



300572

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/09/2014	.	
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	.	
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The Committee on Transportation (Diaz de la Portilla)  
recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. This act may be cited as the "Aaron Cohen Life  
Protection Act."

Section 2. Section 316.027, Florida Statutes, is amended to  
read:

316.027 Crash involving death or personal injuries.—

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



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11           (a) "Serious bodily injury" means an injury to a person,  
12 including the driver, which consists of a physical condition  
13 that creates a substantial risk of death, serious personal  
14 disfigurement, or protracted loss or impairment of the function  
15 of a bodily member or organ.

16           (b) "Vulnerable road user" means:

17           1. A pedestrian, including a person actually engaged in  
18 work upon a highway, or in work upon utility facilities along a  
19 highway, or engaged in the provision of emergency services  
20 within the right-of-way;

21           2. A person operating a bicycle, motorcycle, scooter, or  
22 moped lawfully on the roadway;

23           3. A person riding an animal; or

24           4. A person lawfully operating on a public right-of-way,  
25 crosswalk, or shoulder of the roadway:

26           a. A farm tractor or similar vehicle designed primarily for  
27 farm use;

28           b. A skateboard, roller skates, or in-line skates;

29           c. A horse-drawn carriage;

30           d. An electric personal assistive mobility device; or

31           e. A wheelchair.

32           (2)(1)(a) The driver of a ~~any~~ vehicle involved in a crash  
33 occurring on public or private property ~~which~~ ~~that~~ results in  
34 injury to a ~~of any~~ person other than serious bodily injury shall  
35 ~~must~~ immediately stop the vehicle at the scene of the crash, or  
36 as close thereto as possible, and shall ~~must~~ remain at the scene  
37 of the crash until he or she has fulfilled the requirements of  
38 s. 316.062. A ~~Any~~ person who willfully violates this paragraph  
39 commits a felony of the third degree, punishable as provided in



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40 s. 775.082, s. 775.083, or s. 775.084.

41 (b) The driver of a vehicle involved in a crash occurring  
42 on public or private property which results in serious bodily  
43 injury to a person shall immediately stop the vehicle at the  
44 scene of the crash, or as close thereto as possible, and shall  
45 remain at the scene of the crash until he or she has fulfilled  
46 the requirements of s. 316.062. A person who willfully violates  
47 this paragraph commits a felony of the second degree, punishable  
48 as provided in s. 775.082, s. 775.083, or s. 775.084.

49 (c) ~~(b)~~ The driver of a any vehicle involved in a crash  
50 occurring on public or private property which ~~that~~ results in  
51 the death of a any person shall ~~must~~ immediately stop the  
52 vehicle at the scene of the crash, or as close thereto as  
53 possible, and shall ~~must~~ remain at the scene of the crash until  
54 he or she has fulfilled the requirements of s. 316.062. A person  
55 who is arrested for a violation of this paragraph and who has  
56 previously been convicted of a violation of this section, s.  
57 316.061, s. 316.191, or s. 316.193, or a felony violation of s.  
58 322.34, shall be held in custody until brought before the court  
59 for admittance to bail in accordance with chapter 903. A Any  
60 person who willfully violates this paragraph commits a felony of  
61 the first degree, punishable as provided in s. 775.082, s.  
62 775.083, or s. 775.084, and shall be sentenced to a mandatory  
63 minimum term of imprisonment of 4 years. A Any person who  
64 willfully commits such a violation while driving under the  
65 influence as set forth in s. 316.193(1) shall be sentenced to a  
66 mandatory minimum term of imprisonment of 4 ~~2~~ years.

67 (d) ~~(e)~~ Notwithstanding s. 775.089(1) (a), if the driver of a  
68 vehicle violates paragraph (a), ~~or~~ paragraph (b), or paragraph



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69 (c), the court shall order the driver to make restitution to the  
70 victim for any damage or loss unless the court finds clear and  
71 compelling reasons not to order the restitution. Restitution may  
72 be monetary or nonmonetary restitution. The court shall make the  
73 payment of restitution a condition of probation in accordance  
74 with s. 948.03. An order requiring the defendant to make  
75 restitution to a victim does not remove or diminish the  
76 requirement that the court order payment to the Crimes  
77 Compensation Trust Fund under chapter 960. Payment of an award  
78 by the Crimes Compensation Trust Fund creates an order of  
79 restitution to the Crimes Compensation Trust Fund unless  
80 specifically waived in accordance with s. 775.089(1)(b).

81 (e) A driver who violates paragraph (a), paragraph (b), or  
82 paragraph (c) shall:

83 1. Have his or her driver license revoked for at least 3  
84 years as provided in s. 322.28(4);

85 2. Participate in a victim's impact panel session in a  
86 judicial circuit if such a panel exists; or

87 3. Participate in a driver education course relating to the  
88 rights of vulnerable road users relative to vehicles on the  
89 roadway.

90 (f) For purposes of sentencing under chapter 921 and  
91 determining incentive gain-time eligibility under chapter 944,  
92 an offense listed in this subsection is ranked one level above  
93 the ranking specified in s. 921.0022 or s. 921.0023 for the  
94 offense committed if the victim of the offense was a vulnerable  
95 road user.

96 (g) The defendant may move to depart from the mandatory  
97 minimum term of imprisonment prescribed in paragraph (c) unless



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98 the violation was committed while the defendant was driving  
99 under the influence. The state may object to this departure. The  
100 court may grant the motion only if it finds that a factor,  
101 consideration, or circumstance clearly demonstrates that  
102 imposing a mandatory minimum term of imprisonment would  
103 constitute or result in an injustice. The court shall state in  
104 open court the basis for granting the motion.

105 ~~(2) The department shall revoke the driver's license of the~~  
106 ~~person so convicted.~~

107 (3) The stops shall ~~Every stop must~~ be made without  
108 ~~unnecessarily~~ obstructing traffic ~~more than is necessary~~, and,  
109 if a damaged vehicle is obstructing traffic, the driver of the  
110 vehicle shall ~~must~~ make every reasonable effort to move the  
111 vehicle or have it moved so as not to obstruct the regular flow  
112 of traffic. A ~~Any~~ person who fails to comply with this  
113 subsection shall be cited for a nonmoving violation, punishable  
114 as provided in chapter 318.

115 (4) In addition to any other civil, criminal, or  
116 administrative penalty imposed, a person whose commission of a  
117 noncriminal traffic infraction or a ~~any~~ violation of this  
118 chapter or s. 1006.66 causes or results in the death of another  
119 person may, ~~in addition to any other civil, criminal, or~~  
120 ~~administrative penalty imposed~~, be required by the court to  
121 serve 120 community service hours in a trauma center or hospital  
122 that regularly receives victims of vehicle accidents, under the  
123 supervision of a registered nurse, an emergency room physician,  
124 or an emergency medical technician pursuant to a voluntary  
125 community service program operated by the trauma center or  
126 hospital.



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127           (5) This section does not apply to crashes occurring during  
128 a motorsports event, as defined in s. 549.10(1), or at a closed-  
129 course motorsport facility, as defined in s. 549.09(1).

130           Section 3. Subsection (4) of section 322.28, Florida  
131 Statutes, is amended to read:

132           322.28 Period of suspension or revocation.—

133           (4) (a) Upon a conviction for a violation of s.  
134 316.193(3)(c)2., involving serious bodily injury, a conviction  
135 of manslaughter resulting from the operation of a motor vehicle,  
136 or a conviction of vehicular homicide, the court shall revoke  
137 the driver license of the person convicted for a minimum period  
138 of 3 years. If a conviction under s. 316.193(3)(c)2., involving  
139 serious bodily injury, is also a subsequent conviction as  
140 described under paragraph (2)(a), the court shall revoke the  
141 driver license or driving privilege of the person convicted for  
142 the period applicable as provided in paragraph (2)(a) or  
143 paragraph (2)(d).

144           (b) Upon a conviction for a violation of s. 316.027(2)(a),  
145 s. 316.027(2)(b), or s. 316.027(2)(c) involving injury, serious  
146 bodily injury, or death, the court shall revoke the driver  
147 license of the person convicted for a minimum period of 3 years.

148           (c) ~~(b)~~ If the period of revocation was not specified by the  
149 court at the time of imposing sentence or within 30 days  
150 thereafter, the department shall revoke the driver license for  
151 the minimum period applicable under paragraph (a) or paragraph  
152 (b) or, for a subsequent conviction, for the minimum period  
153 applicable under paragraph (2)(a) or paragraph (2)(d).

154           Section 4. For the purpose of incorporating the amendment  
155 made by this act to section 322.28, Florida Statutes, in a



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156 reference thereto, subsection (6) of section 322.34, Florida  
157 Statutes, is reenacted and amended to read:

158 322.34 Driving while license suspended, revoked, canceled,  
159 or disqualified.—

160 (6) Any person who operates a motor vehicle:

161 (a) Without having a driver's license as required under s.  
162 322.03; or

163 (b) While his or her driver's license or driving privilege  
164 is canceled, suspended, or revoked pursuant to s. 316.655, s.  
165 322.26(8), s. 322.27(2), or s. 322.28(2) or (4),

166  
167 and who by careless or negligent operation of the motor vehicle  
168 causes the death of or serious bodily injury to another human  
169 being commits ~~is guilty of~~ a felony of the third degree,  
170 punishable as provided in s. 775.082 or s. 775.083.

171 Section 5. Paragraphs (e) through (g) of subsection (3) of  
172 section 921.0022, Florida Statutes, are amended to read:

173 921.0022 Criminal Punishment Code; offense severity ranking  
174 chart.—

175 (3) OFFENSE SEVERITY RANKING CHART

176 (e) LEVEL 5

177

Florida Statute	Felony Degree	Description
316.027(2)(a) <del>(1)(a)</del>	3rd	Accidents involving personal injuries <u>other than serious bodily injury,</u>

178



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179

316.1935 (4) (a)

2nd

failure to stop;  
leaving scene.

Aggravated fleeing or  
eluding.

180

322.34 (6)

3rd

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

181

327.30 (5)

3rd

Vessel accidents  
involving personal  
injury; leaving  
scene.

182

379.367 (4)

3rd

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

183

379.3671  
(2) (c) 3.

3rd

Willful molestation,  
possession, or  
removal of a  
commercial  
harvester's trap



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184

381.0041(11)(b)

3rd

contents or trap gear  
by another harvester.

Donate blood, plasma,  
or organs knowing HIV  
positive.

185

440.10(1)(g)

2nd

Failure to obtain  
workers' compensation  
coverage.

186

440.105(5)

2nd

Unlawful solicitation  
for the purpose of  
making workers'  
compensation claims.

187

440.381(2)

2nd

Submission of false,  
misleading, or  
incomplete  
information with the  
purpose of avoiding  
or reducing workers'  
compensation  
premiums.

188

624.401(4)(b)2.

2nd

Transacting insurance  
without a certificate  
or authority; premium  
collected \$20,000 or



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189			more but less than \$100,000.
	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
190			
	790.01 (2)	3rd	Carrying a concealed firearm.
191			
	790.162	2nd	Threat to throw or discharge destructive device.
192			
	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
193			
	790.221 (1)	2nd	Possession of short- barreled shotgun or machine gun.
194			
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
195			



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196	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years <u>of</u> <u>age</u> .
197	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years <u>of age</u> or older.
198	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
199	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
200	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;



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201			dealing in or trafficking in.
202	812.131 (2) (b)	3rd	Robbery by sudden snatching.
203	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
204	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
205	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
206	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, 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.

207

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

208

825.1025 (4)

3rd

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

209

827.071 (4)

2nd

Possess with intent to promote any photographic material, motion



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210	827.071 (5)	3rd	picture, etc., which includes sexual conduct by a child.
211	839.13 (2) (b)	2nd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
212	843.01	3rd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
213	847.0135 (5) (b)	2nd	Resist officer with violence to person; resist arrest with violence.
214			Lewd or lascivious exhibition using computer; offender 18 years or older.



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215	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
216	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
217	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
218	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 <u>years of age</u> to join a criminal gang.
	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.



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219

893.13(1)(c)2.

2nd

drugs).

Sell, manufacture, or  
deliver cannabis (or  
other 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) 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.

220

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.

221



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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.

222

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.

223

893.13(4)(b)

2nd

Deliver to minor  
cannabis (or other s.  
893.03(1)(c),



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224	893.1351 (1)	3rd	(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).
225			Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
226			
227	(f) LEVEL 6		
228			
	Florida	Felony	
	Statute	Degree	Description
229	<u>316.027 (2) (b)</u>	<u>2nd</u>	<u>Leaving the scene of a crash involving serious bodily injury.</u>
230	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
231	499.0051 (3)	2nd	Knowing forgery of pedigree papers.
232	499.0051 (4)	2nd	Knowing purchase or



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233			receipt of prescription drug from unauthorized person.
234	499.0051 (5)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
235	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
236	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
237	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
238	784.041	3rd	Felony battery; domestic battery by strangulation.
239	784.048 (3)	3rd	Aggravated stalking; credible threat.
240	784.048 (5)	3rd	Aggravated stalking of person under 16.
	784.07 (2) (c)	2nd	Aggravated assault on



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241			law enforcement officer.
	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
242			
	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
243			
	784.081 (2)	2nd	Aggravated assault on specified official or employee.
244			
	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
245			
	784.083 (2)	2nd	Aggravated assault on code inspector.
246			
	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
247			
	790.115 (2) (d)	2nd	Discharging firearm or



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248			weapon on school property.
	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
249			
	790.164 (1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
250			
	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
251			
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
252			
	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
253			
	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12



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254	800.04 (6) (b)	2nd	years of age or older but less than 16 years <u>of age</u> ; offender less than 18 years.
255	806.031 (2)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
256	810.02 (3) (c)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
257	810.145 (8) (b)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
258	812.014 (2) (b) 1.	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
259	812.014 (6)	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
			Theft; property stolen \$3,000 or more;



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260			coordination of others.
	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
261			
	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
262			
	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
263			
	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
264			
	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
265			
	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
266			
	825.1025 (3)	3rd	Lewd or lascivious



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267			molestation of an elderly person or disabled adult.
268	825.103 (2) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$20,000.
269	827.03 (2) (c)	3rd	Abuse of a child.
270	827.03 (2) (d)	3rd	Neglect of a child.
271	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
272	836.05	2nd	Threats; extortion.
273	836.10	2nd	Written threats to kill or do bodily injury.
274	843.12	3rd	Aids or assists person to escape.
	847.011	3rd	Distributing, offering to distribute, or possessing with intent



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275			to distribute obscene materials depicting minors.
	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
276			
	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
277			
	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
278			
	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.
279			



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280	944.40	2nd	Escapes.
281	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
282	944.47 (1) (a) 5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
283	951.22 (1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.
284			
285	(g) LEVEL 7		
286			
287	Florida Statute	Felony Degree	Description
288	316.027 <u>(2) (c)</u> <del>(1) (b)</del>	1st	Accident involving death, failure to stop; leaving scene.
	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.



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289	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.
290	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
291	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
292	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
293	409.920	2nd	Medicaid provider



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	(2) (b) 1.b.		fraud; more than \$10,000, but less than \$50,000.
294	456.065 (2)	3rd	Practicing a health care profession without a license.
295	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
296	458.327 (1)	3rd	Practicing medicine without a license.
297	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
298	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
299	461.012 (1)	3rd	Practicing podiatric medicine without a license.
300			



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301	462.17	3rd	Practicing naturopathy without a license.
302	463.015 (1)	3rd	Practicing optometry without a license.
303	464.016 (1)	3rd	Practicing nursing without a license.
304	465.015 (2)	3rd	Practicing pharmacy without a license.
305	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
306	467.201	3rd	Practicing midwifery without a license.
307	468.366	3rd	Delivering respiratory care services without a license.
308	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
	483.901 (9)	3rd	Practicing medical physics without a



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309			license.
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
310			
	484.053	3rd	Dispensing hearing aids without a license.
311			
	494.0018 (2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
312			
	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.
313			
	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding



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314	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
315	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.
316	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
317	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
318	782.051 (3)	2nd	Attempted felony murder



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of a person by a person  
other than the  
perpetrator or the  
perpetrator of an  
attempted felony.

319

782.07(1)

2nd

Killing of a human  
being by the act,  
procurement, or  
culpable negligence of  
another (manslaughter).

320

782.071

2nd

Killing of a human  
being or viable fetus  
by the operation of a  
motor vehicle in a  
reckless manner  
(vehicular homicide).

321

782.072

2nd

Killing of a human  
being by the operation  
of a vessel in a  
reckless manner (vessel  
homicide).

322

784.045(1)(a)1.

2nd

Aggravated battery;  
intentionally causing  
great bodily harm or  
disfigurement.



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323	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
324	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
325	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
326	784.048 (7)	3rd	Aggravated stalking; violation of court order.
327	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
328	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
329	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.

330



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331	784.081 (1)	1st	Aggravated battery on specified official or employee.
332	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
333	784.083 (1)	1st	Aggravated battery on code inspector.
334	787.06 (3) (a)	1st	Human trafficking using coercion for labor and services.
335	787.06 (3) (e)	1st	Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.
336	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).



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337	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
338	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
339	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
340	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
341	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
	790.23	1st,PBL	Possession of a firearm



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by a person who  
qualifies for the  
penalty enhancements  
provided for in s.  
874.04.

342

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.

343

796.03

2nd

Procuring any person  
under 16 years of age  
for prostitution.

344

800.04(5)(c)1.

2nd

Lewd or lascivious  
molestation; victim  
less than 12 years of  
age; offender less than  
18 years of age.

345

800.04(5)(c)2.

2nd

Lewd or lascivious  
molestation; victim 12  
years of age or older  
but less than 16 years  
of age; offender 18



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346			years <u>of age</u> or older.
347	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
348	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
349	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
350	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
351	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.



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352	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
353	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
354	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
355	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
356	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
357	812.131 (2) (a)	2nd	Robbery by sudden snatching.



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358	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
359	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
360	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
361	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
362	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
363	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



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364			entity which are a significant cause of the insolvency of that entity.
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
365			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
366			
	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.
367			
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
368			
	827.04 (3)	3rd	Impregnation of a child



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369			under 16 years of age by person 21 years of age or older.
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
370			
	838.015	2nd	Bribery.
371			
	838.016	2nd	Unlawful compensation or reward for official behavior.
372			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
373			
	838.22	2nd	Bid tampering.
374			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
375			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
376			
	843.0855 (4)	3rd	Intimidation of a



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377			public officer or employee.
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
378			
	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
379			
	872.06	2nd	Abuse of a dead human body.
380			
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
381			
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
382			
	893.13 (1) (c) 1.	1st	Sell, manufacture, or



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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.

383

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.

384

893.13(4)(a)

1st

Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b),



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or (2) (c) 4. drugs).

385

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

386

893.135 (1) (b) 1.a. 1st Trafficking in cocaine,  
more than 28 grams,  
less than 200 grams.

387

893.135 (1) (c) 1.a. 1st Trafficking in illegal  
drugs, more than 4  
grams, less than 14  
grams.

388

893.135 (1) (d) 1. 1st Trafficking in  
phencyclidine, more  
than 28 grams, less  
than 200 grams.

389

893.135 (1) (e) 1. 1st Trafficking in  
methaqualone, more than  
200 grams, less than 5  
kilograms.

390

893.135 (1) (f) 1. 1st Trafficking in  
amphetamine, more than  
14 grams, less than 28



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grams.

391

893.135  
(1) (g) 1.a.

1st

Trafficking in  
flunitrazepam, 4 grams  
or more, less than 14  
grams.

392

893.135  
(1) (h) 1.a.

1st

Trafficking in gamma-  
hydroxybutyric acid  
(GHB), 1 kilogram or  
more, less than 5  
kilograms.

393

893.135  
(1) (j) 1.a.

1st

Trafficking in 1,4-  
Butanediol, 1 kilogram  
or more, less than 5  
kilograms.

394

893.135  
(1) (k) 2.a.

1st

Trafficking in  
Phenethylamines, 10  
grams or more, less  
than 200 grams.

395

893.1351 (2)

2nd

Possession of place for  
trafficking in or  
manufacturing of  
controlled substance.

396

896.101 (5) (a)

3rd

Money laundering,



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397	896.104 (4) (a) 1.	3rd	financial transactions exceeding \$300 but less than \$20,000. Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
398	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
399	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
400	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.



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401	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
402	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification.
403	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
404	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
405	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.



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406 944.607(13) 3rd Sexual offender;  
failure to report and  
reregister; failure to  
respond to address  
verification.

407 985.4815(10) 3rd Sexual offender;  
failure to submit to  
the taking of a  
digitized photograph.

408 985.4815(12) 3rd Failure to report or  
providing false  
information about a  
sexual offender; harbor  
or conceal a sexual  
offender.

409 985.4815(13) 3rd Sexual offender;  
failure to report and  
reregister; failure to  
respond to address  
verification.

410  
411 Section 6. This act shall take effect July 1, 2014.

412  
413 ===== T I T L E A M E N D M E N T =====

414 And the title is amended as follows:



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415 Delete everything before the enacting clause  
416 and insert:

417 A bill to be entitled  
418 An act relating to drivers leaving the scene of a  
419 crash; creating the "Aaron Cohen Life Protection Act";  
420 amending s. 316.027, F.S.; redefining the term  
421 "serious bodily injury" and defining the term  
422 "vulnerable road user"; requiring the driver of a  
423 vehicle involved in a crash that results in serious  
424 bodily injury to a person to immediately stop the  
425 vehicle and remain at the scene of the crash;  
426 providing that a person commits a felony of the second  
427 degree if he or she fails to stop the vehicle and  
428 remain at the scene of the crash until specified  
429 requirements are fulfilled; requiring the court to  
430 impose a mandatory minimum term of imprisonment under  
431 certain circumstances; requiring the revocation of the  
432 driver's driver license; requiring the driver to  
433 participate in specified programs; providing for  
434 ranking of an offense committed if the victim of the  
435 offense was a vulnerable road user; authorizing the  
436 defendant to move to depart from the mandatory minimum  
437 term of imprisonment under certain circumstances;  
438 providing requirements and procedures for such  
439 departure; amending s. 322.28, F.S.; requiring the  
440 court to revoke for at least 3 years the driver  
441 license of a person convicted of leaving the scene of  
442 a crash involving injury, serious bodily injury, or  
443 death; reenacting and amending s. 322.34(6), F.S.,



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444 relating to driving while a driver license is  
445 suspended, revoked, canceled, or disqualified, to  
446 incorporate the amendment to s. 322.28, F.S., in a  
447 reference thereto; amending s. 921.0022, F.S.;  
448 revising the offense severity ranking chart;  
449 conforming a cross-reference; providing an effective  
450 date.