 6		
311			

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	Florida Statute	Felony Degree	Description
312	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
313	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
314	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
315	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
316	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
317	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
318	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
319	784.041	3rd	Felony battery; domestic battery by strangulation.
320	784.048 (3)	3rd	Aggravated stalking; credible threat.

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321	784.048 (5)	3rd	Aggravated stalking of person under 16.
322	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer, <u>firefighter, etc.</u>
323	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
324	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
325	784.081 (2)	2nd	Aggravated assault on specified official or employee.
326	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
327	784.083 (2)	2nd	Aggravated assault on code inspector.
328	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
329	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
330	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or

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331			damage property.
	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
332			
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
333			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
334			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
335			
	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
336			
	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
337			
	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
338			
	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
339			

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340	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
341	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
342	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
343	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
344	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
345	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
346	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
347	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.

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348	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
349	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
350	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
351	827.03 (2) (c)	3rd	Abuse of a child.
352	827.03 (2) (d)	3rd	Neglect of a child.
353	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
354	836.05	2nd	Threats; extortion.
355	836.10	2nd	Written threats to kill or do bodily injury.
356	843.12	3rd	Aids or assists person to escape.
357	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute

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358			obscene materials depicting minors.
	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
359			
	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
360			
	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
361			
	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
362			
	944.40	2nd	Escapes.
363			
	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
364			
	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
365			

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366	951.22 (1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
367	(g) LEVEL 7		
368	Florida Statute	Felony Degree	Description
369	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
370	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
371	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.
372	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
373	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

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374	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
375	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
376	456.065 (2)	3rd	Practicing a health care profession without a license.
377	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
378	458.327 (1)	3rd	Practicing medicine without a license.
379	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
380	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
381	461.012 (1)	3rd	Practicing podiatric medicine without a license.
382	462.17	3rd	Practicing naturopathy without a license.
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384	463.015 (1)	3rd	Practicing optometry without a license.
385	464.016 (1)	3rd	Practicing nursing without a license.
386	465.015 (2)	3rd	Practicing pharmacy without a license.
387	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
388	467.201	3rd	Practicing midwifery without a license.
389	468.366	3rd	Delivering respiratory care services without a license.
390	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
391	483.901 (9)	3rd	Practicing medical physics without a license.
392	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
393	484.053	3rd	Dispensing hearing aids without a license.
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total

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

394

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.

395

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

396

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

397

775.21 (10) (a) 3rd Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.

398

775.21 (10) (b) 3rd Sexual predator working where children regularly congregate.

399

775.21 (10) (g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

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400	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
401	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
402	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
403	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
404	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
405	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
406	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
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408	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
409	784.048 (7)	3rd	Aggravated stalking; violation of court order.
410	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer, <u>firefighter, etc.</u>
411	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
412	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
413	784.081 (1)	1st	Aggravated battery on specified official or employee.
414	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
415	784.083 (1)	1st	Aggravated battery on code inspector.
416	787.06 (3) (a)	1st	Human trafficking using coercion for labor and services.
	787.06 (3) (e)	1st	Human trafficking using coercion for labor and services by the transfer or

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transport of any individual from
outside Florida to within the state.

417

790.07(4) 1st Specified weapons violation subsequent
to previous conviction of s. 790.07(1)
or (2).

418

790.16(1) 1st Discharge of a machine gun under
specified circumstances.

419

790.165(2) 2nd Manufacture, sell, possess, or deliver
hoax bomb.

420

790.165(3) 2nd Possessing, displaying, or threatening
to use any hoax bomb while committing
or attempting to commit a felony.

421

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon of mass
destruction.

422

790.166(4) 2nd Possessing, displaying, or threatening
to use a hoax weapon of mass
destruction while committing or
attempting to commit a felony.

423

790.23 1st,PBL Possession of a firearm by a person who
qualifies for the penalty enhancements

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provided for in s. 874.04.

424

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.

425

796.03 2nd Procuring any person under 16 years for prostitution.

426

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

427

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.

428

806.01 (2) 2nd Maliciously damage structure by fire or explosive.

429

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

430

810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

431

810.02 (3) (d) 2nd Burglary of occupied conveyance;

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unarmed; no assault or battery.

432

810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

433

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.

434

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

435

812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

436

812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

437

812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

438

812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

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439	812.131 (2) (a)	2nd	Robbery by sudden snatching.
440	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
441	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
442	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
443	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
444	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
445	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
446	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued

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

447 827.03(2)(b) 2nd Neglect of a child causing great bodily
harm, disability, or disfigurement.

448 827.04(3) 3rd Impregnation of a child under 16 years
of age by person 21 years of age or
older.

449 837.05(2) 3rd Giving false information about alleged
capital felony to a law enforcement
officer.

450 838.015 2nd Bribery.

451 838.016 2nd Unlawful compensation or reward for
official behavior.

452 838.021(3)(a) 2nd Unlawful harm to a public servant.

453 838.22 2nd Bid tampering.

454 847.0135(3) 3rd Solicitation of a child, via a computer
service, to commit an unlawful sex act.

455 847.0135(4) 2nd Traveling to meet a minor to commit an
unlawful sex act.

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872.06	2nd	Abuse of a dead human body.
874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
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)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
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)4., within 1,000 feet of property used for religious services or a specified business site.
893.13(4)(a)	1st	Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

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462	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
463	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
464	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
465	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
466	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
467	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
468	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
469	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

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470	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
471	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
472	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
473	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
474	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
475	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
476	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
477			

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478	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
479	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
480	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
481	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
482	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
483	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
484	985.4815 (10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
	985.4815 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

