

By Senator Negrón

28-01087-12

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A bill to be entitled
 An act relating to criminal penalties for violations
 of securities laws; amending s. 921.0022, F.S.;
 increasing the offense severity ranking for failing to
 register securities with the Office of Financial
 Regulation; specifying the offense severity ranking
 for the failure of a dealer, associated person, or
 issuer of securities to register with the Office of
 Financial Regulation; providing an effective date.

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

Section 1. Paragraphs (b) and (d) 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

(b) LEVEL 2

Florida Statute	Felony Degree	Description
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.

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22	403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
	<u>517.07(2)</u>	3rd	<u>Failure to furnish a prospectus meeting requirements.</u> Registration of securities and furnishing of prospectus required.
23	517.07		
24	590.28(1)	3rd	Intentional burning of lands.
25	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
26	787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
27	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
28	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
29	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.

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- 812.014(2)(c)1. 3rd Grand theft, 3rd degree; \$300 or more but less than \$5,000.
- 812.014(2)(d) 3rd Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
- 812.015(7) 3rd Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
- 817.234(1)(a)2. 3rd False statement in support of insurance claim.
- 817.481(3)(a) 3rd Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
- 817.52(3) 3rd Failure to redeliver hired vehicle.
- 817.54 3rd With intent to defraud, obtain mortgage note, etc., by false representation.
- 817.60(5) 3rd Dealing in credit cards of another.
- 817.60(6)(a) 3rd Forgery; purchase goods, services with false card.
- 817.61 3rd Fraudulent use of credit cards over \$100

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or more within 6 months.

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- 826.04 3rd Knowingly marries or has sexual intercourse with person to whom related.
- 831.01 3rd Forgery.
- 831.02 3rd Uttering forged instrument; utters or publishes alteration with intent to defraud.
- 831.07 3rd Forging bank bills, checks, drafts, or promissory notes.
- 831.08 3rd Possessing 10 or more forged notes, bills, checks, or drafts.
- 831.09 3rd Uttering forged notes, bills, checks, drafts, or promissory notes.
- 831.11 3rd Bringing into the state forged bank bills, checks, drafts, or notes.
- 832.05(3)(a) 3rd Cashing or depositing item with intent to defraud.
- 843.08 3rd Falsely impersonating an officer.
- 893.13(2)(a)2. 3rd Purchase of any s. 893.03(1)(c),

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(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 other than cannabis.

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893.147(2) 3rd Manufacture or delivery of drug
 paraphernalia.

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(d) LEVEL 4

Florida	Felony	
Statute	Degree	Description

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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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499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
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499.0051(2)	3rd	Failure to authenticate pedigree papers.
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499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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<u>517.07(1)</u>	<u>3rd</u>	<u>Failure to register securities.</u>
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<u>517.12(1)</u>	<u>3rd</u>	<u>Failure of dealer, associated person, or</u>
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issuer of securities to register.

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784.07(2)(b) 3rd Battery of law enforcement officer,
firefighter, etc.

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784.074(1)(c) 3rd Battery of sexually violent predators
facility staff.

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784.075 3rd Battery on detention or commitment
facility staff.

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784.078 3rd Battery of facility employee by
throwing, tossing, or expelling certain
fluids or materials.

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784.08(2)(c) 3rd Battery on a person 65 years of age or
older.

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784.081(3) 3rd Battery on specified official or
employee.

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784.082(3) 3rd Battery by detained person on visitor or
other detainee.

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784.083(3) 3rd Battery on code inspector.

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784.085 3rd Battery of child by throwing, tossing,
projecting, or expelling certain fluids
or materials.

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- 787.03(1) 3rd Interference with custody; wrongly takes minor from appointed guardian.
- 787.04(2) 3rd Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
- 787.04(3) 3rd Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
- 790.115(1) 3rd Exhibiting firearm or weapon within 1,000 feet of a school.
- 790.115(2)(b) 3rd Possessing electric weapon or device, destructive device, or other weapon on school property.
- 790.115(2)(c) 3rd Possessing firearm on school property.
- 800.04(7)(c) 3rd Lewd or lascivious exhibition; offender less than 18 years.
- 810.02(4)(a) 3rd Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

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76	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
77	810.06	3rd	Burglary; possession of tools.
78	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
79	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
80	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
81	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
82	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
83	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
84	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
	828.125(1)	2nd	Kill, maim, or cause great bodily harm

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or permanent breeding disability to any registered horse or cattle.

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837.02(1) 3rd Perjury in official proceedings.

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837.021(1) 3rd Make contradictory statements in official proceedings.

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838.022 3rd Official misconduct.

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839.13(2)(a) 3rd Falsifying records of an individual in the care and custody of a state agency.

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839.13(2)(c) 3rd Falsifying records of the Department of Children and Family Services.

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843.021 3rd Possession of a concealed handcuff key by a person in custody.

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843.025 3rd Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

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843.15(1)(a) 3rd Failure to appear while on bail for felony (bond estreature or bond jumping).

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847.0135(5)(c) 3rd Lewd or lascivious exhibition using computer; offender less than 18 years.

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- 874.05(1) 3rd Encouraging or recruiting another to join a criminal gang.
- 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).
- 914.14(2) 3rd Witnesses accepting bribes.
- 914.22(1) 3rd Force, threaten, etc., witness, victim, or informant.
- 914.23(2) 3rd Retaliation against a witness, victim, or informant, no bodily injury.
- 918.12 3rd Tampering with jurors.
- 934.215 3rd Use of two-way communications device to facilitate commission of a crime.

Section 2. This act shall take effect July 1, 2012.