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576-04087-19

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to the justice system; creating s. 25.025, F.S.; authorizing certain Supreme Court justices to have an appropriate facility in their district of residence designated as their official headquarters; providing that an official headquarters may serve only as a justice's private chambers; providing that such justices are eligible for a certain subsistence allowance and reimbursement for certain transportation expenses; requiring that such allowance and reimbursement be made to the extent appropriated funds are available, as determined by the Chief Justice; requiring the Chief Justice to coordinate with certain persons in designating official headquarters; providing that a county is not required to provide space for a justice in a county courthouse; authorizing counties to enter into agreements with the Supreme Court for the use of county courthouse space; prohibiting the Supreme Court from using state funds to lease space in specified facilities to allow a justice to establish an official headquarters; amending s. 26.031, F.S.; increasing the number of circuit judges in certain judicial circuits; creating s. 43.51, F.S.; requiring the Office of the State Courts Administrator to provide an annual report containing certain information to the Legislature; defining the term "problem-solving court"; amending s.



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28 394.47891, F.S.; requiring the chief judge of each  
29 judicial circuit to establish a Military Veterans and  
30 Servicemembers Court Program; amending s. 812.014,  
31 F.S.; increasing the threshold amount for certain  
32 theft offenses; authorizing the imposition of a fine  
33 up to a certain amount, rather than requiring a  
34 specified amount, for the theft of certain animals;  
35 amending s. 812.015, F.S.; revising the circumstances  
36 under which an offense of retail theft constitutes a  
37 felony of the second or third degree; authorizing the  
38 aggregation of retail thefts that occur in more than  
39 one judicial circuit within a 90-day period into one  
40 total value and requiring prosecution of such thefts  
41 by the Office of the Statewide Prosecutor in  
42 accordance with s. 16.56, F.S.; amending s. 812.019,  
43 F.S.; prohibiting specified acts involving merchandise  
44 or a stored-value card obtained from a fraudulent  
45 return; amending s. 921.0022, F.S.; revising the  
46 ranking of offenses on the offense severity ranking  
47 chart of the Criminal Punishment Code; reenacting ss.  
48 95.18(10), 373.6055(3)(c), 400.9935(3),  
49 409.910(17)(g), 489.126(4), 550.6305(10), 627.743(2),  
50 634.319(2), 634.421(2), 636.238(3), 642.038(2),  
51 705.102(4), 718.111(1)(d), 812.14(4), (7), and (8),  
52 and 985.11(1)(b), F.S., relating to adverse possession  
53 without color of title, criminal history checks for  
54 certain water management district employees and  
55 others, clinic responsibilities, responsibility for  
56 payments on behalf of Medicaid-eligible persons when



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57 other parties are liable, moneys received by  
58 contractors, intertrack wagering, payment of third-  
59 party claims, diversion or appropriation of certain  
60 funds received by sales representatives, diversion or  
61 appropriation of certain funds received by sales  
62 representatives, penalties for certain violations,  
63 diversion or appropriation of certain funds received  
64 by sales representatives, reporting lost or abandoned  
65 property, condominium associations, trespass and  
66 larceny with relation to utility fixtures and theft of  
67 utility services, and fingerprinting and photographing  
68 of certain children, respectively, to incorporate the  
69 amendment made to s. 812.014, F.S., in references  
70 thereto; reenacting ss. 538.09(5)(f) and 538.23(2),  
71 F.S., relating to registration with the Department of  
72 Revenue and violations and penalties for secondary  
73 metals recyclers, respectively, to incorporate the  
74 amendment made to s. 812.015, F.S., in references  
75 thereto; reenacting s. 1012.315(1)(bb), F.S., relating  
76 to disqualification from employment, to incorporate  
77 the amendments made to s. 812.019, F.S.; reenacting s.  
78 812.0155(1) and (2), F.S., relating to suspension of  
79 driver licenses, to incorporate the amendments made to  
80 ss. 812.014 and 812.015, F.S., in references thereto;  
81 reenacting s. 893.138(3), F.S., relating to pain-  
82 management clinics, to incorporate the amendments made  
83 to s. 812.014, F.S., in references thereto; providing  
84 effective dates.  
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86 Be It Enacted by the Legislature of the State of Florida:

87

88 Section 1. Effective July 1, 2019, section 25.025, Florida  
89 Statutes, is created to read:

90 25.025 Headquarters.-

91 (1) (a) A Supreme Court justice who permanently resides  
92 outside Leon County shall, if he or she so requests, have a  
93 district court of appeal courthouse, a county courthouse, or  
94 another appropriate facility in his or her district of residence  
95 designated as his or her official headquarters pursuant to s.  
96 112.061. This official headquarters may serve only as the  
97 justice's private chambers.

98 (b) A justice for whom an official headquarters is  
99 designated in his or her district of residence under this  
100 subsection is eligible for subsistence at a rate to be  
101 established by the Chief Justice for each day or partial day  
102 that the justice is at the Supreme Court Building for the  
103 conduct of the business of the court. In addition to the  
104 subsistence allowance, a justice is eligible for reimbursement  
105 for transportation expenses as provided in s. 112.061(7) for  
106 travel between the justice's official headquarters and the  
107 Supreme Court Building for the conduct of the business of the  
108 court.

109 (c) Payment of subsistence and reimbursement for  
110 transportation expenses relating to travel between a justice's  
111 official headquarters and the Supreme Court Building must be  
112 made to the extent that appropriated funds are available, as  
113 determined by the Chief Justice.

114 (2) The Chief Justice shall coordinate with each affected



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115 justice and other state and local officials as necessary to  
116 implement paragraph (1) (a).

117 (3) (a) This section does not require a county to provide  
118 space in a county courthouse for a justice. A county may enter  
119 into an agreement with the Supreme Court governing the use of  
120 space in a county courthouse.

121 (b) The Supreme Court may not use state funds to lease  
122 space in a district court of appeal courthouse, county  
123 courthouse, or other facility to allow a justice to establish an  
124 official headquarters pursuant to subsection (1).

125 Section 2. Subsections (9) and (12) of section 26.031,  
126 Florida Statutes, are amended to read:

127 26.031 Judicial circuits; number of judges.—The number of  
128 circuit judges in each circuit shall be as follows:

129		
130	JUDICIAL CIRCUIT	TOTAL
131	(9) Ninth.....	<u>44</u> <del>43</del>
132	(12) Twelfth.....	<u>22</u> <del>21</del>

133 Section 3. Section 43.51, Florida Statutes, is created to  
134 read:

135 43.51 Problem-solving court reports.—

136 (1) The Office of the State Courts Administrator shall  
137 provide an annual report to the President of the Senate and the  
138 Speaker of the House of Representatives which details the number  
139 of participants in each problem-solving court for each fiscal  
140 year the court has been operating and the types of services  
141 provided, identifies each source of funding for each court  
142 during each fiscal year, and provides information on the  
143 performance of each court based upon outcome measures



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144 established by the courts.

145 (2) For purposes of this section, the term "problem-solving  
146 court" includes, but is not limited to, a drug court pursuant to  
147 s. 948.01, s. 948.06, s. 948.08, s. 948.16, or s. 948.20; a  
148 military veterans' and servicemembers' court pursuant to s.  
149 394.47891, s. 948.08, s. 948.16, or s. 948.21; a mental health  
150 court program pursuant to s. 394.47892, s. 948.01, s. 948.06, s.  
151 948.08, or s. 948.16; or a delinquency pretrial intervention  
152 court program pursuant to s. 985.345.

153 Section 4. Section 394.47891, Florida Statutes, is amended  
154 to read:

155 394.47891 Military veterans and servicemembers court  
156 programs.—The chief judge of each judicial circuit shall ~~may~~  
157 establish a Military Veterans and Servicemembers Court Program  
158 under which veterans, as defined in s. 1.01, including veterans  
159 who were discharged or released under a general discharge, and  
160 servicemembers, as defined in s. 250.01, who are charged or  
161 convicted of a criminal offense and who suffer from a military-  
162 related mental illness, traumatic brain injury, substance abuse  
163 disorder, or psychological problem can be sentenced in  
164 accordance with chapter 921 in a manner that appropriately  
165 addresses the severity of the mental illness, traumatic brain  
166 injury, substance abuse disorder, or psychological problem  
167 through services tailored to the individual needs of the  
168 participant. Entry into any Military Veterans and Servicemembers  
169 Court Program must be based upon the sentencing court's  
170 assessment of the defendant's criminal history, military  
171 service, substance abuse treatment needs, mental health  
172 treatment needs, amenability to the services of the program, the



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173 recommendation of the state attorney and the victim, if any, and  
174 the defendant's agreement to enter the program.

175 Section 5. Paragraphs (c), (d), and (e) of subsection (2)  
176 of section 812.014, Florida Statutes, are amended to read:

177 812.014 Theft.—

178 (2)

179 (c) It is grand theft of the third degree and a felony of  
180 the third degree, punishable as provided in s. 775.082, s.  
181 775.083, or s. 775.084, if the property stolen is:

182 1. Valued at \$750 ~~\$300~~ or more, but less than \$5,000.

183 2. Valued at \$5,000 or more, but less than \$10,000.

184 3. Valued at \$10,000 or more, but less than \$20,000.

185 4. A will, codicil, or other testamentary instrument.

186 5. A firearm.

187 6. A motor vehicle, except as provided in paragraph (a).

188 7. Any commercially farmed animal, including any animal of  
189 the equine, avian, bovine, or swine class or other grazing  
190 animal; a bee colony of a registered beekeeper; and aquaculture  
191 species raised at a certified aquaculture facility. If the  
192 property stolen is a commercially farmed animal, including an  
193 animal of the equine, avian, bovine, or swine class or other  
194 grazing animal; a bee colony of a registered beekeeper; or an  
195 aquaculture species raised at a certified aquaculture facility,  
196 a fine of up to \$10,000 ~~may fine shall~~ be imposed.

197 8. Any fire extinguisher.

198 9. Any amount of citrus fruit consisting of 2,000 or more  
199 individual pieces of fruit.

200 10. Taken from a designated construction site identified by  
201 the posting of a sign as provided for in s. 810.09(2) (d).



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- 202           11. Any stop sign.  
203           12. Anhydrous ammonia.  
204           13. Any amount of a controlled substance as defined in s.  
205 893.02. Notwithstanding any other law, separate judgments and  
206 sentences for theft of a controlled substance under this  
207 subparagraph and for any applicable possession of controlled  
208 substance offense under s. 893.13 or trafficking in controlled  
209 substance offense under s. 893.135 may be imposed when all such  
210 offenses involve the same amount or amounts of a controlled  
211 substance.

212  
213 However, if the property is stolen within a county that is  
214 subject to a state of emergency declared by the Governor under  
215 chapter 252, the property is stolen after the declaration of  
216 emergency is made, and the perpetration of the theft is  
217 facilitated by conditions arising from the emergency, the  
218 offender commits a felony of the second degree, punishable as  
219 provided in s. 775.082, s. 775.083, or s. 775.084, if the  
220 property is valued at \$5,000 or more, but less than \$10,000, as  
221 provided under subparagraph 2., or if the property is valued at  
222 \$10,000 or more, but less than \$20,000, as provided under  
223 subparagraph 3. As used in this paragraph, the term "conditions  
224 arising from the emergency" means civil unrest, power outages,  
225 curfews, voluntary or mandatory evacuations, or a reduction in  
226 the presence of or the response time for first responders or  
227 homeland security personnel. For purposes of sentencing under  
228 chapter 921, a felony offense that is reclassified under this  
229 paragraph is ranked one level above the ranking under s.  
230 921.0022 or s. 921.0023 of the offense committed.





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231 (d) It is grand theft of the third degree and a felony of  
232 the third degree, punishable as provided in s. 775.082, s.  
233 775.083, or s. 775.084, if the property stolen is valued at \$100  
234 or more, but less than \$750 ~~\$300~~, and is taken from a dwelling  
235 as defined in s. 810.011(2) or from the unenclosed curtilage of  
236 a dwelling pursuant to s. 810.09(1).

237 (e) Except as provided in paragraph (d), if the property  
238 stolen is valued at \$100 or more, but less than \$750 ~~\$300~~, the  
239 offender commits petit theft of the first degree, punishable as  
240 a misdemeanor of the first degree, as provided in s. 775.082 or  
241 s. 775.083.

242 Section 6. Subsections (8) and (9) of section 812.015,  
243 Florida Statutes, are amended, and subsection (10) is added to  
244 that section, to read:

245 812.015 Retail and farm theft; transit fare evasion;  
246 mandatory fine; alternative punishment; detention and arrest;  
247 exemption from liability for false arrest; resisting arrest;  
248 penalties.—

249 (8) Except as provided in subsection (9), a person who  
250 commits retail theft commits a felony of the third degree,  
251 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
252 if the property stolen is valued at \$750 ~~\$300~~ or more, and the  
253 person:

254 (a) Individually commits retail theft, or in concert with  
255 one or more other persons, coordinates the activities of one or  
256 more individuals in committing the offense, which may occur  
257 through multiple acts of retail theft, in which ~~case~~ the amount  
258 of each individual theft is aggregated within a 90-day period to  
259 determine the value of the property stolen;



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260           (b) Conspires with another person to commit retail theft  
261 with the intent to sell the stolen property for monetary or  
262 other gain, and subsequently takes or causes such property to be  
263 placed in the control of another person in exchange for  
264 consideration, in which the stolen property taken or placed  
265 within a 90-day period is aggregated to determine the value of  
266 the stolen property;

267           (c) ~~(b)~~ Individually, or in concert with one or more other  
268 persons, commits theft from more than one location within a 90-  
269 day 48-hour period, in which ~~each~~ the amount of each individual  
270 theft is aggregated to determine the value of the property  
271 stolen;

272           (d) ~~(e)~~ Acts in concert with one or more other individuals  
273 within one or more establishments to distract the merchant,  
274 merchant's employee, or law enforcement officer in order to  
275 carry out the offense, or acts in other ways to coordinate  
276 efforts to carry out the offense; or

277           (e) ~~(d)~~ Commits the offense through the purchase of  
278 merchandise in a package or box that contains merchandise other  
279 than, or in addition to, the merchandise purported to be  
280 contained in the package or box.

281           (9) A person commits a felony of the second degree,  
282 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
283 if the person:

284           (a) Violates subsection (8) and has previously been  
285 convicted of a violation of subsection (8); ~~or~~

286           (b) Individually, or in concert with one or more other  
287 persons, coordinates the activities of one or more persons in  
288 committing the offense of retail theft, in which the amount of



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289 each individual theft within a 90-day period is aggregated to  
290 determine the value of the stolen property and such ~~where the~~  
291 ~~stolen property has a value~~ is in excess of \$3,000; or

292 (c) Conspires with another person to commit retail theft  
293 with the intent to sell the stolen property for monetary or  
294 other gain, and subsequently takes or causes such property to be  
295 placed in control of another person in exchange for  
296 consideration, in which the stolen property taken or placed  
297 within a 90-day period is aggregated to have a value in excess  
298 of \$3,000.

299 (10) If a person commits retail theft in more than one  
300 judicial circuit within a 90-day period, the value of the stolen  
301 property resulting from the thefts in each judicial circuit may  
302 be aggregated and must be prosecuted by the Office of the  
303 Statewide Prosecutor in accordance with s. 16.56.

304 Section 7. Subsection (3) is added to section 812.019,  
305 Florida Statutes, to read:

306 812.019 Dealing in stolen property.—

307 (3) Any person who receives, possesses, or purchases any  
308 merchandise or stored-value card obtained from a fraudulent  
309 return with the knowledge that the merchandise or stored-value  
310 card was obtained in violation of s. 812.015 commits a felony of  
311 the third degree, punishable as provided in s. 775.082, s.  
312 775.083, or s. 775.084.

313 Section 8. Paragraphs (b), (c), (e), and (f) of subsection  
314 (3) of section 921.0022, Florida Statutes, are amended to read:

315 921.0022 Criminal Punishment Code; offense severity ranking  
316 chart.—

317 (3) OFFENSE SEVERITY RANKING CHART



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318 (b) LEVEL 2

319

Florida  
Statute

Felony  
Degree

Description

320

379.2431  
(1) (e) 3.

3rd

Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.

321

379.2431  
(1) (e) 4.

3rd

Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.

322

403.413 (6) (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.

323

517.07 (2)

3rd

Failure to furnish a prospectus meeting requirements.

324

590.28 (1)

3rd

Intentional burning of



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325

784.05 (3)

3rd

lands.  
Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

326

787.04 (1)

3rd

In violation of court order, take, entice, etc., minor beyond state limits.

327

806.13 (1) (b) 3.

3rd

Criminal mischief; damage \$1,000 or more to public communication or any other public service.

328

810.061 (2)

3rd

Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

329

810.09 (2) (e)

3rd

Trespassing on posted commercial horticulture property.

330

812.014 (2) (c) 1.

3rd

Grand theft, 3rd degree;



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331

812.014 (2) (d)

3rd

\$750 ~~\$300~~ or more but  
less than \$5,000.

Grand theft, 3rd degree;  
\$100 or more but less  
than \$750 ~~\$300~~, taken  
from unenclosed  
curtilage of dwelling.

332

812.015 (7)

3rd

Possession, use, or  
attempted use of an  
antishoplifting or  
inventory control device  
countermeasure.

333

817.234 (1) (a) 2.

3rd

False statement in  
support of insurance  
claim.

334

817.481 (3) (a)

3rd

Obtain credit or  
purchase with false,  
expired, counterfeit,  
etc., credit card, value  
over \$300.

335

817.52 (3)

3rd

Failure to redeliver  
hired vehicle.

336

817.54

3rd

With intent to defraud,



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			obtain mortgage note, etc., by false representation.
337	817.60 (5)	3rd	Dealing in credit cards of another.
338	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
339	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
340	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
341	831.01	3rd	Forgery.
342	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
343	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.



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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	False personation.
893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs other than cannabis.





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

351

352

353 (c) LEVEL 3

354

Florida Statute	Felony Degree	Description
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355

119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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356

316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
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357

316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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358

316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
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359

319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
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360

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

361

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

362

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

363

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

364

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

365

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

366

376.302(5) 3rd Fraud related to



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reimbursement for cleanup expenses under the Inland Protection Trust Fund.

367

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.

368

379.2431  
(1) (e) 6.

3rd

Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.

369

379.2431  
(1) (e) 7.

3rd

Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

370



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371	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
372	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
373	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
374	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
375	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium



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		collected less than \$20,000.
626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
697.08	3rd	Equity skimming.
790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.



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812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
<u>812.015 (8) (b)</u>	<u>3rd</u>	<u>Retail theft with intent to sell; coordination with others.</u>
815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
817.233	3rd	Burning to defraud insurer.
817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
817.236	3rd	Filing a false motor vehicle insurance



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391

application.

817.2361

3rd

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

392

817.413 (2)

3rd

Sale of used goods as new.

393

831.28 (2) (a)

3rd

Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

394

831.29

2nd

Possession of instruments for counterfeiting driver licenses or identification cards.

395

838.021 (3) (b)

3rd

Threatens unlawful harm to public servant.

396

843.19

3rd

Injure, disable, or kill police dog or horse.

397

860.15 (3)

3rd

Overcharging for repairs and parts.

398



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870.01(2)

3rd

Riot; inciting or encouraging.

399

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)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs).

400

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)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of university.

401

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)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing





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402

facility.

893.13(4)(c)

3rd

Use or hire of minor;  
deliver to minor other  
controlled substances.

403

893.13(6)(a)

3rd

Possession of any  
controlled substance other  
than felony possession of  
cannabis.

404

893.13(7)(a)8.

3rd

Withhold information from  
practitioner regarding  
previous receipt of or  
prescription for a  
controlled substance.

405

893.13(7)(a)9.

3rd

Obtain or attempt to obtain  
controlled substance by  
fraud, forgery,  
misrepresentation, etc.

406

893.13(7)(a)10.

3rd

Affix false or forged label  
to package of controlled  
substance.

407

893.13(7)(a)11.

3rd

Furnish false or fraudulent  
material information on any  
document or record required



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by chapter 893.

408

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.

409

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.

410

893.13(8)(a)3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

411

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



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prescription is a monetary  
benefit for the  
practitioner.

412

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

413

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

414

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

415

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

416

417

418 (e) LEVEL 5

419

Florida Statute	Felony Degree	Description
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420

316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop;
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421

316.1935 (4) (a)

2nd

leaving scene.

Aggravated fleeing or eluding.

422

316.80 (2)

2nd

Unlawful conveyance of fuel; obtaining fuel fraudulently.

423

322.34 (6)

3rd

Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.

424

327.30 (5)

3rd

Vessel accidents involving personal injury; leaving scene.

425

379.365 (2) (c) 1.

3rd

Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to



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supply, aiding in  
supplying, or giving  
away stone crab trap  
tags or certificates;  
making, altering,  
forging, counterfeiting,  
or reproducing stone  
crab trap tags;  
possession of forged,  
counterfeit, or  
imitation stone crab  
trap tags; and engaging  
in the commercial  
harvest of stone crabs  
while license is  
suspended or revoked.

426

379.367(4)

3rd

Willful molestation of a  
commercial harvester's  
spiny lobster trap,  
line, or buoy.

427

379.407(5)(b)3.

3rd

Possession of 100 or  
more undersized spiny  
lobsters.

428

381.0041(11)(b)

3rd

Donate blood, plasma, or  
organs knowing HIV  
positive.



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429

440.10 (1) (g) 2nd Failure to obtain  
workers' compensation  
coverage.

430

440.105 (5) 2nd Unlawful solicitation  
for the purpose of  
making workers'  
compensation claims.

431

440.381 (2) 2nd Submission of false,  
misleading, or  
incomplete information  
with the purpose of  
avoiding or reducing  
workers' compensation  
premiums.

432

624.401 (4) (b) 2. 2nd Transacting insurance  
without a certificate or  
authority; premium  
collected \$20,000 or  
more but less than  
\$100,000.

433

626.902 (1) (c) 2nd Representing an  
unauthorized insurer;  
repeat offender.

434



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435

790.01 (2) 3rd Carrying a concealed  
firearm.

436

790.162 2nd Threat to throw or  
discharge destructive  
device.

437

790.163 (1) 2nd False report of bomb,  
explosive, weapon of  
mass destruction, or use  
of firearms in violent  
manner.

438

790.221 (1) 2nd Possession of short-  
barreled shotgun or  
machine gun.

439

790.23 2nd Felons in possession of  
firearms, ammunition, or  
electronic weapons or  
devices.

440

796.05 (1) 2nd Live on earnings of a  
prostitute; 1st offense.

441

800.04 (6) (c) 3rd Lewd or lascivious  
conduct; offender less  
than 18 years of age.



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442	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
443	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
444	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
445	812.015 (8) <u>(a), (c), (d), &amp; (e)</u>	3rd	Retail theft; property stolen is valued at <u>\$750</u> <del>\$300</del> or more and one or more specified acts.
446	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
447	<u>812.019 (3)</u>	<u>3rd</u>	<u>Specified acts involving merchandise or a stored-value card obtained from a fraudulent return.</u>
	812.131 (2) (b)	3rd	Robbery by sudden snatching.





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448

812.16(2) 3rd Owning, operating, or  
conducting a chop shop.

449

817.034(4)(a)2. 2nd Communications fraud,  
value \$20,000 to  
\$50,000.

450

817.234(11)(b) 2nd Insurance fraud;  
property value \$20,000  
or more but less than  
\$100,000.

451

817.2341(1), 3rd Filing false financial  
(2)(a) & (3)(a) statements, making false  
entries of material fact  
or false statements  
regarding property  
values relating to the  
solvency of an insuring  
entity.

452

817.568(2)(b) 2nd Fraudulent use of  
personal identification  
information; value of  
benefit, services  
received, payment  
avoided, or amount of  
injury or fraud, \$5,000



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453			or more or use of personal identification information of 10 or more persons.
	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
454			
	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
455			
	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
456			
	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
457			



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827.071 (5)

3rd

Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.

458

828.12 (2)

3rd

Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

459

839.13 (2) (b)

2nd

Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

460

843.01

3rd

Resist officer with violence to person; resist arrest with violence.

461

847.0135 (5) (b)

2nd

Lewd or lascivious exhibition using computer; offender 18 years or older.

462



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847.0137  
(2) & (3)

3rd

Transmission of  
pornography by  
electronic device or  
equipment.

463

847.0138  
(2) & (3)

3rd

Transmission of material  
harmful to minors to a  
minor by electronic  
device or equipment.

464

874.05 (1) (b)

2nd

Encouraging or  
recruiting another to  
join a criminal gang;  
second or subsequent  
offense.

465

874.05 (2) (a)

2nd

Encouraging or  
recruiting person under  
13 years of age to join  
a criminal gang.

466

893.13 (1) (a) 1.

2nd

Sell, manufacture, or  
deliver cocaine (or  
other s. 893.03(1) (a),  
(1) (b), (1) (d), (2) (a),  
(2) (b), or (2) (c) 5.  
drugs).

467

893.13 (1) (c) 2.

2nd

Sell, manufacture, or



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deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

468

893.13(1)(d)1.

1st

Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.

469

893.13(1)(e)2.

2nd

Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6.,



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(2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (2) (c) 10.,  
(3), or (4) within 1,000  
feet of property used  
for religious services  
or a specified business  
site.

470

893.13 (1) (f) 1.

1st

Sell, manufacture, or  
deliver cocaine (or  
other s. 893.03(1) (a),  
(1) (b), (1) (d), or  
(2) (a), (2) (b), or  
(2) (c) 5. drugs) within  
1,000 feet of public  
housing facility.

471

893.13 (4) (b)

2nd

Use or hire of minor;  
deliver to minor other  
controlled substance.

472

893.1351 (1)

3rd

Ownership, lease, or  
rental for trafficking  
in or manufacturing of  
controlled substance.

473

474

475

(f) LEVEL 6

476



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	Florida Statute	Felony Degree	Description
477	316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
478	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
479	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
480	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
481	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
482	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.



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483  
484  
485  
486  
487  
488  
489  
490  
491

775.0875 (1)	3rd	Taking firearm from law enforcement officer.
784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048 (3)	3rd	Aggravated stalking; credible threat.
784.048 (5)	3rd	Aggravated stalking of person under 16.
784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.





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492	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
493	784.081 (2)	2nd	Aggravated assault on specified official or employee.
494	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
495	784.083 (2)	2nd	Aggravated assault on code inspector.
496	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
497	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.



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498

790.164 (1) 2nd False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.

499

790.19 2nd Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

500

794.011 (8) (a) 3rd Solicitation of minor to participate in sexual activity by custodial adult.

501

794.05 (1) 2nd Unlawful sexual activity with specified minor.

502

800.04 (5) (d) 3rd Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.

503



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504	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
505	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
506	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
507	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
508	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
509	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
	812.015 (9) (a)	2nd	Retail theft; property stolen <u>\$750</u> <del>\$300</del> or more; second or



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510

812.015 (9) (b) 2nd Retail theft; property  
stolen \$3,000 or more;  
coordination of others.

511

812.13 (2) (c) 2nd Robbery, no firearm or  
other weapon (strong-arm  
robbery).

512

817.4821 (5) 2nd Possess cloning  
paraphernalia with  
intent to create cloned  
cellular telephones.

513

817.505 (4) (b) 2nd Patient brokering; 10 or  
more patients.

514

825.102 (1) 3rd Abuse of an elderly  
person or disabled  
adult.

515

825.102 (3) (c) 3rd Neglect of an elderly  
person or disabled  
adult.

516

825.1025 (3) 3rd Lewd or lascivious  
molestation of an  
elderly person or



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517

disabled adult.

825.103 (3) (c)

3rd

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

518

827.03 (2) (c)

3rd

Abuse of a child.

519

827.03 (2) (d)

3rd

Neglect of a child.

520

827.071 (2) & (3)

2nd

Use or induce a child in a sexual performance, or promote or direct such performance.

521

836.05

2nd

Threats; extortion.

522

836.10

2nd

Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

523

843.12

3rd

Aids or assists person to escape.

524

847.011

3rd

Distributing, offering to distribute, or possessing with intent



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525

847.012

3rd

to distribute obscene materials depicting minors.

Knowingly using a minor in the production of materials harmful to minors.

526

847.0135 (2)

3rd

Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.

527

914.23

2nd

Retaliation against a witness, victim, or informant, with bodily injury.

528

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.

529



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530

944.40 2nd Escapes.

531

944.46 3rd Harboring, concealing,  
aiding escaped  
prisoners.

532

944.47(1)(a)5. 2nd Introduction of  
contraband (firearm,  
weapon, or explosive)  
into correctional  
facility.

533

951.22(1) 3rd Intoxicating drug,  
firearm, or weapon  
introduced into county  
facility.

534

535

536 Section 9. For the purpose of incorporating the amendment  
537 made by this act to section 812.014, Florida Statutes, in a  
538 reference thereto, subsection (10) of section 95.18, Florida  
539 Statutes, is reenacted to read:

540 95.18 Real property actions; adverse possession without  
541 color of title.—

542 (10) A person who occupies or attempts to occupy a  
543 residential structure solely by claim of adverse possession  
544 under this section and offers the property for lease to another  
545 commits theft under s. 812.014.



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546 Section 10. For the purpose of incorporating the amendment  
547 made by this act to section 812.014, Florida Statutes, in a  
548 reference thereto, paragraph (c) of subsection (3) of section  
549 373.6055, Florida Statutes, is reenacted to read:

550 373.6055 Criminal history checks for certain water  
551 management district employees and others.—

552 (3)

553 (c) In addition to other requirements for employment or  
554 access established by any water management district pursuant to  
555 its water management district's security plan for buildings,  
556 facilities, and structures, each water management district's  
557 security plan shall provide that:

558 1. Any person who has within the past 7 years been  
559 convicted, regardless of whether adjudication was withheld, for  
560 a forcible felony as defined in s. 776.08; an act of terrorism  
561 as defined in s. 775.30; planting of a hoax bomb as provided in  
562 s. 790.165; any violation involving the manufacture, possession,  
563 sale, delivery, display, use, or attempted or threatened use of  
564 a weapon of mass destruction or hoax weapon of mass destruction  
565 as provided in s. 790.166; dealing in stolen property; any  
566 violation of s. 893.135; any violation involving the sale,  
567 manufacturing, delivery, or possession with intent to sell,  
568 manufacture, or deliver a controlled substance; burglary;  
569 robbery; any felony violation of s. 812.014; any violation of s.  
570 790.07; any crime an element of which includes use or possession  
571 of a firearm; any conviction for any similar offenses under the  
572 laws of another jurisdiction; or conviction for conspiracy to  
573 commit any of the listed offenses may not be qualified for  
574 initial employment within or authorized regular access to





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575 buildings, facilities, or structures defined in the water  
576 management district's security plan as restricted access areas.

577         2. Any person who has at any time been convicted of any of  
578 the offenses listed in subparagraph 1. may not be qualified for  
579 initial employment within or authorized regular access to  
580 buildings, facilities, or structures defined in the water  
581 management district's security plan as restricted access areas  
582 unless, after release from incarceration and any supervision  
583 imposed as a sentence, the person remained free from a  
584 subsequent conviction, regardless of whether adjudication was  
585 withheld, for any of the listed offenses for a period of at  
586 least 7 years prior to the employment or access date under  
587 consideration.

588         Section 11. For the purpose of incorporating the amendment  
589 made by this act to section 812.014, Florida Statutes, in a  
590 reference thereto, subsection (3) of section 400.9935, Florida  
591 Statutes, is reenacted to read:

592         400.9935 Clinic responsibilities.—

593         (3) A charge or reimbursement claim made by or on behalf of  
594 a clinic that is required to be licensed under this part but  
595 that is not so licensed, or that is otherwise operating in  
596 violation of this part, regardless of whether a service is  
597 rendered or whether the charge or reimbursement claim is paid,  
598 is an unlawful charge and is noncompensable and unenforceable. A  
599 person who knowingly makes or causes to be made an unlawful  
600 charge commits theft within the meaning of and punishable as  
601 provided in s. 812.014.

602         Section 12. For the purpose of incorporating the amendment  
603 made by this act to section 812.014, Florida Statutes, in a



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604 reference thereto, paragraph (g) of subsection (17) of section  
605 409.910, Florida Statutes, is reenacted to read:

606 409.910 Responsibility for payments on behalf of Medicaid-  
607 eligible persons when other parties are liable.-

608 (17)

609 (g) The agency may investigate and request appropriate  
610 officers or agencies of the state to investigate suspected  
611 criminal violations or fraudulent activity related to third-  
612 party benefits, including, without limitation, ss. 414.39 and  
613 812.014. Such requests may be directed, without limitation, to  
614 the Medicaid Fraud Control Unit of the Office of the Attorney  
615 General or to any state attorney. Pursuant to s. 409.913, the  
616 Attorney General has primary responsibility to investigate and  
617 control Medicaid fraud.

618 Section 13. For the purpose of incorporating the amendment  
619 made by this act to section 812.014, Florida Statutes, in a  
620 reference thereto, subsection (4) of section 489.126, Florida  
621 Statutes, is reenacted to read:

622 489.126 Moneys received by contractors.-

623 (4) Any person who violates any provision of this section  
624 is guilty of theft and shall be prosecuted and punished under s.  
625 812.014.

626 Section 14. For the purpose of incorporating the amendment  
627 made by this act to section 812.014, Florida Statutes, in a  
628 reference thereto, subsection (10) of section 550.6305, Florida  
629 Statutes, is reenacted to read:

630 550.6305 Intertrack wagering; guest track payments;  
631 accounting rules.-

632 (10) All races or games conducted at a permitholder's



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633 facility, all broadcasts of such races or games, and all  
634 broadcast rights relating thereto are owned by the permitholder  
635 at whose facility such races or games are conducted and  
636 constitute the permitholder's property as defined in s.  
637 812.012(4). Transmission, reception of a transmission,  
638 exhibition, use, or other appropriation of such races or games,  
639 broadcasts of such races or games, or broadcast rights relating  
640 thereto without the written consent of the permitholder  
641 constitutes a theft of such property under s. 812.014; and in  
642 addition to the penal sanctions contained in s. 812.014, the  
643 permitholder has the right to avail itself of the civil remedies  
644 specified in ss. 772.104, 772.11, and 812.035 in addition to any  
645 other remedies available under applicable state or federal law.

646 Section 15. For the purpose of incorporating the amendment  
647 made by this act to section 812.014, Florida Statutes, in a  
648 reference thereto, subsection (2) of section 627.743, Florida  
649 Statutes, is reenacted to read:

650 627.743 Payment of third-party claims.—

651 (2) When making any payment on a third party claim for  
652 damage to an automobile for a partial loss, the insurer shall  
653 have printed on the loss estimate, if prepared by the insurer,  
654 the following: "Failure to use the insurance proceeds in  
655 accordance with the security agreement, if any, could be a  
656 violation of s. 812.014, Florida Statutes. If you have any  
657 questions, contact your lending institution." However, this  
658 subsection does not apply if the insurer does not prepare the  
659 loss estimate.

660 Section 16. For the purpose of incorporating the amendment  
661 made by this act to section 812.014, Florida Statutes, in a



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662 reference thereto, subsection (2) of section 634.319, Florida  
663 Statutes, is reenacted to read:

664 634.319 Reporting and accounting for funds.—

665 (2) Any sales representative who, not being entitled  
666 thereto, diverts or appropriates such funds or any portion  
667 thereof to her or his own use is, upon conviction, guilty of  
668 theft, punishable as provided in s. 812.014.

669 Section 17. For the purpose of incorporating the amendment  
670 made by this act to section 812.014, Florida Statutes, in a  
671 reference thereto, subsection (2) of section 634.421, Florida  
672 Statutes, is reenacted to read:

673 634.421 Reporting and accounting for funds.—

674 (2) Any sales representative who, not being entitled  
675 thereto, diverts or appropriates funds or any portion thereof to  
676 her or his own use commits theft as provided in s. 812.014.

677 Section 18. For the purpose of incorporating the amendment  
678 made by this act to section 812.014, Florida Statutes, in a  
679 reference thereto, subsection (3) of section 636.238, Florida  
680 Statutes, is reenacted to read:

681 636.238 Penalties for violation of this part.—

682 (3) A person who collects fees for purported membership in  
683 a discount plan but purposefully fails to provide the promised  
684 benefits commits a theft, punishable as provided in s. 812.014.

685 Section 19. For the purpose of incorporating the amendment  
686 made by this act to section 812.014, Florida Statutes, in a  
687 reference thereto, subsection (2) of section 642.038, Florida  
688 Statutes, is reenacted to read:

689 642.038 Reporting and accounting for funds.—

690 (2) Any sales representative who, not being entitled



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691 thereto, diverts or appropriates such funds or any portion  
692 thereof to his or her own use commits theft as provided in s.  
693 812.014.

694 Section 20. For the purpose of incorporating the amendment  
695 made by this act to section 812.014, Florida Statutes, in a  
696 reference thereto, subsection (4) of section 705.102, Florida  
697 Statutes, is reenacted to read:

698 705.102 Reporting lost or abandoned property.—

699 (4) Any person who unlawfully appropriates such lost or  
700 abandoned property to his or her own use or refuses to deliver  
701 such property when required commits theft as defined in s.  
702 812.014, punishable as provided in s. 775.082, s. 775.083, or s.  
703 775.084.

704 Section 21. For the purpose of incorporating the amendment  
705 made by this act to section 812.014, Florida Statutes, in a  
706 reference thereto, paragraph (d) of subsection (1) of section  
707 718.111, Florida Statutes, is reenacted to read:

708 718.111 The association.—

709 (1) CORPORATE ENTITY.—

710 (d) As required by s. 617.0830, an officer, director, or  
711 agent shall discharge his or her duties in good faith, with the  
712 care an ordinarily prudent person in a like position would  
713 exercise under similar circumstances, and in a manner he or she  
714 reasonably believes to be in the interests of the association.  
715 An officer, director, or agent shall be liable for monetary  
716 damages as provided in s. 617.0834 if such officer, director, or  
717 agent breached or failed to perform his or her duties and the  
718 breach of, or failure to perform, his or her duties constitutes  
719 a violation of criminal law as provided in s. 617.0834;



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720 constitutes a transaction from which the officer or director  
721 derived an improper personal benefit, either directly or  
722 indirectly; or constitutes recklessness or an act or omission  
723 that was in bad faith, with malicious purpose, or in a manner  
724 exhibiting wanton and willful disregard of human rights, safety,  
725 or property. Forgery of a ballot envelope or voting certificate  
726 used in a condominium association election is punishable as  
727 provided in s. 831.01, the theft or embezzlement of funds of a  
728 condominium association is punishable as provided in s. 812.014,  
729 and the destruction of or the refusal to allow inspection or  
730 copying of an official record of a condominium association that  
731 is accessible to unit owners within the time periods required by  
732 general law in furtherance of any crime is punishable as  
733 tampering with physical evidence as provided in s. 918.13 or as  
734 obstruction of justice as provided in chapter 843. An officer or  
735 director charged by information or indictment with a crime  
736 referenced in this paragraph must be removed from office, and  
737 the vacancy shall be filled as provided in s. 718.112(2)(d)2.  
738 until the end of the officer's or director's period of  
739 suspension or the end of his or her term of office, whichever  
740 occurs first. If a criminal charge is pending against the  
741 officer or director, he or she may not be appointed or elected  
742 to a position as an officer or a director of any association and  
743 may not have access to the official records of any association,  
744 except pursuant to a court order. However, if the charges are  
745 resolved without a finding of guilt, the officer or director  
746 must be reinstated for the remainder of his or her term of  
747 office, if any.

748 Section 22. For the purpose of incorporating the amendment



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749 made by this act to section 812.014, Florida Statutes, in  
750 references thereto, subsections (4), (7), and (8) of section  
751 812.14, Florida Statutes, are reenacted to read:

752 812.14 Trespass and larceny with relation to utility  
753 fixtures; theft of utility services.—

754 (4) A person who willfully violates subsection (2) commits  
755 theft, punishable as provided in s. 812.014.

756 (7) An owner, lessor, or sublessor who willfully violates  
757 subsection (5) commits a misdemeanor of the first degree,  
758 punishable as provided in s. 775.082 or s. 775.083. Prosecution  
759 for a violation of subsection (5) does not preclude prosecution  
760 for theft pursuant to subsection (8) or s. 812.014.

761 (8) Theft of utility services for the purpose of  
762 facilitating the manufacture of a controlled substance is theft,  
763 punishable as provided in s. 812.014.

764 Section 23. For the purpose of incorporating the amendment  
765 made by this act to section 812.014, Florida Statutes, in a  
766 reference thereto, paragraph (b) of subsection (1) of section  
767 985.11, Florida Statutes, is reenacted to read:

768 985.11 Fingerprinting and photographing.—

769 (1)

770 (b) Unless the child is issued a civil citation or is  
771 participating in a similar diversion program pursuant to s.  
772 985.12, a child who is charged with or found to have committed  
773 one of the following offenses shall be fingerprinted, and the  
774 fingerprints shall be submitted to the Department of Law  
775 Enforcement as provided in s. 943.051(3)(b):

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

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



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- 778 3. Carrying a concealed weapon, as defined in s. 790.01(1).
- 779 4. Unlawful use of destructive devices or bombs, as defined
- 780 in s. 790.1615(1).
- 781 5. Neglect of a child, as defined in s. 827.03(1)(e).
- 782 6. Assault on a law enforcement officer, a firefighter, or
- 783 other specified officers, as defined in s. 784.07(2)(a).
- 784 7. Open carrying of a weapon, as defined in s. 790.053.
- 785 8. Exposure of sexual organs, as defined in s. 800.03.
- 786 9. Unlawful possession of a firearm, as defined in s.
- 787 790.22(5).
- 788 10. Petit theft, as defined in s. 812.014.
- 789 11. Cruelty to animals, as defined in s. 828.12(1).
- 790 12. Arson, resulting in bodily harm to a firefighter, as
- 791 defined in s. 806.031(1).
- 792 13. Unlawful possession or discharge of a weapon or firearm
- 793 at a school-sponsored event or on school property as defined in
- 794 s. 790.115.

795  
796 A law enforcement agency may fingerprint and photograph a child  
797 taken into custody upon probable cause that such child has  
798 committed any other violation of law, as the agency deems  
799 appropriate. Such fingerprint records and photographs shall be  
800 retained by the law enforcement agency in a separate file, and  
801 these records and all copies thereof must be marked "Juvenile  
802 Confidential." These records are not available for public  
803 disclosure and inspection under s. 119.07(1) except as provided  
804 in ss. 943.053 and 985.04(2), but shall be available to other  
805 law enforcement agencies, criminal justice agencies, state  
806 attorneys, the courts, the child, the parents or legal





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807 custodians of the child, their attorneys, and any other person  
808 authorized by the court to have access to such records. In  
809 addition, such records may be submitted to the Department of Law  
810 Enforcement for inclusion in the state criminal history records  
811 and used by criminal justice agencies for criminal justice  
812 purposes. These records may, in the discretion of the court, be  
813 open to inspection by anyone upon a showing of cause. The  
814 fingerprint and photograph records shall be produced in the  
815 court whenever directed by the court. Any photograph taken  
816 pursuant to this section may be shown by a law enforcement  
817 officer to any victim or witness of a crime for the purpose of  
818 identifying the person who committed such crime.

819 Section 24. For the purpose of incorporating the amendment  
820 made by this act to section 812.015, Florida Statutes, in a  
821 reference thereto, paragraph (f) of subsection (5) of section  
822 538.09, Florida Statutes, is reenacted to read:

823 538.09 Registration.—

824 (5) In addition to the fine provided in subsection (4),  
825 registration under this section may be denied or any  
826 registration granted may be revoked, restricted, or suspended by  
827 the department if the department determines that the applicant  
828 or registrant:

829 (f) Has, within the preceding 10-year period for new  
830 registrants who apply for registration on or after October 1,  
831 2006, been convicted of, or has entered a plea of guilty or nolo  
832 contendere to, or had adjudication withheld for, a crime against  
833 the laws of this state or any other state or of the United  
834 States which relates to registration as a secondhand dealer or  
835 which involves theft, larceny, dealing in stolen property,



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836 receiving stolen property, burglary, embezzlement, obtaining  
837 property by false pretenses, possession of altered property, any  
838 felony drug offense, any violation of s. 812.015, or any  
839 fraudulent dealing;

840

841 In the event the department determines to deny an application or  
842 revoke a registration, it shall enter a final order with its  
843 findings on the register of secondhand dealers and their  
844 business associates, if any; and denial, suspension, or  
845 revocation of the registration of a secondhand dealer shall also  
846 deny, suspend, or revoke the registration of such secondhand  
847 dealer's business associates.

848 Section 25. For the purpose of incorporating the amendment  
849 made by this act to section 812.015, Florida Statutes, in a  
850 reference thereto, subsection (2) of section 538.23, Florida  
851 Statutes, is reenacted to read:

852 538.23 Violations and penalties.—

853 (2) A secondary metals recycler is presumed to know upon  
854 receipt of stolen regulated metals property in a purchase  
855 transaction that the regulated metals property has been stolen  
856 from another if the secondary metals recycler knowingly and  
857 intentionally fails to maintain the information required in s.  
858 538.19 and shall, upon conviction of a violation of s. 812.015,  
859 be punished as provided in s. 812.014(2) or (3).

860 Section 26. For the purpose of incorporating the amendment  
861 made by this act to section 812.019, Florida Statutes, in a  
862 reference thereto, paragraph (bb) of subsection (1) of section  
863 1012.315, Florida Statutes, is reenacted to read:

864 1012.315 Disqualification from employment.—A person is



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865 ineligible for educator certification or employment in any  
866 position that requires direct contact with students in a  
867 district school system, charter school, or private school that  
868 accepts scholarship students who participate in a state  
869 scholarship program under chapter 1002 if the person has been  
870 convicted of:

871 (1) Any felony offense prohibited under any of the  
872 following statutes:

873 (bb) Section 812.019, relating to dealing in stolen  
874 property.

875 Section 27. For the purpose of incorporating the amendments  
876 made by this act to sections 812.014 and 812.015, Florida  
877 Statutes, in references thereto, subsections (1) and (2) of  
878 section 812.0155, Florida Statutes, are reenacted to read:

879 812.0155 Suspension of driver license following an  
880 adjudication of guilt for theft.—

881 (1) Except as provided in subsections (2) and (3), the  
882 court may order the suspension of the driver license of each  
883 person adjudicated guilty of any misdemeanor violation of s.  
884 812.014 or s. 812.015, regardless of the value of the property  
885 stolen. Upon ordering the suspension of the driver license of  
886 the person adjudicated guilty, the court shall forward the  
887 driver license of the person adjudicated guilty to the  
888 Department of Highway Safety and Motor Vehicles in accordance  
889 with s. 322.25.

890 (a) The first suspension of a driver license under this  
891 subsection shall be for a period of up to 6 months.

892 (b) A second or subsequent suspension of a driver license  
893 under this subsection shall be for 1 year.



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894 (2) The court may revoke, suspend, or withhold issuance of  
895 a driver license of a person less than 18 years of age who  
896 violates s. 812.014 or s. 812.015 as an alternative to  
897 sentencing the person to:

898 (a) Probation as defined in s. 985.03 or commitment to the  
899 Department of Juvenile Justice, if the person is adjudicated  
900 delinquent for such violation and has not previously been  
901 convicted of or adjudicated delinquent for any criminal offense,  
902 regardless of whether adjudication was withheld.

903 (b) Probation as defined in s. 985.03, commitment to the  
904 Department of Juvenile Justice, probation as defined in chapter  
905 948, community control, or incarceration, if the person is  
906 convicted as an adult of such violation and has not previously  
907 been convicted of or adjudicated delinquent for any criminal  
908 offense, regardless of whether adjudication was withheld.

909 Section 28. For the purpose of incorporating the amendments  
910 made by this act to section 812.014, Florida Statutes, in a  
911 reference thereto, subsection (3) of section 893.138, Florida  
912 Statutes, is reenacted to read:

913 893.138 Local administrative action to abate drug-related,  
914 prostitution-related, or stolen-property-related public  
915 nuisances and criminal gang activity.—

916 (3) Any pain-management clinic, as described in s. 458.3265  
917 or s. 459.0137, which has been used on more than two occasions  
918 within a 6-month period as the site of a violation of:

919 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,  
920 relating to assault and battery;

921 (b) Section 810.02, relating to burglary;

922 (c) Section 812.014, relating to theft;



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923           (d) Section 812.131, relating to robbery by sudden  
924 snatching; or

925           (e) Section 893.13, relating to the unlawful distribution  
926 of controlled substances,

927  
928 may be declared to be a public nuisance, and such nuisance may  
929 be abated pursuant to the procedures provided in this section.

930           Section 29. Except as otherwise expressly provided in this  
931 act, this act shall take effect October 1, 2019.