

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER _____

1 Committee/Subcommittee hearing bill: Justice Appropriations
 2 Subcommittee

3 Representative McClain offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove lines 21-34 and insert:

7 836.10 Written threats to kill or do great bodily injury;
 8 punishment.- A Any person who makes a threat in a writing or
 9 other record, including an electronic record, writes or composes
 10 and also sends or procures the sending of any letter, inscribed
 11 communication, or electronic communication, whether such letter
 12 or communication be signed or anonymous, to any person,
 13 containing a threat to kill or to do great bodily injury to
 14 another the person and posts or transmits the threat in any
 15 manner that would allow another person to view the threat to
 16 whom such letter or communication is sent, or a threat to kill

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17 ~~or do bodily injury to any member of the family of the person to~~
 18 ~~whom such letter or communication is sent~~ commits a felony of
 19 the third ~~second~~ degree, punishable as provided in s. 775.082,
 20 s. 775.083, or s. 775.084.

21 Remove lines 62-127 and insert:

22 Section 1. Paragraph (f) of subsection (3) of section
 23 921.0022, Florida Statutes, is amended to read:

24 921.0022 Criminal Punishment Code; offense severity
 25 ranking chart.—

26 (3) OFFENSE SEVERITY RANKING CHART

27 (f) LEVEL 6

28

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 165 (2018)

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32	499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
33	499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
34	499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
35	775.0875(1)	3rd	Taking firearm from law enforcement officer.
36	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
37	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
38	784.041	3rd	Felony battery; domestic battery by strangulation.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 165 (2018)

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39	784.048 (3)	3rd	Aggravated stalking; credible threat.
40	784.048 (5)	3rd	Aggravated stalking of person under 16.
41	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
42	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
43	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
44	784.081 (2)	2nd	Aggravated assault on specified official or employee.
45	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
46	784.083 (2)	2nd	Aggravated assault on code

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47			inspector.
48	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
49	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
50	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
51	790.164(1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
52	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

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Bill No. CS/HB 165 (2018)

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53	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
54	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
55	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
56	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
57	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
58	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent

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59			offense.
	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
60			
	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
61			
	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or subsequent conviction.
62			
	812.015 (9) (b)	2nd	Retail theft; property stolen \$3,000 or more; coordination of others.
63			
	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
64			
	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
65			

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66	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
67	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
68	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
69	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
70	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
71	827.03 (2) (c)	3rd	Abuse of a child.
72	827.03 (2) (d)	3rd	Neglect of a child.
73	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.

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74	836.05	2nd	Threats; extortion.
75	836.10	<u>3rd</u> 2nd	Written threats to kill or do <u>great</u> bodily injury.
76	843.12	3rd	Aids or assists person to escape.
77	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
78	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
79	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
80	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.

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81 944.35 (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.

82 944.40 2nd Escapes.

83 944.46 3rd Harboring, concealing, aiding
escaped prisoners.

84 944.47 (1) (a) 5. 2nd Introduction of contraband
(firearm, weapon, or explosive)
into correctional facility.

85 951.22 (1) 3rd Intoxicating drug, firearm, or
86 weapon introduced into county
87 facility.

88 -----
89 **T I T L E A M E N D M E N T**

90 Remove lines 2-15 and insert:

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91 An act relating to threats to kill or do great
92 bodily injury; amending s. 836.10, F.S.; prohibiting a
93 person from making a threat to kill or do great bodily
94 injury in a writing or other record and transmitting
95 that threat in any manner that would allow another
96 person to view the threat; deleting requirements that
97 a threat be sent to a specific recipient to be
98 prohibited; providing a penalty; amending s. 921.0022,
99 F.S.; conforming provisions to changes made by the
100 act; reenacting ss. 794.056(1) and 938.085, F.S.,
101 relating to the Rape Crisis Program Trust Fund and
102 additional cost to fund rape crisis centers,
103 respectively, to incorporate the amendments made by
104 the act; providing an effective date.