

1 A bill to be entitled
2 An act relating to public corruption; amending s.
3 838.014, F.S.; revising and providing definitions;
4 amending s. 838.015, F.S.; revising the definition of
5 the term "bribery"; revising requirements for
6 prosecution; amending s. 838.016, F.S.; revising the
7 prohibition against unlawful compensation or reward
8 for official behavior to conform to changes made by
9 the act; amending s. 838.022, F.S.; revising the
10 prohibition against official misconduct to conform to
11 changes made by the act; revising applicability of the
12 offense to include public contractors; amending s.
13 838.22, F.S.; revising the prohibition against bid
14 tampering to conform to changes made by the act;
15 revising applicability of the offense to include
16 specified public contractors; creating s. 838.24,
17 F.S.; authorizing the award of attorney fees to public
18 servants and public contractors under certain
19 conditions; reenacting s. 112.534(2)(a), F.S.,
20 relating to official misconduct, s. 117.01(4)(d),
21 F.S., relating to appointment, application,
22 suspension, revocation, application fee, bond, and
23 oath, and s. 921.0022(3)(d), F.S., relating to the
24 Criminal Punishment Code offense severity ranking
25 chart, to incorporate amendments made by the act to s.
26 838.022, F.S., in references thereto; reenacting s.

27 817.568(11), F.S., relating to criminal use of
 28 personal identification information, to incorporate
 29 the amendment made by the act to s. 838.014, F.S., in
 30 a reference thereto; reenacting s. 921.0022(3)(g),
 31 F.S., relating to the Criminal Punishment Code offense
 32 severity ranking chart, to incorporate the amendments
 33 made by the act to ss. 838.015, 838.016, and 838.22,
 34 F.S., in references thereto; providing an effective
 35 date.

36
 37 Be It Enacted by the Legislature of the State of Florida:

38
 39 Section 1. Subsection (7) of section 838.014, Florida
 40 Statutes, is renumbered as subsection (8), present subsections
 41 (4) and (6) are amended, and a new subsection (6) is added to
 42 that section, to read:

43 838.014 Definitions.—As used in this chapter, the term:

44 (4) "Governmental entity" means an agency or entity of the
 45 state, a county, municipality, or special district or any other
 46 public entity created or authorized by law ~~"Corruptly" or "with~~
 47 ~~corrupt intent" means acting knowingly and dishonestly for a~~
 48 ~~wrongful purpose.~~

49 (6) "Public contractor" means, for purposes of ss. 838.022
 50 and 838.22 only:

51 (a) Any person, as defined in s. 1.01(3), who has entered
 52 into a contract with a governmental entity; or

53 (b) Any officer or employee of a person, as defined in s.
 54 1.01(3), who has entered into a contract with a governmental
 55 entity.

56 (7)~~(6)~~ "Public servant" means:

57 (a) Any officer or employee of a governmental ~~state,~~
 58 ~~county, municipal, or special district agency or entity,~~
 59 including

60 ~~(b)~~ any executive, legislative, or judicial branch officer
 61 or employee;

62 (b)~~(e)~~ Any person, except a witness, who acts as a general
 63 or special magistrate, receiver, auditor, arbitrator, umpire,
 64 referee, consultant, or hearing officer while performing a
 65 governmental function; or

66 (c)~~(d)~~ A candidate for election or appointment to any of
 67 the officer positions listed in this subsection, or an
 68 individual who has been elected to, but has yet to officially
 69 assume the responsibilities of, public office.

70 Section 2. Subsection (1) of section 838.015, Florida
 71 Statutes, is amended to read:

72 838.015 Bribery.—

73 (1) "Bribery" means ~~corruptly~~ to knowingly and
 74 intentionally give, offer, or promise to any public servant, or,
 75 if a public servant, ~~corruptly~~ to knowingly and intentionally
 76 request, solicit, accept, or agree to accept for himself or
 77 herself or another, any pecuniary or other benefit not
 78 authorized by law with an intent or purpose to influence the

79 performance of any act or omission which the person believes to
 80 be, or the public servant represents as being, within the
 81 official discretion of a public servant, in violation of a
 82 public duty, or in performance of a public duty.

83 Section 3. Subsections (1) and (2) of section 838.016,
 84 Florida Statutes, are amended to read:

85 838.016 Unlawful compensation or reward for official
 86 behavior.—

87 (1) It is unlawful for any person ~~corruptly~~ to knowingly
 88 and intentionally give, offer, or promise to any public servant,
 89 or, if a public servant, ~~corruptly~~ to knowingly and
 90 intentionally request, solicit, accept, or agree to accept, any
 91 pecuniary or other benefit not authorized by law, for the past,
 92 present, or future performance, nonperformance, or violation of
 93 any act or omission which the person believes to have been, or
 94 the public servant represents as having been, either within the
 95 official discretion of the public servant, in violation of a
 96 public duty, or in performance of a public duty. This section
 97 does not ~~Nothing herein shall be construed to~~ preclude a public
 98 servant from accepting rewards for services performed in
 99 apprehending any criminal.

100 (2) It is unlawful for any person ~~corruptly~~ to knowingly
 101 and intentionally give, offer, or promise to any public servant,
 102 or, if a public servant, ~~corruptly~~ to knowingly and
 103 intentionally request, solicit, accept, or agree to accept, any
 104 pecuniary or other benefit not authorized by law for the past,

105 present, or future exertion of any influence upon or with any
 106 other public servant regarding any act or omission which the
 107 person believes to have been, or which is represented to him or
 108 her as having been, either within the official discretion of the
 109 other public servant, in violation of a public duty, or in
 110 performance of a public duty.

111 Section 4. Subsection (1) of section 838.022, Florida
 112 Statutes, is amended, and subsection (2) of that section is
 113 republished, to read:

114 838.022 Official misconduct.—

115 (1) It is unlawful for a public servant or public
 116 contractor, ~~with corrupt intent~~ to knowingly and intentionally
 117 obtain a benefit for any person or to cause unlawful harm to
 118 another, by ~~to~~:

119 (a) Falsifying ~~Falsify~~, or causing ~~cause~~ another person to
 120 falsify, any official record or official document;

121 (b) Concealing, covering up, destroying, mutilating, or
 122 altering ~~Conceal, cover up, destroy, mutilate, or alter~~ any
 123 official record or official document, except as authorized by
 124 law or contract, or causing ~~cause~~ another person to perform such
 125 an act; or

126 (c) Obstructing, delaying, or preventing ~~Obstruct, delay,~~
 127 ~~or prevent~~ the communication of information relating to the
 128 commission of a felony that directly involves or affects the
 129 government ~~public agency or public~~ entity served by the public
 130 servant or public contractor.

131 (2) For the purposes of this section:

132 (a) The term "public servant" does not include a candidate
 133 who does not otherwise qualify as a public servant.

134 (b) An official record or official document includes only
 135 public records.

136 Section 5. Section 838.22, Florida Statutes, is amended to
 137 read:

138 838.22 Bid tampering.—

139 (1) It is unlawful for a public servant or a public
 140 contractor who has contracted with a governmental entity to
 141 assist in a competitive procurement, ~~with corrupt intent~~ to
 142 knowingly and intentionally influence or attempt to influence
 143 the competitive solicitation ~~bidding process~~ undertaken by any
 144 governmental state, county, municipal, or special district
 145 agency, or any other public entity, for the procurement of
 146 commodities or services, by ~~to~~:

147 (a) Disclosing, except as authorized by law, ~~Disclose~~
 148 material information concerning a vendor's response, any
 149 evaluation results, ~~bid~~ or other aspects of the competitive
 150 solicitation ~~bidding process~~ when such information is not
 151 publicly disclosed.

152 (b) Altering or amending ~~Alter or amend~~ a submitted
 153 response ~~bid~~, documents or other materials supporting a
 154 submitted response ~~bid~~, or any evaluation ~~bid~~ results relating
 155 to the competitive solicitation for the purpose of intentionally
 156 providing a competitive advantage to any person who submits a

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157 response bid.

158 (2) It is unlawful for a public servant or a public
159 contractor who has contracted with a governmental entity to
160 assist in a competitive procurement, ~~with corrupt intent~~ to
161 knowingly and intentionally obtain a benefit for any person or
162 to cause unlawful harm to another, ~~to circumvent by~~
163 circumventing a competitive solicitation bidding process
164 required by law or rule through the use of ~~by using~~ a sole-
165 source contract for commodities or services.

166 (3) It is unlawful for any person to knowingly agree,
167 conspire, combine, or confederate, directly or indirectly, with
168 a public servant or a public contractor who has contracted with
169 a governmental entity to assist in a competitive procurement to
170 violate subsection (1) or subsection (2).

171 (4) It is unlawful for any person to knowingly enter into
172 a contract for commodities or services which was secured by a
173 public servant or a public contractor who has contracted with a
174 governmental entity to assist in a competitive procurement
175 acting in violation of subsection (1) or subsection (2).

176 (5) Any person who violates this section commits a felony
177 of the second degree, punishable as provided in s. 775.082, s.
178 775.083, or s. 775.084.

179 Section 6. Section 838.24, Florida Statutes, is created to
180 read:

181 838.24 Attorney Fees.—Public servants and public
182 contractors prosecuted for a violation under this act may

183 recover attorney fees in the same manner as provided by common
 184 law for public officers and employees with respect to the
 185 enforcement of public corruption laws.

186 Section 7. For the purpose of incorporating the amendment
 187 made by this act to section 838.022, Florida Statutes, in a
 188 reference thereto, paragraph (a) of subsection (2) of section
 189 112.534, Florida Statutes, is reenacted to read:

190 112.534 Failure to comply; official misconduct.—

191 (2)(a) All the provisions of s. 838.022 shall apply to
 192 this part.

193 Section 8. For the purpose of incorporating the amendment
 194 made by this act to section 838.022, Florida Statutes, in a
 195 reference thereto, paragraph (d) of subsection (4) of section
 196 117.01, Florida Statutes, is reenacted to read:

197 117.01 Appointment, application, suspension, revocation,
 198 application fee, bond, and oath.—

199 (4) The Governor may suspend a notary public for any of
 200 the grounds provided in s. 7, Art. IV of the State Constitution.
 201 Grounds constituting malfeasance, misfeasance, or neglect of
 202 duty include, but are not limited to, the following:

203 (d) Official misconduct as defined in s. 838.022.

204 Section 9. For the purpose of incorporating the amendment
 205 made by this act to section 838.014, Florida Statutes, in a
 206 reference thereto, subsection (11) of section 817.568, Florida
 207 Statutes, is reenacted to read:

208 817.568 Criminal use of personal identification

209 information.—

210 (11) A person who willfully and without authorization
 211 fraudulently uses personal identification information concerning
 212 an individual who is 60 years of age or older; a disabled adult
 213 as defined in s. 825.101; a public servant as defined in s.
 214 838.014; a veteran as defined in s. 1.01; a first responder as
 215 defined in s. 125.01045; an individual who is employed by the
 216 State of Florida; or an individual who is employed by the
 217 Federal Government without first obtaining the consent of that
 218 individual commits a felony of the second degree, punishable as
 219 provided in s. 775.082, s. 775.083, or s. 775.084.

220 Section 10. For the purpose of incorporating the amendment
 221 made by this act to sections 838.015, 838.016, and 838.22,
 222 Florida Statutes, in references thereto, paragraph (g) of
 223 subsection (3) of section 921.0022, Florida Statutes, is
 224 reenacted to read:

225 921.0022 Criminal Punishment Code; offense severity
 226 ranking chart.—

227 (3) OFFENSE SEVERITY RANKING CHART

228 (g) LEVEL 7

229

Florida Statute	Felony Degree	Description
316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.

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231	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
232	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.
233	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
234	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
235	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
236	409.920	2nd	Medicaid provider fraud; more

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	(2) (b) 1.b.		than \$10,000, but less than \$50,000.
237	456.065 (2)	3rd	Practicing a health care profession without a license.
238	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
239	458.327 (1)	3rd	Practicing medicine without a license.
240	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
241	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
242	461.012 (1)	3rd	Practicing podiatric medicine without a license.
243	462.17	3rd	Practicing naturopathy without a license.
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245	463.015 (1)	3rd	Practicing optometry without a license.
246	464.016 (1)	3rd	Practicing nursing without a license.
247	465.015 (2)	3rd	Practicing pharmacy without a license.
248	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
249	467.201	3rd	Practicing midwifery without a license.
250	468.366	3rd	Delivering respiratory care services without a license.
251	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
252	483.901 (9)	3rd	Practicing medical physics without a license.
	484.013 (1) (c)	3rd	Preparing or dispensing optical

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devices without a prescription.

253

484.053 3rd Dispensing hearing aids without a license.

254

494.0018(2) 1st Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

255

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.

256

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

257

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

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institution.

258

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

259

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

260

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

261

782.051(3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

262

782.07(1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

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263	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
264	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
265	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
266	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
267	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
268	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
269	784.048 (7)	3rd	Aggravated stalking; violation

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of court order.

270

784.07(2)(d) 1st Aggravated battery on law enforcement officer.

271

784.074(1)(a) 1st Aggravated battery on sexually violent predators facility staff.

272

784.08(2)(a) 1st Aggravated battery on a person 65 years of age or older.

273

784.081(1) 1st Aggravated battery on specified official or employee.

274

784.082(1) 1st Aggravated battery by detained person on visitor or other detainee.

275

784.083(1) 1st Aggravated battery on code inspector.

276

787.06(3)(a)2. 1st Human trafficking using coercion for labor and services of an adult.

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278	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.
279	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
280	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
281	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
282	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
283	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

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284	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
285	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
286	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.
287	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
288	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
288	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of

age; offender younger than 18
years of age.

289

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.

290

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.

291

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

292

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

293

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

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295	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
296	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
297	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.
298	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
299	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.

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300	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
301	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
302	812.131 (2) (a)	2nd	Robbery by sudden snatching.
303	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
304	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
305	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
306	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
307	817.234 (11) (c)	1st	Insurance fraud; property value

\$100,000 or more.

308

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.

309

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

310

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

311

825.103 (3) (b)

2nd

Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.

312

827.03 (2) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

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313	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
314	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
315	838.015	2nd	Bribery.
316	838.016	2nd	Unlawful compensation or reward for official behavior.
317	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
318	838.22	2nd	Bid tampering.
319	843.0855 (2)	3rd	Impersonation of a public officer or employee.
320	843.0855 (3)	3rd	Unlawful simulation of legal process.
321	843.0855 (4)	3rd	Intimidation of a public

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officer or employee.

322

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

323

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

324

872.06 2nd Abuse of a dead human body.

325

874.05(2)(b) 1st Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

326

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

327

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.

328

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.

329

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).

330

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

331

893.135(1)(b)1.a. 1st Trafficking in cocaine, more

than 28 grams, less than 200
grams.

332

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

333

893.135(1)(c)2.a. 1st Trafficking in hydrocodone, 14
grams or more, less than 28
grams.

334

893.135(1)(c)2.b. 1st Trafficking in hydrocodone, 28
grams or more, less than 50
grams.

335

893.135(1)(c)3.a. 1st Trafficking in oxycodone, 7
grams or more, less than 14
grams.

336

893.135(1)(c)3.b. 1st Trafficking in oxycodone, 14
grams or more, less than 25
grams.

337

893.135(1)(d)1. 1st Trafficking in phencyclidine,
more than 28 grams, less than
200 grams.

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338 | 893.135(1)(e)1. 1st Trafficking in methaqualone,
 more than 200 grams, less than
 5 kilograms.

339 | 893.135(1)(f)1. 1st Trafficking in amphetamine,
 more than 14 grams, less than
 28 grams.

340 | 893.135(1)(g)1.a. 1st Trafficking in flunitrazepam, 4
 grams or more, less than 14
 grams.

341 | 893.135(1)(h)1.a. 1st Trafficking in gamma-
 hydroxybutyric acid (GHB), 1
 kilogram or more, less than 5
 kilograms.

342 | 893.135(1)(j)1.a. 1st Trafficking in 1,4-Butanediol,
 1 kilogram or more, less than 5
 kilograms.

343 | 893.135(1)(k)2.a. 1st Trafficking in Phenethylamines,
 10 grams or more, less than 200
 grams.

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345	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
346	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
347	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
348	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
349	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting

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requirements.

350

943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

351

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

352

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

353

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

354

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

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356 944.607(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

357 985.4815(10) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

358 985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

359 985.4815(13) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

360 Section 11. For the purpose of incorporating the amendment
361 made by this act to section 838.022, Florida Statutes, in a
362 reference thereto, paragraph (d) of subsection (3) of section
363 921.0022, Florida Statutes, is reenacted to read:
364 921.0022 Criminal Punishment Code; offense severity

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365 ranking chart.—

366 (3) OFFENSE SEVERITY RANKING CHART

367 (d) LEVEL 4

368

Florida	Felony	
Statute	Degree	Description

369

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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370

499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
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371

499.0051(2)	3rd	Failure to authenticate pedigree papers.
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372

499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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373

517.07(1)	3rd	Failure to register securities.
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375	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
376	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
377	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
378	784.075	3rd	Battery on detention or commitment facility staff.
379	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
380	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
381	784.081 (3)	3rd	Battery on specified official or employee.
382	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.

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383	784.083 (3)	3rd	Battery on code inspector.
	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
384			
	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
385			
	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
386			
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
387			
	787.07	3rd	Human smuggling.
388			
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.

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389	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
390	790.115 (2) (c)	3rd	Possessing firearm on school property.
391	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
392	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
393	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
394	810.06	3rd	Burglary; possession of tools.
395	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous

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weapon.

396

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000
or more but less than \$20,000.

397

812.014 (2) (c) 4.- 3rd Grand theft, 3rd degree, a
10. will, firearm, motor vehicle,
livestock, etc.

398

812.0195 (2) 3rd Dealing in stolen property by
use of the Internet; property
stolen \$300 or more.

399

817.563 (1) 3rd Sell or deliver substance other
than controlled substance
agreed upon, excluding s.
893.03 (5) drugs.

400

817.568 (2) (a) 3rd Fraudulent use of personal
identification information.

401

817.625 (2) (a) 3rd Fraudulent use of scanning
device or reencoder.

402

828.125 (1) 2nd Kill, maim, or cause great
bodily harm or permanent

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breeding disability to any
registered horse or cattle.

403

837.02(1) 3rd Perjury in official
proceedings.

404

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

405

838.022 3rd Official misconduct.

406

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

407

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

408

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

409

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

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protection or communication.

410

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

411

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

412

874.05(1)(a) 3rd Encouraging or recruiting another to join a criminal gang.

413

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).

414

914.14(2) 3rd Witnesses accepting bribes.

415

914.22(1) 3rd Force, threaten, etc., witness, victim, or informant.

416

914.23(2) 3rd Retaliation against a witness, victim, or informant, no bodily

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injury.

417

918.12 3rd Tampering with jurors.

418

934.215 3rd Use of two-way communications
device to facilitate commission
of a crime.

419

420 Section 12. This act shall take effect October 1, 2016.