

By Senator Bean

4-00293B-19

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1                   A bill to be entitled  
2           An act relating to police, fire, and search and rescue  
3           dogs; amending s. 843.19, F.S.; revising the defined  
4           terms "police dog" to "police canine," "fire dog" to  
5           "fire canine," and "SAR dog" to "SAR canine";  
6           increasing the penalty for intentionally and knowingly  
7           causing great bodily harm, permanent disability, or  
8           death to, or using a deadly weapon upon, police  
9           canines, fire canines, or search and rescue canines;  
10          amending s. 921.0022, F.S.; updating a cross-  
11          reference; conforming provisions to changes made by  
12          the act; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16           Section 1. Section 843.19, Florida Statutes, is amended to  
17           read:

18           843.19 Offenses against police canines ~~dogs~~, fire canines  
19 ~~dogs~~, SAR canines ~~dogs~~, or police horses.—

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

21           (a) "Police canine ~~dog~~" means any canine ~~dog~~, and "police  
22           horse" means any horse, that is owned, or the service of which  
23           is employed, by a law enforcement agency for the principal  
24           purpose of aiding in the detection of criminal activity,  
25           enforcement of laws, or apprehension of offenders.

26           (b) "Fire canine ~~dog~~" means any canine ~~dog~~ that is owned,  
27           or the service of which is employed, by a fire department, a  
28           special fire district, or the State Fire Marshal for the  
29           principal purpose of aiding in the detection of flammable

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30 materials or the investigation of fires.

31 (c) "SAR canine dog" means any search and rescue canine dog  
32 that is owned, or the service of which is employed utilized, by  
33 a fire department, a law enforcement agency, a special fire  
34 district, or the State Fire Marshal for the principal purpose of  
35 aiding in the detection of missing persons, including, but not  
36 limited to, persons who are lost, who are trapped under debris  
37 as the result of a natural, manmade, or technological disaster,  
38 or who are drowning victims.

39 (2)(a) Any person who intentionally and knowingly, without  
40 lawful cause or justification, causes great bodily harm,  
41 permanent disability, or death to, or uses a deadly weapon upon,  
42 a police canine dog, fire canine dog, or SAR canine dog, ~~or~~  
43 ~~police horse~~ commits a felony of the second third degree,  
44 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

45 (b) Any person who intentionally and knowingly, without  
46 lawful cause or justification, causes great bodily harm,  
47 permanent disability, or death to, or uses a deadly weapon upon,  
48 a police horse commits a felony of the third degree, punishable  
49 as provided in s. 775.082, s. 775.083, or s. 775.084.

50 (3) Any person who actually and intentionally maliciously  
51 touches, strikes, or causes bodily harm to a police canine dog,  
52 fire canine dog, SAR canine dog, or police horse commits a  
53 misdemeanor of the first degree, punishable as provided in s.  
54 775.082 or s. 775.083.

55 (4) Any person who intentionally or knowingly maliciously  
56 harasses, teases, interferes with, or attempts to interfere with  
57 a police canine dog, fire canine dog, SAR canine dog, or police  
58 horse while the animal is in the performance of its duties

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59 commits a misdemeanor of the second degree, punishable as  
60 provided in s. 775.082 or s. 775.083.

61 (5) A person convicted of an offense under this section  
62 shall make restitution for injuries caused to the police canine  
63 ~~dog~~, fire canine ~~dog~~, SAR canine ~~dog~~, or police horse and shall  
64 pay the replacement cost of the animal if, as a result of the  
65 offense, the animal can no longer perform its duties.

66 Section 2. Paragraph (c) of subsection (3) of section  
67 921.0022, Florida Statutes, is amended to read:

68 921.0022 Criminal Punishment Code; offense severity ranking  
69 chart.-

70 (3) OFFENSE SEVERITY RANKING CHART

71 (c) LEVEL 3

72

Florida Statute	Felony 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

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officer in patrol vehicle  
with siren and lights  
activated.

77

319.30(4)

3rd

Possession by junkyard of  
motor vehicle with  
identification number plate  
removed.

78

319.33(1)(a)

3rd

Alter or forge any  
certificate of title to a  
motor vehicle or mobile  
home.

79

319.33(1)(c)

3rd

Procure or pass title on  
stolen vehicle.

80

319.33(4)

3rd

With intent to defraud,  
possess, sell, etc., a  
blank, forged, or  
unlawfully obtained title  
or registration.

81

327.35(2)(b)

3rd

Felony BUI.

82

328.05(2)

3rd

Possess, sell, or  
counterfeit fictitious,  
stolen, or fraudulent  
titles or bills of sale of

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83

vessels.

328.07(4)

3rd

Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

84

376.302(5)

3rd

Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

85

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.

86

379.2431  
(1)(e)6.

3rd

Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species

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87

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.

88

400.9935 (4) (a)  
or (b)

3rd

Operating a clinic, or  
offering services requiring  
licensure, without a  
license.

89

400.9935 (4) (e)

3rd

Filing a false license  
application or other  
required information or  
failing to report  
information.

90

440.1051 (3)

3rd

False report of workers'  
compensation fraud or  
retaliation for making such  
a report.

91

501.001 (2) (b)

2nd

Tampers with a consumer  
product or the container  
using materially  
false/misleading  
information.

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99

624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
697.08	3rd	Equity skimming.
790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.

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100	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
101	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
102	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
103	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
104	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
105	817.233	3rd	Burning to defraud insurer.
106	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
106	817.234(11)(a)	3rd	Insurance fraud; property

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value less than \$20,000.

107

817.236

3rd

Filing a false motor vehicle insurance application.

108

817.2361

3rd

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

109

817.413 (2)

3rd

Sale of used goods as new.

110

831.28 (2) (a)

3rd

Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

111

831.29

2nd

Possession of instruments for counterfeiting driver licenses or identification cards.

112

838.021 (3) (b)

3rd

Threatens unlawful harm to public servant.

113

843.19 (2) (a)

2nd ~~3rd~~

Injure, disable, or kill police, fire, or SAR canine

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~~dog or horse.~~

114

843.19(2)(b)

3rd

Injure, disable, or kill  
police horse.

115

860.15(3)

3rd

Overcharging for repairs  
and parts.

116

870.01(2)

3rd

Riot; inciting or  
encouraging.

117

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).

118

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.

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	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 housing facility.
120	893.13 (4) (c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
121	893.13 (6) (a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
122	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
123	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

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124

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

125

893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

126

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.

127

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.

128

893.13(8)(a)3. 3rd Knowingly write a prescription for a

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controlled substance for a fictitious person.

129

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.

130

918.13(1)(a)

3rd

Alter, destroy, or conceal investigation evidence.

131

944.47  
(1)(a)1. & 2.

3rd

Introduce contraband to correctional facility.

132

944.47(1)(c)

2nd

Possess contraband while upon the grounds of a correctional institution.

133

985.721

3rd

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

134

135

Section 3. This act shall take effect October 1, 2019.