

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gaetz offered the following:

2  
3 **Substitute Amendment for Amendment (848603) (with title**  
4 **amendment)**

5 Between lines 60 and 61, insert:

6 Section 3. Section 775.32, Florida Statutes, is created to  
7 read:

8 775.32 Offenses against pregnant women; reclassification.-

9 (1) The misdemeanor or felony degree of a violation of any  
10 criminal offense, except for a violation of s. 784.045(1)(b),  
11 shall be reclassified as follows if the offense is committed  
12 against a pregnant woman and the person committing the offense  
13 knew or should have known that the woman was pregnant:

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14 (a) In the case of a misdemeanor of the second degree, the  
15 offense is reclassified to a misdemeanor of the first degree.

16 (b) In the case of a misdemeanor of the first degree, the  
17 offense is reclassified as a felony of the third degree.

18 (c) In the case of a felony of the third degree, the  
19 offense is reclassified to a felony of the second degree.

20 (d) In the case of a felony of the second degree, the  
21 offense is reclassified to a felony of the first degree.

22 (e) In the case of a felony of the first degree, the  
23 offense is reclassified to a life felony.

24 (2) For purposes of sentencing under chapter 921 and  
25 determining incentive gain-time eligibility under chapter 944, a  
26 felony offense that is reclassified under this section is ranked  
27 one level above the ranking under s. 921.0022 or s. 921.0023 of  
28 the offense committed.

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31 **T I T L E A M E N D M E N T**

32 Remove lines 2-13 and insert:  
33 An act relating to offenses against pregnant women;  
34 providing a short title; amending s. 775.021, F.S.;  
35 providing a rule of construction that a person who  
36 engages in conduct that violates any provision of the  
37 Florida Criminal Code or of a criminal offense defined  
38 by another statute and causes the death of, or bodily  
39 injury to, an unborn child commits a separate offense

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40 | if such an offense is not otherwise specifically  
41 | provided for; providing for criminal penalties for  
42 | such an offense; specifying that certain types of  
43 | knowledge or intent are not necessary for such an  
44 | offense; providing exceptions; providing a definition;  
45 | creating s. 775.32, F.S.; reclassifying criminal  
46 | offenses committed against pregnant women;

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