

By Senator Fasano

11-00307-12

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1 A bill to be entitled
 2 An act relating to vehicle crashes resulting in
 3 personal injury; amending s. 316.027, F.S.; increasing
 4 from a third-degree felony to a second-degree felony
 5 the penalty imposed for willfully failing to remain at
 6 the scene of a crash involving personal injury;
 7 amending s. 921.0022, F.S.; conforming provisions of
 8 the offense severity ranking chart of the Criminal
 9 Punishment Code; providing an effective date.

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

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 13 Section 1. Paragraph (a) of subsection (1) of section
 14 316.027, Florida Statutes, is amended to read:

15 316.027 Crash involving death or personal injuries.—

16 (1) (a) The driver of a ~~any~~ vehicle involved in a crash
 17 occurring on public or private property which ~~that~~ results in
 18 injury of a ~~any~~ person must immediately stop the vehicle at the
 19 scene of the crash, or as close thereto as possible, and must
 20 remain at the scene of the crash until he or she has fulfilled
 21 the requirements of s. 316.062. A ~~Any~~ person who willfully
 22 violates this paragraph commits a felony of the second ~~third~~
 23 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 24 775.084.

25 Section 2. Paragraph (e) of subsection (3) of section
 26 921.0022, Florida Statutes, is amended to read:

27 921.0022 Criminal Punishment Code; offense severity ranking
 28 chart.—

29 (3) OFFENSE SEVERITY RANKING CHART

11-00307-12

2012286__

30 (e) LEVEL 5

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Florida Felony

Statute Degree

Description

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316.027(1)(a) 2nd Accidents involving personal injuries,
~~3rd~~ failure to stop; leaving scene.

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316.1935(4)(a) 2nd Aggravated fleeing or eluding.

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322.34(6) 3rd Careless operation of motor vehicle with
suspended license, resulting in death or
serious bodily injury.

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327.30(5) 3rd Vessel accidents involving personal
injury; leaving scene.

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381.0041(11)(b) 3rd Donate blood, plasma, or organs knowing
HIV positive.

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

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

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

11-00307-12

2012286__

compensation premiums.

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

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

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790.01 (2) 3rd Carrying a concealed firearm.

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790.162 2nd Threat to throw or discharge destructive device.

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790.163 (1) 2nd False report of deadly explosive or weapon of mass destruction.

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

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

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

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800.04 (7) (b) 2nd Lewd or lascivious exhibition; offender

11-00307-12

2012286__

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18 years or older.

806.111(1) 3rd Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

812.0145(2)(b) 2nd Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

812.015(8) 3rd Retail theft; property stolen is valued at \$300 or more and one or more specified acts.

812.019(1) 2nd Stolen property; dealing in or trafficking in.

812.131(2)(b) 3rd Robbery by sudden snatching.

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

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

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

817.2341(1), 3rd Filing false financial statements,

11-00307-12

2012286__

(2) (a) &
(3) (a)

making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.

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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 or more or use of personal identification information of 10 or more individuals.

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817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

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825.1025 (4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

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827.071 (4)

2nd

Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

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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.

11-00307-12

2012286__

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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.

843.01 3rd Resist officer with violence to person; resist arrest with violence.

847.0135(5)(b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

847.0137
(2) & (3) 3rd Transmission of pornography by electronic device or equipment.

847.0138
(2) & (3) 3rd Transmission of material harmful to minors to a minor by electronic device or equipment.

874.05(2) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

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)4. drugs).

893.13(1)(c)2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1.,

11-00307-12

2012286__

(2) (c)2., (2) (c)3., (2) (c)5., (2) (c)6.,
 (2) (c)7., (2) (c)8., (2) (c)9., (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.

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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)4.
 drugs) within 1,000 feet of university.

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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)5., (2)(c)6., (2)(c)7.,
 (2)(c)8., (2)(c)9., (3), or (4) within
 1,000 feet of property used for
 religious services or a specified
 business site.

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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)4.
 drugs) within 1,000 feet of public
 housing facility.

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893.13(4)(b) 2nd Deliver to minor cannabis (or other s.

11-00307-12

2012286__

893.03(1)(c), (2)(c)1., (2)(c)2.,
(2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7.,
(2)(c)8., (2)(c)9., (3), or (4) drugs).

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893.1351(1) 3rd Ownership, lease, or rental for
trafficking in or manufacturing of
controlled substance.

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Section 3. This act shall take effect July 1, 2012.