

26 | ~~and also sends or procures the sending of any letter, inscribed~~
 27 | ~~communication, or electronic communication, whether such letter~~
 28 | ~~or communication be signed or anonymous, to any person,~~
 29 | ~~containing a threat~~ to kill or to do great bodily injury to
 30 | another the person and posts or transmits the threat in any
 31 | manner that would allow another person to view the threat to
 32 | ~~whom such letter or communication is sent, or a threat to kill~~
 33 | ~~or do bodily injury to any member of the family of the person to~~
 34 | ~~whom such letter or communication is sent~~ commits a felony of
 35 | the third ~~second~~ degree, punishable as provided in s. 775.082,
 36 | s. 775.083, or s. 775.084.

37 | Section 2. Paragraphs (d) and (f) of subsection (3) of
 38 | section 921.0022, Florida Statutes, are amended to read:

39 | 921.0022 Criminal Punishment Code; offense severity
 40 | ranking chart.—

41 | (3) OFFENSE SEVERITY RANKING CHART

42 | (d) LEVEL 4

43 |

| Florida | Felony | Description |
|----------------|--------|---|
| Statute | Degree | |
| 316.1935(3)(a) | 2nd | Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer |

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| | | | who is in a patrol vehicle with siren and lights activated. |
| 45 | 499.0051 (1) | 3rd | Failure to maintain or deliver transaction history, transaction information, or transaction statements. |
| 46 | 499.0051 (5) | 2nd | Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs. |
| 47 | 517.07 (1) | 3rd | Failure to register securities. |
| 48 | 517.12 (1) | 3rd | Failure of dealer, associated person, or issuer of securities to register. |
| 49 | 784.07 (2) (b) | 3rd | Battery of law enforcement officer, firefighter, etc. |
| 50 | 784.074 (1) (c) | 3rd | Battery of sexually violent predators facility staff. |
| 51 | 784.075 | 3rd | Battery on detention or |

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|----|----------------|-----|--|
| | | | commitment facility staff. |
| 52 | 784.078 | 3rd | Battery of facility employee by throwing, tossing, or expelling certain fluids or materials. |
| 53 | 784.08 (2) (c) | 3rd | Battery on a person 65 years of age or older. |
| 54 | 784.081 (3) | 3rd | Battery on specified official or employee. |
| 55 | 784.082 (3) | 3rd | Battery by detained person on visitor or other detainee. |
| 56 | 784.083 (3) | 3rd | Battery on code inspector. |
| 57 | 784.085 | 3rd | Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials. |
| 58 | 787.03 (1) | 3rd | Interference with custody; wrongly takes minor from appointed guardian. |

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|----|-----------------|-----|--|
| 59 | 787.04 (2) | 3rd | Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings. |
| 60 | 787.04 (3) | 3rd | Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person. |
| 61 | 787.07 | 3rd | Human smuggling. |
| 62 | 790.115 (1) | 3rd | Exhibiting firearm or weapon within 1,000 feet of a school. |
| 63 | 790.115 (2) (b) | 3rd | Possessing electric weapon or device, destructive device, or other weapon on school property. |
| 64 | 790.115 (2) (c) | 3rd | Possessing firearm on school property. |
| 65 | | | |

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| 66 | 800.04 (7) (c) | 3rd | Lewd or lascivious exhibition; offender less than 18 years. |
| 67 | 810.02 (4) (a) | 3rd | Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery. |
| 68 | 810.02 (4) (b) | 3rd | Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery. |
| 69 | 810.06 | 3rd | Burglary; possession of tools. |
| 70 | 810.08 (2) (c) | 3rd | Trespass on property, armed with firearm or dangerous weapon. |
| 71 | 812.014 (2) (c) 3. | 3rd | Grand theft, 3rd degree \$10,000 or more but less than \$20,000. |
| | 812.014 (2) (c) 4.-10. | 3rd | Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc. |

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| 72 | 812.0195(2) | 3rd | Dealing in stolen property by use of the Internet; property stolen \$300 or more. |
| 73 | 817.505(4)(a) | 3rd | Patient brokering. |
| 74 | 817.563(1) | 3rd | Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs. |
| 75 | 817.568(2)(a) | 3rd | Fraudulent use of personal identification information. |
| 76 | 817.625(2)(a) | 3rd | Fraudulent use of scanning device, skimming device, or reencoder. |
| 77 | 817.625(2)(c) | 3rd | Possess, sell, or deliver skimming device. |
| 78 | 828.125(1) | 2nd | Kill, maim, or cause great bodily harm or permanent breeding disability to any |

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| 79 | | | registered horse or cattle. |
| | <u>836.10</u> | <u>3rd</u> | <u>Written threats to kill or do great bodily injury.</u> |
| 80 | | | |
| | 837.02 (1) | 3rd | Perjury in official proceedings. |
| 81 | | | |
| | 837.021 (1) | 3rd | Make contradictory statements in official proceedings. |
| 82 | | | |
| | 838.022 | 3rd | Official misconduct. |
| 83 | | | |
| | 839.13 (2) (a) | 3rd | Falsifying records of an individual in the care and custody of a state agency. |
| 84 | | | |
| | 839.13 (2) (c) | 3rd | Falsifying records of the Department of Children and Families. |
| 85 | | | |
| | 843.021 | 3rd | Possession of a concealed handcuff key by a person in custody. |
| 86 | | | |

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| 87 | 843.025 | 3rd | Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication. |
| 88 | 843.15(1)(a) | 3rd | Failure to appear while on bail for felony (bond estreature or bond jumping). |
| 89 | 847.0135(5)(c) | 3rd | Lewd or lascivious exhibition using computer; offender less than 18 years. |
| 90 | 874.05(1)(a) | 3rd | Encouraging or recruiting another to join a criminal gang. |
| 91 | 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). |
| 92 | 914.14(2) | 3rd | Witnesses accepting bribes. |
| | 914.22(1) | 3rd | Force, threaten, etc., witness, |

victim, or informant.

93

914.23 (2) 3rd Retaliation against a witness,
victim, or informant, no bodily
injury.

94

918.12 3rd Tampering with jurors.

95

934.215 3rd Use of two-way communications
device to facilitate commission
of a crime.

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97 (f) LEVEL 6

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|---------|--------|-------------|
| Florida | Felony | |
| Statute | Degree | Description |

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|-----------------|-----|---|
| 316.027 (2) (b) | 2nd | Leaving the scene of a crash involving serious bodily injury. |
|-----------------|-----|---|

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| 316.193 (2) (b) | 3rd | Felony DUI, 4th or subsequent conviction. |
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| 400.9935 (4) (c) | 2nd | Operating a clinic, or offering |
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| 109 | 784.041 | 3rd | Felony battery; domestic battery by strangulation. |
| 110 | 784.048 (3) | 3rd | Aggravated stalking; credible threat. |
| 111 | 784.048 (5) | 3rd | Aggravated stalking of person under 16. |
| 112 | 784.07 (2) (c) | 2nd | Aggravated assault on law enforcement officer. |
| 113 | 784.074 (1) (b) | 2nd | Aggravated assault on sexually violent predators facility staff. |
| 114 | 784.08 (2) (b) | 2nd | Aggravated assault on a person 65 years of age or older. |
| 115 | 784.081 (2) | 2nd | Aggravated assault on specified official or employee. |
| | 784.082 (2) | 2nd | Aggravated assault by detained person on visitor or other detainee. |

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|-----|-----------------|-----|--|
| 116 | 784.083 (2) | 2nd | Aggravated assault on code inspector. |
| 117 | 787.02 (2) | 3rd | False imprisonment; restraining with purpose other than those in s. 787.01. |
| 118 | 790.115 (2) (d) | 2nd | Discharging firearm or weapon on school property. |
| 119 | 790.161 (2) | 2nd | Make, possess, or throw destructive device with intent to do bodily harm or damage property. |
| 120 | 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. |
| 121 | 790.19 | 2nd | Shooting or throwing deadly missiles into dwellings, |

vessels, or vehicles.

122

794.011 (8) (a) 3rd Solicitation of minor to participate in sexual activity by custodial adult.

123

794.05 (1) 2nd Unlawful sexual activity with specified minor.

124

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.

125

800.04 (6) (b) 2nd Lewd or lascivious conduct; offender 18 years of age or older.

126

806.031 (2) 2nd Arson resulting in great bodily harm to firefighter or any other person.

127

810.02 (3) (c) 2nd Burglary of occupied structure; unarmed; no assault or battery.

128

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| 129 | 810.145 (8) (b) | 2nd | Video voyeurism; certain minor victims; 2nd or subsequent offense. |
| 130 | 812.014 (2) (b) 1. | 2nd | Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree. |
| 131 | 812.014 (6) | 2nd | Theft; property stolen \$3,000 or more; coordination of others. |
| 132 | 812.015 (9) (a) | 2nd | Retail theft; property stolen \$300 or more; second or subsequent conviction. |
| 133 | 812.015 (9) (b) | 2nd | Retail theft; property stolen \$3,000 or more; coordination of others. |
| 134 | 812.13 (2) (c) | 2nd | Robbery, no firearm or other weapon (strong-arm robbery). |
| | 817.4821 (5) | 2nd | Possess cloning paraphernalia with intent to create cloned |

cellular telephones.

135

817.505 (4) (b) 2nd Patient brokering; 10 or more patients.

136

825.102 (1) 3rd Abuse of an elderly person or disabled adult.

137

825.102 (3) (c) 3rd Neglect of an elderly person or disabled adult.

138

825.1025 (3) 3rd Lewd or lascivious molestation of an elderly person or disabled adult.

139

825.103 (3) (c) 3rd Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.

140

827.03 (2) (c) 3rd Abuse of a child.

141

827.03 (2) (d) 3rd Neglect of a child.

142

827.071 (2) & (3) 2nd Use or induce a child in a sexual performance, or promote

or direct such performance.

143

836.05 2nd Threats; extortion.

144

~~836.10 2nd Written threats to kill or do
bodily injury.~~

145

843.12 3rd Aids or assists person to
escape.

146

847.011 3rd Distributing, offering to
distribute, or possessing with
intent to distribute obscene
materials depicting minors.

147

847.012 3rd Knowingly using a minor in the
production of materials harmful
to minors.

148

847.0135(2) 3rd Facilitates sexual conduct of
or with a minor or the visual
depiction of such conduct.

149

914.23 2nd Retaliation against a witness,
victim, or informant, with

bodily injury.

150

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.

151

944.40 2nd Escapes.

152

944.46 3rd Harboring, concealing, aiding escaped prisoners.

153

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

154

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

155

156 Section 3. For the purpose of incorporating the amendment
 157 made by this act to section 836.10, Florida Statutes, in a
 158 reference thereto, subsection (1) of section 794.056, Florida

159 Statutes, is reenacted to read:

160 794.056 Rape Crisis Program Trust Fund.—

161 (1) The Rape Crisis Program Trust Fund is created within
 162 the Department of Health for the purpose of providing funds for
 163 rape crisis centers in this state. Trust fund moneys shall be
 164 used exclusively for the purpose of providing services for
 165 victims of sexual assault. Funds credited to the trust fund
 166 consist of those funds collected as an additional court
 167 assessment in each case in which a defendant pleads guilty or
 168 nolo contendere to, or is found guilty of, regardless of
 169 adjudication, an offense provided in s. 775.21(6) and (10)(a),
 170 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 171 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 172 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 173 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
 174 former s. 796.03; former s. 796.035; s. 796.04; s. 796.05; s.
 175 796.06; s. 796.07(2)(a)–(d) and (i); s. 800.03; s. 800.04; s.
 176 810.14; s. 810.145; s. 812.135; s. 817.025; s. 825.102; s.
 177 825.1025; s. 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s.
 178 847.0137; s. 847.0145; s. 943.0435(4)(c), (7), (8), (9)(a),
 179 (13), and (14)(c); or s. 985.701(1). Funds credited to the trust
 180 fund also shall include revenues provided by law, moneys
 181 appropriated by the Legislature, and grants from public or
 182 private entities.

183 Section 4. For the purpose of incorporating the amendment

184 made by this act to section 836.10, Florida Statutes, in a
185 reference thereto, section 938.085, Florida Statutes, is
186 reenacted to read:

187 938.085 Additional cost to fund rape crisis centers.—In
188 addition to any sanction imposed when a person pleads guilty or
189 nolo contendere to, or is found guilty of, regardless of
190 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
191 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
192 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
193 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
194 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
195 796.03; former s. 796.035; s. 796.04; s. 796.05; s. 796.06; s.
196 796.07(2) (a)-(d) and (i); s. 800.03; s. 800.04; s. 810.14; s.
197 810.145; s. 812.135; s. 817.025; s. 825.102; s. 825.1025; s.
198 827.071; s. 836.10; s. 847.0133; s. 847.0135(2); s. 847.0137; s.
199 847.0145; s. 943.0435(4) (c), (7), (8), (9) (a), (13), and
200 (14) (c); or s. 985.701(1), the court shall impose a surcharge of
201 \$151. Payment of the surcharge shall be a condition of
202 probation, community control, or any other court-ordered
203 supervision. The sum of \$150 of the surcharge shall be deposited
204 into the Rape Crisis Program Trust Fund established within the
205 Department of Health by chapter 2003-140, Laws of Florida. The
206 clerk of the court shall retain \$1 of each surcharge that the
207 clerk of the court collects as a service charge of the clerk's
208 office.

209 | Section 5. This act shall take effect July 1, 2018. |