



115286

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/24/2014	.	
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The Committee on Appropriations (Hays) recommended the following:

Senate Amendment (with title amendment)

Between lines 299 and 300
insert:

Section 6. Paragraphs (a) and (c) of subsection (3) of
section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking
chart.—

(3) OFFENSE SEVERITY RANKING CHART

(a) LEVEL 1



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Florida Statute	Felony Degree	Description
24.118(3) (a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26(1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.



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20	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver's license; possession of simulated identification.
21	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver's license or identification card.
22	322.212 (5) (a)	3rd	False application for driver's license or identification card.
23	414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food assistance program, Medicaid ID, value greater than \$200.
24	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
25	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
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509.151(1) 3rd Defraud an innkeeper, food or
lodging value greater than
\$300.

517.302(1) 3rd Violation of the Florida
Securities and Investor
Protection Act.

562.27(1) 3rd Possess still or still
apparatus.

713.69 3rd Tenant removes property upon
which lien has accrued, value
more than \$50.

812.014(3)(c) 3rd Petit theft (3rd conviction);
theft of any property not
specified in subsection (2).

812.081(2) 3rd Unlawfully makes or causes to
be made a reproduction of a
trade secret.

815.04(5)(a) 3rd Offense against intellectual
~~815.04(4)(a)~~ property (i.e., computer
programs, data).

817.52(2) 3rd Hiring with intent to defraud,
motor vehicle services.



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34	817.569(2)	3rd	Use of public record or public records information to facilitate commission of a felony.
35	826.01	3rd	Bigamy.
36	828.122(3)	3rd	Fighting or baiting animals.
37	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
38	831.31(1)(a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
39	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
40	832.05(2)(b) & (4)(c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
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42	838.15(2)	3rd	Commercial bribe receiving.
43	838.16	3rd	Commercial bribery.
44	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
45	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
46	849.01	3rd	Keeping gambling house.
47	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
48	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
49	849.25(2)	3rd	Engaging in bookmaking.
50	860.08	3rd	Interfere with a railroad signal.
	860.13(1)(a)	3rd	Operate aircraft while under



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the influence.

893.13(2)(a)2. 3rd Purchase of cannabis.

893.13(6)(a) 3rd Possession of cannabis (more
than 20 grams).

934.03(1)(a) 3rd Intercepts, or procures any
other person to intercept, any
wire or oral communication.

(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in



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patrol vehicle with siren and
lights activated.

319.30(4) 3rd Possession by junkyard of motor
vehicle with identification
number plate removed.

319.33(1)(a) 3rd Alter or forge any certificate
of title to a motor vehicle or
mobile home.

319.33(1)(c) 3rd Procure or pass title on stolen
vehicle.

319.33(4) 3rd With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

327.35(2)(b) 3rd Felony BUI.

328.05(2) 3rd Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

328.07(4) 3rd Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.



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70	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
71	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
72	379.2431 (1)(e)6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
73	400.9935(4)	3rd	Operating a clinic without a license or filing false license application or other required information.
74	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.



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75	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
76	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
77	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
78	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
79	697.08	3rd	Equity skimming.
80	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
81	796.05 (1)	3rd	Live on earnings of a prostitute.
82	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.



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83	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
84	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
85	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
86	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
87	<u>815.04 (5) (b)</u> 815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
88	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
89	817.233	3rd	Burning to defraud insurer.
90	817.234 (8) (b) - (c)	3rd	Unlawful solicitation of persons involved in motor



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vehicle accidents.

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817.234(11)(a) 3rd Insurance fraud; property value
less than \$20,000.

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817.236 3rd Filing a false motor vehicle
insurance application.

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817.2361 3rd Creating, marketing, or
presenting a false or
fraudulent motor vehicle
insurance card.

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817.413(2) 3rd Sale of used goods as new.

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817.505(4) 3rd Patient brokering.

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

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831.28(2)(a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment instrument.

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831.29 2nd Possession of instruments for
counterfeiting drivers'



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licenses or identification
cards.

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838.021(3)(b) 3rd Threatens unlawful harm to
public servant.

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843.19 3rd Injure, disable, or kill police
dog or horse.

101

860.15(3) 3rd Overcharging for repairs and
parts.

102

870.01(2) 3rd Riot; inciting or encouraging.

103

893.13(1)(a)2. 3rd Sell, manufacture, or deliver
cannabis (or other s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7., (2)(c)8.,
(2)(c)9., (3), or (4) drugs).

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893.13(1)(d)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7., (2)(c)8.,
(2)(c)9., (3), or (4) drugs
within 1,000 feet of
university.

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893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by



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chapter 893.

111

893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

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893.13(8)(a)2. 3rd Employ a trick or scheme in the
practitioner's practice to
assist a patient, other person,
or owner of an animal in
obtaining a controlled
substance.

113

893.13(8)(a)3. 3rd Knowingly write a prescription
for a controlled substance for
a fictitious person.

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893.13(8)(a)4. 3rd Write a prescription for a
controlled substance for a
patient, other person, or an
animal if the sole purpose of
writing the prescription is a
monetary benefit for the
practitioner.



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918.13(1)(a) 3rd Alter, destroy, or conceal
investigation evidence.

116

944.47 3rd Introduce contraband to
(1)(a)1.-2. correctional facility.

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944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

118

985.721 3rd Escapes from a juvenile
facility (secure detention or
residential commitment
facility).

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121 ===== T I T L E A M E N D M E N T =====

122 And the title is amended as follows:

123 Delete line 33

124 and insert:

125 utility; providing criminal penalties; amending s.

126 921.0022, F.S.; conforming provisions of the offense

127 severity ranking chart to changes made by the act;

128 providing an