

1 A bill to be entitled
 2 An act relating to assault or battery on a utility
 3 worker; amending s. 784.07, F.S.; defining the term
 4 "utility worker"; providing for reclassification of
 5 certain offenses committed against a utility worker;
 6 amending ss. 901.15, 943.051, 985.11, and 985.644,
 7 F.S.; conforming provisions to changes made by the
 8 act; reenacting and amending s. 921.0022(3)(d), (f),
 9 and (g), F.S., relating to the offense severity
 10 ranking chart of the Criminal Punishment Code, to
 11 incorporate the amendment made to s. 784.07, F.S., in
 12 references thereto; providing an effective date.

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

15
 16 Section 1. Section 784.07, Florida Statutes, is amended to
 17 read:

18 784.07 Assault or battery of law enforcement officers,
 19 firefighters, emergency medical care providers, public transit
 20 employees or agents, or other specified persons ~~officers~~;
 21 reclassification of offenses; minimum sentences.—

22 (1) As used in this section, the term:

23 (a) "Emergency medical care provider" means an ambulance
 24 driver, emergency medical technician, paramedic, registered
 25 nurse, physician as defined in s. 401.23, medical director as
 26 defined in s. 401.23, or any person authorized by an emergency
 27 medical service licensed under chapter 401 who is engaged in the
 28 performance of his or her duties. The term "emergency medical

29 | care provider" also includes physicians, employees, agents, or
30 | volunteers of hospitals as defined in chapter 395, who are
31 | employed, under contract, or otherwise authorized by a hospital
32 | to perform duties directly associated with the care and
33 | treatment rendered by the hospital's emergency department or the
34 | security thereof.

35 | (b) "Firefighter" means any person employed by any public
36 | employer of this state whose duty it is to extinguish fires; to
37 | protect life or property; or to enforce municipal, county, and
38 | state fire prevention codes, as well as any law pertaining to
39 | the prevention and control of fires.

40 | (c) "Law enforcement explorer" means any person who is a
41 | current member of a law enforcement agency's explorer program
42 | and who is performing functions other than those required to be
43 | performed by sworn law enforcement officers on behalf of a law
44 | enforcement agency while under the direct physical supervision
45 | of a sworn officer of that agency and wearing a uniform that
46 | bears at least one patch that clearly identifies the law
47 | enforcement agency that he or she represents.

48 | (d) "Law enforcement officer" includes a law enforcement
49 | officer, a correctional officer, a correctional probation
50 | officer, a part-time law enforcement officer, a part-time
51 | correctional officer, an auxiliary law enforcement officer, and
52 | an auxiliary correctional officer, as those terms are
53 | respectively defined in s. 943.10, and any county probation
54 | officer; an employee or agent of the Department of Corrections
55 | who supervises or provides services to inmates; an officer of
56 | the Parole Commission; a federal law enforcement officer as

57 defined in s. 901.1505; and law enforcement personnel of the
 58 Fish and Wildlife Conservation Commission, the Department of
 59 Environmental Protection, or the Department of Law Enforcement.

60 (e) "Public transit employees or agents" means bus
 61 operators, train operators, revenue collectors, security
 62 personnel, equipment maintenance personnel, or field
 63 supervisors, who are employees or agents of a transit agency as
 64 described in s. 812.015(1)(1).

65 (f) "Utility worker" means a person under contract with or
 66 employed by an entity that owns, operates, leases, or controls a
 67 plant, property, or facility for the generation, transmission,
 68 manufacture, production, supply, distribution, sale, storage,
 69 conveyance, delivery, or furnishing to or for the public of
 70 electricity, natural or manufactured gas, water, steam, sewage,
 71 telephone, or communications service, including two or more
 72 utilities rendering joint service.

73 (2) Whenever any person is charged with knowingly
 74 committing an assault or battery upon a law enforcement officer,
 75 a firefighter, an emergency medical care provider, a traffic
 76 accident investigation officer as described in s. 316.640, a
 77 nonsworn law enforcement agency employee who is certified as an
 78 agency inspector, a blood alcohol analyst, or a breath test
 79 operator while such employee is in uniform and engaged in
 80 processing, testing, evaluating, analyzing, or transporting a
 81 person who is detained or under arrest for DUI, a law
 82 enforcement explorer, a traffic infraction enforcement officer
 83 as described in s. 316.640, a parking enforcement specialist as
 84 defined in s. 316.640, a person licensed as a security officer

85 as defined in s. 493.6101 and wearing a uniform that bears at
 86 least one patch or emblem that is visible at all times that
 87 clearly identifies the employing agency and that clearly
 88 identifies the person as a licensed security officer, ~~or~~ a
 89 security officer employed by the board of trustees of a
 90 community college, or a utility worker, while the officer,
 91 firefighter, emergency medical care provider, traffic accident
 92 investigation officer, traffic infraction enforcement officer,
 93 inspector, analyst, operator, law enforcement explorer, parking
 94 enforcement specialist, public transit employee or agent, ~~or~~
 95 security officer, or utility worker is engaged in the lawful
 96 performance of his or her duties, the offense for which the
 97 person is charged shall be reclassified as follows:

98 (a) In the case of assault, from a misdemeanor of the
 99 second degree to a misdemeanor of the first degree.

100 (b) In the case of battery, from a misdemeanor of the
 101 first degree to a felony of the third degree.

102 (c) In the case of aggravated assault, from a felony of
 103 the third degree to a felony of the second degree.

104 Notwithstanding any other provision of law, any person convicted
 105 of aggravated assault upon a law enforcement officer shall be
 106 sentenced to a minimum term of imprisonment of 3 years.

107 (d) In the case of aggravated battery, from a felony of
 108 the second degree to a felony of the first degree.

109 Notwithstanding any other provision of law, any person convicted
 110 of aggravated battery of a law enforcement officer shall be
 111 sentenced to a minimum term of imprisonment of 5 years.

112 (3) Any person who is convicted of a battery under

HB 127

2012

113 paragraph (2)(b) and, during the commission of the offense, such
 114 person possessed:

115 (a) A "firearm" or "destructive device" as those terms are
 116 defined in s. 790.001, shall be sentenced to a minimum term of
 117 imprisonment of 3 years.

118 (b) A semiautomatic firearm and its high-capacity
 119 detachable box magazine, as defined in s. 775.087(3), or a
 120 machine gun as defined in s. 790.001, shall be sentenced to a
 121 minimum term of imprisonment of 8 years.

122
 123 Notwithstanding s. 948.01, adjudication of guilt or imposition
 124 of sentence shall not be suspended, deferred, or withheld, and
 125 the defendant is not eligible for statutory gain-time under s.
 126 944.275 or any form of discretionary early release, other than
 127 pardon or executive clemency, or conditional medical release
 128 under s. 947.149, prior to serving the minimum sentence.

129 Section 2. Subsection (15) of section 901.15, Florida
 130 Statutes, is amended to read:

131 901.15 When arrest by officer without warrant is lawful.—A
 132 law enforcement officer may arrest a person without a warrant
 133 when:

134 (15) There is probable cause to believe that the person
 135 has committed assault upon a law enforcement officer, a
 136 firefighter, an emergency medical care provider, public transit
 137 employees or agents, or other specified persons ~~officers~~ as set
 138 forth in s. 784.07 or has committed assault or battery upon any
 139 employee of a receiving facility as defined in s. 394.455 who is
 140 engaged in the lawful performance of his or her duties.

141 Section 3. Paragraph (b) of subsection (3) of section
 142 943.051, Florida Statutes, is amended to read:

143 943.051 Criminal justice information; collection and
 144 storage; fingerprinting.—

145 (3)

146 (b) A minor who is charged with or found to have committed
 147 the following offenses shall be fingerprinted and the
 148 fingerprints shall be submitted to the department:

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

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

151 3. Carrying a concealed weapon, as defined in s.
 152 790.01(1).

153 4. Unlawful use of destructive devices or bombs, as
 154 defined in s. 790.1615(1).

155 5. Negligent treatment of children, as defined in former
 156 s. 827.05.

157 6. Assault or battery on a law enforcement officer, a
 158 firefighter, or other specified persons ~~officers~~, as defined in
 159 s. 784.07(2) ~~(a) and (b)~~.

160 7. Open carrying of a weapon, as defined in s. 790.053.

161 8. Exposure of sexual organs, as defined in s. 800.03.

162 9. Unlawful possession of a firearm, as defined in s.
 163 790.22(5).

164 10. Petit theft, as defined in s. 812.014(3).

165 11. Cruelty to animals, as defined in s. 828.12(1).

166 12. Arson, as defined in s. 806.031(1).

167 13. Unlawful possession or discharge of a weapon or
 168 firearm at a school-sponsored event or on school property as

HB 127

2012

169 defined in s. 790.115.

170 Section 4. Paragraph (b) of subsection (1) of section
 171 985.11, Florida Statutes, is amended to read:

172 985.11 Fingerprinting and photographing.—

173 (1)

174 (b) A child who is charged with or found to have committed
 175 one of the following offenses shall be fingerprinted, and the
 176 fingerprints shall be submitted to the Department of Law
 177 Enforcement as provided in s. 943.051(3)(b):

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

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

180 3. Carrying a concealed weapon, as defined in s.
 181 790.01(1).

182 4. Unlawful use of destructive devices or bombs, as
 183 defined in s. 790.1615(1).

184 5. Negligent treatment of children, as defined in former
 185 s. 827.05.

186 6. Assault on a law enforcement officer, a firefighter, or
 187 other specified persons ~~officers~~, as defined in s. 784.07(2)(a).

188 7. Open carrying of a weapon, as defined in s. 790.053.

189 8. Exposure of sexual organs, as defined in s. 800.03.

190 9. Unlawful possession of a firearm, as defined in s.
 191 790.22(5).

192 10. Petit theft, as defined in s. 812.014.

193 11. Cruelty to animals, as defined in s. 828.12(1).

194 12. Arson, resulting in bodily harm to a firefighter, as
 195 defined in s. 806.031(1).

196 13. Unlawful possession or discharge of a weapon or

HB 127

2012

197 | firearm at a school-sponsored event or on school property as
198 | defined in s. 790.115.

199 |
200 | A law enforcement agency may fingerprint and photograph a child
201 | taken into custody upon probable cause that such child has
202 | committed any other violation of law, as the agency deems
203 | appropriate. Such fingerprint records and photographs shall be
204 | retained by the law enforcement agency in a separate file, and
205 | these records and all copies thereof must be marked "Juvenile
206 | Confidential." These records are not available for public
207 | disclosure and inspection under s. 119.07(1) except as provided
208 | in ss. 943.053 and 985.04(2), but shall be available to other
209 | law enforcement agencies, criminal justice agencies, state
210 | attorneys, the courts, the child, the parents or legal
211 | custodians of the child, their attorneys, and any other person
212 | authorized by the court to have access to such records. In
213 | addition, such records may be submitted to the Department of Law
214 | Enforcement for inclusion in the state criminal history records
215 | and used by criminal justice agencies for criminal justice
216 | purposes. These records may, in the discretion of the court, be
217 | open to inspection by anyone upon a showing of cause. The
218 | fingerprint and photograph records shall be produced in the
219 | court whenever directed by the court. Any photograph taken
220 | pursuant to this section may be shown by a law enforcement
221 | officer to any victim or witness of a crime for the purpose of
222 | identifying the person who committed such crime.

223 | Section 5. Paragraph (a) of subsection (3) of section
224 | 985.644, Florida Statutes, is amended to read:

Page 8 of 37

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0127-00

225 985.644 Departmental contracting powers; personnel
 226 standards and screening.—

227 (3) (a) All employees of the department and all personnel
 228 of contract providers for any program for children, including
 229 all owners, operators, employees, persons who have access to
 230 confidential juvenile records, and volunteers, must complete:

231 1. A level 2 employment screening pursuant to chapter 435
 232 before employment. The security background investigation
 233 conducted under this section must ensure that, in addition to
 234 the disqualifying offenses listed in s. 435.04, no person
 235 subject to the background screening provisions of this section
 236 has an arrest awaiting final disposition for, been found guilty
 237 of, regardless of adjudication, or entered a plea of nolo
 238 contendere or guilty to, or been adjudicated delinquent and the
 239 record has not been sealed or expunged for, any offense
 240 prohibited under the following provisions of state law or
 241 similar laws of another jurisdiction:

242 a. Section 784.07, relating to assault or battery of law
 243 enforcement officers, firefighters, emergency medical care
 244 providers, public transit employees or agents, or other
 245 specified persons ~~officers~~.

246 b. Section 817.568, relating to criminal use of personal
 247 identification information.

248 2. A national criminal records check by the Federal Bureau
 249 of Investigation every 5 years following the date of the
 250 person's employment.

251 Section 6. For the purpose of incorporating the amendments
 252 made by this act to section 784.07, Florida Statutes, in a

HB 127

2012

253 references thereto, paragraphs (d), (f), and (g) of subsection
 254 (3) of section 921.0022, Florida Statutes, are reenacted and
 255 amended to read:

256 921.0022 Criminal Punishment Code; offense severity
 257 ranking chart.—

258 (3) OFFENSE SEVERITY RANKING CHART

259 (d) LEVEL 4

260

Florida	Felony	
Statute	Degree	Description

261

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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262

499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
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263

499.0051(2)	3rd	Failure to authenticate pedigree papers.
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264

499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
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265

784.07(2) (b)	3rd	Battery of law enforcement officer,
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HB 127

2012

266	784.074 (1) (c)	3rd	firefighter, etc. Battery of sexually violent predators facility staff.
267	784.075	3rd	Battery on detention or commitment facility staff.
268	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
269	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
270	784.081 (3)	3rd	Battery on specified official or employee.
271	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
272	784.083 (3)	3rd	Battery on code inspector.
273	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
274			

HB 127

2012

275	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
276	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
277	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
278	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
279	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
280	790.115(2)(c)	3rd	Possessing firearm on school property.
281	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
282	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

HB 127

2012

283	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
284	810.06	3rd	Burglary; possession of tools.
285	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
286	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
287	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
288	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
289	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
290	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
291	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.

HB 127

2012

292	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
293	837.02 (1)	3rd	Perjury in official proceedings.
294	837.021 (1)	3rd	Make contradictory statements in official proceedings.
295	838.022	3rd	Official misconduct.
296	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
297	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
298	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
299	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
300	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

HB 127

2012

301	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
302	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
303	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).
304	914.14(2)	3rd	Witnesses accepting bribes.
305	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
306	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
307	918.12	3rd	Tampering with jurors.
308	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
309	(f)	LEVEL 6	
310	Florida	Felony	
311	Statute	Degree	Description

HB 127

2012

312	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
313	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
314	499.0051 (4)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
315	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
316	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
317	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
318	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
319	784.041	3rd	Felony battery; domestic battery by strangulation.
320	784.048 (3)	3rd	Aggravated stalking; credible threat.
321	784.048 (5)	3rd	Aggravated stalking of person under 16.

HB 127

2012

322	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer, <u>firefighter, etc.</u>
323	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
324	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
325	784.081 (2)	2nd	Aggravated assault on specified official or employee.
326	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
327	784.083 (2)	2nd	Aggravated assault on code inspector.
328	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
329	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
330	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.

HB 127

2012

331	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
332	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
333	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
334	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
335	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
336	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
337	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
338	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but

HB 127

2012

339			less than \$100,000, grand theft in 2nd degree.
340	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
341	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
342	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
343	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
344	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
345	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
346	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
347	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.

HB 127

2012

348	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
349	825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
350	827.03(1)	3rd	Abuse of a child.
351	827.03(3)(c)	3rd	Neglect of a child.
352	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
353	836.05	2nd	Threats; extortion.
354	836.10	2nd	Written threats to kill or do bodily injury.
355	843.12	3rd	Aids or assists person to escape.
356	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
	847.012	3rd	Knowingly using a minor in the

HB 127

2012

			production of materials harmful to minors.
357	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
358	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
359	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.
360	944.40	2nd	Escapes.
361	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
362	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
363	951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
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HB 127

2012

365	(g) LEVEL 7		
366	Florida	Felony	
367	Statute	Degree	Description
368	316.027 (1) (b)	1st	Accident involving death, failure to stop; leaving scene.
369	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
370	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.
371	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
372	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
372	409.920	3rd	Medicaid provider fraud; \$10,000 or

HB 127

2012

373	(2) (b) 1. a.		less.
	409.920	2nd	Medicaid provider fraud; more than
374	(2) (b) 1. b.		\$10,000, but less than \$50,000.
	456.065 (2)	3rd	Practicing a health care profession
375			without a license.
	456.065 (2)	2nd	Practicing a health care profession
376			without a license which results in
			serious bodily injury.
377	458.327 (1)	3rd	Practicing medicine without a license.
	459.013 (1)	3rd	Practicing osteopathic medicine without
378			a license.
	460.411 (1)	3rd	Practicing chiropractic medicine
379			without a license.
	461.012 (1)	3rd	Practicing podiatric medicine without a
380			license.
	462.17	3rd	Practicing naturopathy without a
381			license.
	463.015 (1)	3rd	Practicing optometry without a license.
382			

HB 127

2012

383	464.016 (1)	3rd	Practicing nursing without a license.
384	465.015 (2)	3rd	Practicing pharmacy without a license.
385	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
386	467.201	3rd	Practicing midwifery without a license.
387	468.366	3rd	Delivering respiratory care services without a license.
388	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
389	483.901 (9)	3rd	Practicing medical physics without a license.
390	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
391	484.053	3rd	Dispensing hearing aids without a license.
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained

HB 127

2012

exceeded \$50,000 and there were five or more victims.

392

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.

393

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

394

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

395

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

396

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

397

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

398

HB 127

2012

399	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
400	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
401	782.071	2nd	Killing of a human being or viable fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).
402	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
403	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
404	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
405	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.

HB 127

2012

406	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
407	784.048 (7)	3rd	Aggravated stalking; violation of court order.
408	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer, <u>firefighter, etc.</u>
409	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
410	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
411	784.081 (1)	1st	Aggravated battery on specified official or employee.
412	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
413	784.083 (1)	1st	Aggravated battery on code inspector.
414	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).

HB 127

2012

415	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
416	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
417	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
418	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
419	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
420	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
421	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.

HB 127

2012

422	796.03	2nd	Procuring any person under 16 years for prostitution.
423	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.
424	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.
425	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
426	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
427	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
428	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
429	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or

HB 127

2012

more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

430

812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

431

812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

432

812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

433

812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

434

812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

435

812.131 (2) (a) 2nd Robbery by sudden snatching.

436

812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

437

HB 127

2012

438	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
439	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
440	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
441	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.
442	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
443	825.103 (2) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.
444	827.03 (3) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.

HB 127

2012

445	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
446	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
447	838.015	2nd	Bribery.
448	838.016	2nd	Unlawful compensation or reward for official behavior.
449	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
450	838.22	2nd	Bid tampering.
451	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
452	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
453	872.06	2nd	Abuse of a dead human body.
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or

HB 127

2012

supervises criminal gang-related activity.

454

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.

455

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.

456

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).

457

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

458

893.135 1st Trafficking in cocaine, more than 28

HB 127

2012

459	(1) (b) 1.a.		grams, less than 200 grams.
460	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
461	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
462	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
463	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
464	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
465	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
466	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
467	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

HB 127

2012

468	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
469	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
470	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
471	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
472	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
473	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
474	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

HB 127

2012

475	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
476	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
477	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
478	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
479	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
480	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
481	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to

HB 127

2012

address verification.

482

483

Section 7. This act shall take effect July 1, 2012.