

1 A bill to be entitled
 2 An act relating to correctional facility employees;
 3 amending s. 112.3173, F.S.; providing for forfeiture
 4 of retirement benefits of correctional facility
 5 employees who commit certain violations; creating s.
 6 944.365, F.S.; providing a definition; prohibiting
 7 certain acts by correctional facility employees;
 8 providing for forfeiture of benefits by such employees
 9 committing violations; amending s. 944.47, F.S.;
 10 providing enhanced penalties for offenses involving
 11 introduction of contraband in correctional facilities
 12 when committed by correctional facility employees;
 13 amending s. 921.0022, F.S.; conforming provisions to
 14 changes made by the act; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Paragraph (e) of subsection (2) of section
 19 112.3173, Florida Statutes, is amended to read:

20 112.3173 Felonies involving breach of public trust and
 21 other specified offenses by public officers and employees;
 22 forfeiture of retirement benefits.—

23 (2) DEFINITIONS.—As used in this section, unless the
 24 context otherwise requires, the term:

25 (e) "Specified offense" means:

- 26 | 1. The committing, aiding, or abetting of an embezzlement
27 | of public funds;
- 28 | 2. The committing, aiding, or abetting of any theft by a
29 | public officer or employee from his or her employer;
- 30 | 3. Bribery in connection with the employment of a public
31 | officer or employee;
- 32 | 4. Any felony specified in chapter 838, except ss. 838.15
33 | and 838.16;
- 34 | 5. The committing of an impeachable offense;
- 35 | 6. The committing of any felony by a public officer or
36 | employee who, willfully and with intent to defraud the public or
37 | the public agency for which the public officer or employee acts
38 | or in which he or she is employed of the right to receive the
39 | faithful performance of his or her duty as a public officer or
40 | employee, realizes or obtains, or attempts to realize or obtain,
41 | a profit, gain, or advantage for himself or herself or for some
42 | other person through the use or attempted use of the power,
43 | rights, privileges, duties, or position of his or her public
44 | office or employment position; or
- 45 | 7. The committing on or after October 1, 2008, of any
46 | felony defined in s. 800.04 against a victim younger than 16
47 | years of age, or any felony defined in chapter 794 against a
48 | victim younger than 18 years of age, by a public officer or
49 | employee through the use or attempted use of power, rights,
50 | privileges, duties, or position of his or her public office or

51 employment position.

52 8. A violation of s. 944.365.

53 Section 2. Section 944.365, Florida Statutes, is created
54 to read:

55 944.365 Offenses by prison employees.-

56 (1) As used in this section, the term "employee" means an
57 employee of the department or a law enforcement officer who is
58 within a state correctional facility to perform a professional
59 service.

60 (2) An employee violates this section if he or she aids or
61 assists in the:

62 (a) Introduction of contraband into a correctional
63 facility in violation of s. 944.47(1)(a)4. or s. 944.47(1)(a)6.

64 (b) Criminal activities of any criminal gang.

65 (c) Extortion of an inmate or other persons in connection
66 with his or her employment.

67 (3) An employee who is convicted of an offense
68 constituting a violation of this section or whose office or
69 employment is terminated by reason of his or her admitted
70 commission, aid, or abetment of a violation of this section, in
71 addition to any other penalty provided by law, shall forfeit all
72 rights and benefits to accrued annual leave, sick leave, or
73 other benefits provided by a public employer as of the date of
74 the offense or termination.

75 Section 3. Section 944.47, Florida Statutes, is amended to

76 read:

77 944.47 Introduction, removal, or possession of contraband
 78 ~~certain articles unlawful; penalty.~~-

79 (1)(a) Except through regular channels as authorized by
 80 the officer in charge of the correctional institution, it is
 81 unlawful to introduce into or upon the grounds of any state
 82 correctional institution, or to take or attempt to take or send
 83 or attempt to send therefrom, any of the following articles
 84 which are hereby declared to be contraband for the purposes of
 85 this section, ~~to wit:~~

86 1. Any written or recorded communication or any currency
 87 or coin given or transmitted, or intended to be given or
 88 transmitted, to any inmate of any state correctional
 89 institution.

90 2. Any article of food or clothing given or transmitted,
 91 or intended to be given or transmitted, to any inmate of any
 92 state correctional institution.

93 3. Any intoxicating beverage or beverage which causes or
 94 may cause an intoxicating effect.

95 4. Any controlled substance as defined in s. 893.02(4) or
 96 any prescription or nonprescription drug having a hypnotic,
 97 stimulating, or depressing effect.

98 5. Any firearm or weapon of any kind or any explosive
 99 substance.

100 6. Any cellular telephone or other portable communication

101 device intentionally and unlawfully introduced inside the secure
102 perimeter of any state correctional institution without prior
103 authorization or consent from the officer in charge of such
104 correctional institution. As used in this subparagraph, the term
105 "portable communication device" means any device carried, worn,
106 or stored which is designed or intended to receive or transmit
107 verbal or written messages, access or store data, or connect
108 electronically to the Internet or any other electronic device
109 and which allows communications in any form. Such devices
110 include, but are not limited to, portable two-way pagers, hand-
111 held radios, cellular telephones, Blackberry-type devices,
112 personal digital assistants or PDA's, laptop computers, or any
113 components of these devices which are intended to be used to
114 assemble such devices. The term also includes any new technology
115 that is developed for similar purposes. Excluded from this
116 definition is any device having communication capabilities which
117 has been approved or issued by the department for investigative
118 or institutional security purposes or for conducting other state
119 business.

120 (b) It is unlawful to transmit or attempt to transmit to,
121 or cause or attempt to cause to be transmitted to or received
122 by, any inmate of any state correctional institution any article
123 or thing declared by this subsection to be contraband, at any
124 place which is outside the grounds of such institution, except
125 through regular channels as authorized by the officer in charge

126 of such correctional institution.

127 (c) It is unlawful for any inmate of any state
128 correctional institution or any person while upon the grounds of
129 any state correctional institution to be in actual or
130 constructive possession of any article or thing declared by this
131 section to be contraband, except as authorized by the officer in
132 charge of such correctional institution.

133 (2) (a) Except as provided in paragraph (b), a person who
134 violates any provision of this section as it pertains to an
135 article of contraband described in subparagraph (1)(a)1.,
136 subparagraph (1)(a)2., or subparagraph (1)(a)6. commits a felony
137 of the third degree, punishable as provided in s. 775.082, s.
138 775.083, or s. 775.084. Otherwise ~~In all other cases,~~ a
139 violation of a provision of this section is ~~constitutes~~ a felony
140 of the second degree, punishable as provided in s. 775.082, s.
141 775.083, or s. 775.084.

142 (b) An employee, as defined in s. 944.115, who violates
143 any provision of this section as it pertains to an article of
144 contraband described in subparagraph (1)(a)4. or subparagraph
145 (1)(a)6. commits a felony of the first degree, punishable as
146 provided in s. 775.082, s. 775.083, or s. 775.084. Otherwise, a
147 violation of a provision of this section by such an employee is
148 a felony of the second degree, punishable as provided in s.
149 775.082, s. 775.083, or s. 775.084.

150 Section 4. Paragraphs (c), (f), and (g) of subsection (3)

151 of section 921.0022, Florida Statutes, are amended to read:
 152 921.0022 Criminal Punishment Code; offense severity
 153 ranking chart.—

154 (3) OFFENSE SEVERITY RANKING CHART

155 (c) LEVEL 3

156

Florida	Felony	Description
Statute	Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification

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number plate removed.

162

319.33(1)(a) 3rd Alter or forge any certificate of title to a motor vehicle or mobile home.

163

319.33(1)(c) 3rd Procure or pass title on stolen vehicle.

164

319.33(4) 3rd With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

165

327.35(2)(b) 3rd Felony BUI.

166

328.05(2) 3rd Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

167

328.07(4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

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169	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
170	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
171	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

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172	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
173	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
174	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
175	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
176	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
177	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority;

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premium collected less than
\$20,000.

178

626.902 (1) (a) & 3rd Representing an unauthorized
(b) insurer.

179

697.08 3rd Equity skimming.

180

790.15 (3) 3rd Person directs another to
discharge firearm from a
vehicle.

181

806.10 (1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

182

806.10 (2) 3rd Interferes with or assaults
firefighter in performance of
duty.

183

810.09 (2) (c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

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185	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
186	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
187	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
188	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
189	817.233	3rd	Burning to defraud insurer.
190	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
191	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
	817.236	3rd	Filing a false motor vehicle

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insurance application.

192

817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

193

817.413 (2) 3rd Sale of used goods as new.

194

831.28 (2) (a) 3rd Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

195

831.29 2nd Possession of instruments for counterfeiting driver licenses or identification cards.

196

838.021 (3) (b) 3rd Threatens unlawful harm to public servant.

197

843.19 3rd Injure, disable, or kill police dog or horse.

198

860.15 (3) 3rd Overcharging for repairs and

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parts.

199

870.01(2) 3rd Riot; inciting or encouraging.

200

893.13(1)(a)2. 3rd Sell, manufacture, or deliver
cannabis (or other s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs).

201

893.13(1)(d)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of
university.

202

893.13(1)(f)2. 2nd Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of public

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housing facility.

203

893.13 (4) (c) 3rd Use or hire of minor; deliver to minor other controlled substances.

204

893.13 (6) (a) 3rd Possession of any controlled substance other than felony possession of cannabis.

205

893.13 (7) (a) 8. 3rd Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

206

893.13 (7) (a) 9. 3rd Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

207

893.13 (7) (a) 10. 3rd Affix false or forged label to package of controlled substance.

208

893.13 (7) (a) 11. 3rd Furnish false or fraudulent

material information on any document or record required by chapter 893.

209

893.13(8)(a)1. 3rd

Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

210

893.13(8)(a)2. 3rd

Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

211

893.13(8)(a)3. 3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

212

893.13(8)(a)4. 3rd

Write a prescription for a

controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

213

918.13(1) (a) 3rd Alter, destroy, or conceal investigation evidence.

214

944.47 3rd Introduce contraband to correctional facility; non-employee.

215

944.47(1) (c) 2nd Possess contraband while upon the grounds of a correctional institution.

216

985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

217

218 (f) LEVEL 6

219

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	Florida Statute	Felony Degree	Description
220	316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
221	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
222	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
223	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
224	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
225	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to

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unauthorized person.

226

775.0875 (1) 3rd Taking firearm from law enforcement officer.

227

784.021 (1) (a) 3rd Aggravated assault; deadly weapon without intent to kill.

228

784.021 (1) (b) 3rd Aggravated assault; intent to commit felony.

229

784.041 3rd Felony battery; domestic battery by strangulation.

230

784.048 (3) 3rd Aggravated stalking; credible threat.

231

784.048 (5) 3rd Aggravated stalking of person under 16.

232

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer.

233

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility

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staff.

234

784.08 (2) (b) 2nd Aggravated assault on a person
65 years of age or older.

235

784.081 (2) 2nd Aggravated assault on specified
official or employee.

236

784.082 (2) 2nd Aggravated assault by detained
person on visitor or other
detainee.

237

784.083 (2) 2nd Aggravated assault on code
inspector.

238

787.02 (2) 3rd False imprisonment; restraining
with purpose other than those
in s. 787.01.

239

790.115 (2) (d) 2nd Discharging firearm or weapon
on school property.

240

790.161 (2) 2nd Make, possess, or throw
destructive device with intent
to do bodily harm or damage

property.

241

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.

242

790.19 2nd Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

243

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

244

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

245

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.

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247	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
248	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
249	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
250	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
251	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
252	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
	812.015 (9) (a)	2nd	Retail theft; property stolen \$300 or more; second or

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subsequent conviction.

253

812.015 (9) (b) 2nd Retail theft; property stolen
\$3,000 or more; coordination of
others.

254

812.13 (2) (c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

255

817.4821 (5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

256

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

257

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

258

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

259

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

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260	825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
261	827.03(2)(c)	3rd	Abuse of a child.
262	827.03(2)(d)	3rd	Neglect of a child.
263	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
264	836.05	2nd	Threats; extortion.
265	836.10	2nd	Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
266	843.12	3rd	Aids or assists person to escape.
267	847.011	3rd	Distributing, offering to distribute, or possessing with

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268			intent to distribute obscene materials depicting minors.
	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
269			
	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
270			
	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
271			
	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.
272			
	944.40	2nd	Escapes.
273			
	944.46	3rd	Harboring, concealing, aiding

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escaped prisoners.

274

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

275

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

276

277 (g) LEVEL 7

278

Florida	Felony	
Statute	Degree	Description

279

316.027(2)(c) 1st Accident involving death,
 failure to stop; leaving scene.

280

316.193(3)(c)2. 3rd DUI resulting in serious bodily
 injury.

281

316.1935(3)(b) 1st Causing serious bodily injury
 or death to another person;
 driving at high speed or with

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wanton disregard for safety
 while fleeing or attempting to
 elude law enforcement officer
 who is in a patrol vehicle with
 siren and lights activated.

282 327.35(3)(c)2. 3rd Vessel BUI resulting in serious
 bodily injury.

283 402.319(2) 2nd Misrepresentation and
 negligence or intentional act
 resulting in great bodily harm,
 permanent disfiguration,
 permanent disability, or death.

284 409.920 3rd Medicaid provider fraud;
 (2)(b)1.a. \$10,000 or less.

285 409.920 2nd Medicaid provider fraud; more
 (2)(b)1.b. than \$10,000, but less than
 \$50,000.

286 456.065(2) 3rd Practicing a health care
 profession without a license.

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288	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
289	458.327 (1)	3rd	Practicing medicine without a license.
290	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
291	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
292	461.012 (1)	3rd	Practicing podiatric medicine without a license.
293	462.17	3rd	Practicing naturopathy without a license.
294	463.015 (1)	3rd	Practicing optometry without a license.
	464.016 (1)	3rd	Practicing nursing without a license.

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295	465.015 (2)	3rd	Practicing pharmacy without a license.
296	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
297	467.201	3rd	Practicing midwifery without a license.
298	468.366	3rd	Delivering respiratory care services without a license.
299	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
300	483.901 (7)	3rd	Practicing medical physics without a license.
301	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
302	484.053	3rd	Dispensing hearing aids without a license.

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303	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
304	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.
305	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
306	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
307	775.21 (10) (a)	3rd	Sexual predator; failure to

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register; failure to renew
 driver license or
 identification card; other
 registration violations.

308

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

309

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

310

782.051(3) 2nd Attempted felony murder of a
 person by a person other than
 the perpetrator or the
 perpetrator of an attempted
 felony.

311

782.07(1) 2nd Killing of a human being by the
 act, procurement, or culpable
 negligence of another
 (manslaughter).

312

782.071 2nd Killing of a human being or

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unborn child by the operation
of a motor vehicle in a
reckless manner (vehicular
homicide).

313

782.072 2nd Killing of a human being by the
operation of a vessel in a
reckless manner (vessel
homicide).

314

784.045 (1) (a) 1. 2nd Aggravated battery;
intentionally causing great
bodily harm or disfigurement.

315

784.045 (1) (a) 2. 2nd Aggravated battery; using
deadly weapon.

316

784.045 (1) (b) 2nd Aggravated battery; perpetrator
aware victim pregnant.

317

784.048 (4) 3rd Aggravated stalking; violation
of injunction or court order.

318

784.048 (7) 3rd Aggravated stalking; violation
of court order.

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319	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
320	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
321	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
322	784.081 (1)	1st	Aggravated battery on specified official or employee.
323	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
324	784.083 (1)	1st	Aggravated battery on code inspector.
325	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.

326

327	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
328	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
329	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
330	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
331	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

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337

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

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.

796.05(1) 1st Live on earnings of a prostitute; 2nd offense.

796.05(1) 1st Live on earnings of a prostitute; 3rd and subsequent offense.

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338	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
339	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
340	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
341	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
342	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
	810.02 (3) (b)	2nd	Burglary of unoccupied

dwelling; unarmed; no assault
or battery.

343

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

344

810.02 (3) (e) 2nd Burglary of authorized
emergency vehicle.

345

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.

346

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

347

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

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348	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
349	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
350	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
351	812.131 (2) (a)	2nd	Robbery by sudden snatching.
352	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
353	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
354	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
355			

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356	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
357	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
358	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.
359	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
360	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or

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disfigurement.

361 825.103 (3) (b) 2nd Exploiting an elderly person or
disabled adult and property is
valued at \$10,000 or more, but
less than \$50,000.

362 827.03 (2) (b) 2nd Neglect of a child causing
great bodily harm, disability,
or disfigurement.

363 827.04 (3) 3rd Impregnation of a child under
16 years of age by person 21
years of age or older.

364 837.05 (2) 3rd Giving false information about
alleged capital felony to a law
enforcement officer.

365 838.015 2nd Bribery.

366 838.016 2nd Unlawful compensation or reward
for official behavior.

367 838.021 (3) (a) 2nd Unlawful harm to a public

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servant.

368

838.22 2nd Bid tampering.

369

843.0855 (2) 3rd Impersonation of a public officer or employee.

370

843.0855 (3) 3rd Unlawful simulation of legal process.

371

843.0855 (4) 3rd Intimidation of a public officer or employee.

372

847.0135 (3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

373

847.0135 (4) 2nd Traveling to meet a minor to commit an unlawful sex act.

374

872.06 2nd Abuse of a dead human body.

375

874.05 (2) (b) 1st Encouraging or recruiting person under 13 to join a criminal gang; second or

subsequent offense.

376

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

377

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)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

378

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)5., within 1,000 feet of property

used for religious services or
a specified business site.

379

893.13(4)(a) 1st Use or hire of minor; deliver
to minor other controlled
substance.

380

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

381

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

382

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

383

893.135 1st Trafficking in hydrocodone, 14
(1)(c)2.a. grams or more, less than 28
grams.

384

893.135 1st Trafficking in hydrocodone, 28
(1)(c)2.b. grams or more, less than 50

grams.

385

893.135 1st Trafficking in oxycodone, 7
 (1) (c) 3.a. grams or more, less than 14
 grams.

386

893.135 1st Trafficking in oxycodone, 14
 (1) (c) 3.b. grams or more, less than 25
 grams.

387

893.135 1st Trafficking in fentanyl, 4
 (1) (c) 4.b. (I) grams or more, less than 14
 grams.

388

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

389

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

390

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

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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	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
396	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.

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397	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
398	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
399	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
400	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
401	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
402	943.0435 (8)	2nd	Sexual offender; remains in

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state after indicating intent to leave; failure to comply with reporting requirements.

403

943.0435 (9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

404

943.0435 (13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

405

943.0435 (14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

406

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

407

944.607 (9) 3rd Sexual offender; failure to

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comply with reporting requirements.

408

944.607(10)(a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

409

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

410

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

411

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

412

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

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conceal a sexual offender.

413

985.4815(13)

3rd

Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

414

415

Section 5. This act shall take effect October 1, 2019.