

By Senator Saunders

25-1154-99

1 A bill to be entitled
2 An act relating to computer pornography;
3 amending s. 921.0022, F.S., relating to the
4 offense severity ranking chart of the Criminal
5 Punishment Code; ranking the offense of
6 knowingly transmitting or disseminating by
7 computer any notice or advertisement for the
8 purpose of facilitating, encouraging, offering,
9 or soliciting sexual conduct of or with a
10 minor, or visually depicting such conduct;
11 providing an effective date.

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

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15 Section 1. Paragraph (f) of subsection (3) of section
16 921.0022, Florida Statutes, 1998 Supplement, is amended to
17 read:

18 921.0022 Criminal Punishment Code; offense severity
19 ranking chart.--

20 (3) OFFENSE SEVERITY RANKING CHART

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Florida Statute	Felony Degree	Description
316.027(1)(b)	2nd	(f) LEVEL 6 Accident involving death, failure to stop; leaving scene.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.

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1	775.0875(1)	3rd	Taking firearm from law
2			enforcement officer.
3	775.21(9)	3rd	Sexual predators; failure to
4			register; failure to renew
5			driver's license or
6			identification card.
7	784.021(1)(a)	3rd	Aggravated assault; deadly weapon
8			without intent to kill.
9	784.021(1)(b)	3rd	Aggravated assault; intent to
10			commit felony.
11	784.041	3rd	Felony battery.
12	784.048(3)	3rd	Aggravated stalking; credible
13			threat.
14	784.048(5)	3rd	Aggravated stalking of person
15			under 16.
16	784.07(2)(c)	2nd	Aggravated assault on law
17			enforcement officer.
18	784.08(2)(b)	2nd	Aggravated assault on a person 65
19			years of age or older.
20	784.081(2)	2nd	Aggravated assault on specified
21			official or employee.
22	784.082(2)	2nd	Aggravated assault by detained
23			person on visitor or other
24			detainee.
25	784.083(2)	2nd	Aggravated assault on code
26			inspector.
27	787.02(2)	3rd	False imprisonment; restraining
28			with purpose other than those in
29			s. 787.01.
30	790.115(2)(d)	2nd	Discharging firearm or weapon on
31			school property.

1	790.161(2)	2nd	Make, possess, or throw
2			destructive device with intent to
3			do bodily harm or damage
4			property.
5	790.164(1)	2nd	False report of deadly explosive
6			or act of arson or violence to
7			state property.
8	790.19	2nd	Shooting or throwing deadly
9			missiles into dwellings, vessels,
10			or vehicles.
11	794.011(8)(a)	3rd	Solicitation of minor to
12			participate in sexual activity by
13			custodial adult.
14	794.05(1)	2nd	Unlawful sexual activity with
15			specified minor.
16	806.031(2)	2nd	Arson resulting in great bodily
17			harm to firefighter or any other
18			person.
19	810.02(3)(c)	2nd	Burglary of occupied structure;
20			unarmed; no assault or battery.
21	812.014(2)(b)	2nd	Property stolen \$20,000 or more,
22			but less than \$100,000, grand
23			theft in 2nd degree.
24	812.13(2)(c)	2nd	Robbery, no firearm or other
25			weapon (strong-arm robbery).
26	817.034(4)(a)1.	1st	Communications fraud, value
27			greater than \$50,000.
28	817.4821(5)	2nd	Possess cloning paraphernalia
29			with intent to create cloned
30			cellular telephones.
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1	825.102(1)	3rd	Abuse of an elderly person or
2			disabled adult.
3	825.102(3)(c)	3rd	Neglect of an elderly person or
4			disabled adult.
5	825.1025(3)	3rd	Lewd or lascivious molestation of
6			an elderly person or disabled
7			adult.
8	825.103(2)(c)	3rd	Exploiting an elderly person or
9			disabled adult and property is
10			valued at less than \$20,000.
11	827.03(1)	3rd	Abuse of a child.
12	827.03(3)(c)	3rd	Neglect of a child.
13	827.071(2)&(3)	2nd	Use or induce a child in a sexual
14			performance, or promote or direct
15			such performance.
16	836.05	2nd	Threats; extortion.
17	836.10	2nd	Written threats to kill or do
18			bodily injury.
19	843.12	3rd	Aids or assists person to escape.
20	<u>847.0135(2)</u>	<u>3rd</u>	<u>Use of computer to facilitate or</u>
21			<u>solicit sexual conduct of or with</u>
22			<u>a minor.</u>
23	847.0135(3)	3rd	Solicitation of a child, via a
24			computer service, to commit an
25			unlawful sex act.
26	914.23	2nd	Retaliation against a witness,
27			victim, or informant, with bodily
28			injury.
29	943.0435(6)	3rd	Sex offenders; failure to comply
30			with reporting requirements.
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1 944.35(3)(a)2. 3rd Committing malicious battery upon
2 or inflicting cruel or inhuman
3 treatment on an inmate or
4 offender on community
5 supervision, resulting in great
6 bodily harm.
7 944.40 2nd Escapes.
8 944.46 3rd Harboring, concealing, aiding
9 escaped prisoners.
10 944.47(1)(a)5. 2nd Introduction of contraband
11 (firearm, weapon, or explosive)
12 into correctional facility.
13 951.22(1) 3rd Intoxicating drug, firearm, or
14 weapon introduced into county
15 facility.

16 Section 2. This act shall take effect July 1, 1999.

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19 SENATE SUMMARY

20 Ranks the offense of transmitting or disseminating a
21 notice or advertisement by computer which facilitates,
22 encourages, offers, or solicits sexual conduct of or with
a minor at level 6 on the offense severity ranking chart
of the Criminal Punishment Code.

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