

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1014

SPONSOR: Senator Burt

SUBJECT: Offenses Involving Hoax Bomb

DATE: January 23, 2002 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Erickson</u>	<u>Cannon</u>	<u>CJ</u>	<u>Favorable</u>
2.	<u> </u>	<u> </u>	<u>APJ</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

Senate Bill 1014 raises the felony degree of planting a hoax bomb from a third degree felony to a second degree felony, thereby making the penalty for this offense commensurate with offenses of similar seriousness.

This bill substantially amends the following sections of the Florida Statutes: 790.165; and 921.0022.

II. Present Situation:

Section 790.165, F.S., provides that it is a third degree felony for a person to manufacture, possess, sell, or deliver a hoax bomb (planting a hoax bomb). However, planting a hoax weapon of mass destruction is a second degree felony. s. 790.166. Further, false reporting of a bomb is a second degree felony. ss. 790.163 and 790.64, F.S.

III. Effect of Proposed Changes:

Senate Bill 1014 raises the felony degree of planting a hoax bomb from a third degree felony to a second degree felony, thereby making the penalty for this offense commensurate with offenses of similar seriousness. The second degree felony is ranked in level 7 of the Criminal Punishment Code offense severity ranking chart.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Criminal Justice Estimating Conference has not yet met to determine if SB 1014 will have a prison bed impact.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.