



430974

LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Stargel) recommended the following:

1 **Senate Substitute for Amendment (493844) (with title**
2 **amendment)**

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4 Delete lines 35 - 105
5 and insert:

6 (1) It is unlawful for any person to threaten to throw,
7 project, place, or discharge any destructive device with intent
8 to do bodily harm to any person or with intent to do damage to
9 any property of any person. ~~and any person convicted thereof~~ A
10 person who violates this subsection commits a felony of the



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11 third ~~second~~ degree, punishable as provided in s. 775.082, s.
12 775.083, or s. 775.084.

13 (2) It is unlawful for any person to threaten the use of a
14 firearm or any weapon with intent to do bodily harm to any
15 person or with intent to do damage to any property of any
16 person, if the threat is sufficient to cause alarm in a
17 reasonable person. A person who violates this subsection commits
18 a felony of the third degree, punishable as provided in s.
19 775.082, s. 775.083, or s. 775.084.

20 (3) A person does not violate subsection (2) if he or she
21 uses or threatens to use a firearm or any other weapon in lawful
22 self-defense, lawful defense of others, or lawful defense of
23 property.

24 Section 2. Paragraph (e) of subsection (3) of section
25 921.0022, Florida Statutes, is amended to read:

26 921.0022 Criminal Punishment Code; offense severity ranking
27 chart.-

28 (3) OFFENSE SEVERITY RANKING CHART

29 (e) LEVEL 5

30

Florida Statute	Felony Degree	Description
31 316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
32 316.1935(4) (a)	2nd	Aggravated fleeing or eluding.



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33	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
34	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
35	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
36	379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is



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suspended or revoked.

379.367(4)

3rd

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

38

379.407(5)(b)3.

3rd

Possession of 100 or more undersized spiny lobsters.

39

381.0041(11)(b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

40

440.10(1)(g)

2nd

Failure to obtain workers' compensation coverage.

41

440.105(5)

2nd

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

42

440.381(2)

3rd

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

43

624.401(4)(b)2.

2nd

Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.



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626.902(1)(c) 2nd Representing an unauthorized
 insurer; repeat offender.

45

790.01(2) 3rd Carrying a concealed firearm.

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790.162(1) ~~3rd~~^{2nd} Threat to throw or discharge
 destructive device.

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790.162(2) 3rd Threat involving firearm or
 weapon.

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

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And the title is amended as follows:

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 Delete lines 3 - 25

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and insert:

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 decreasing the criminal penalty for threatening to

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 throw, project, place, or discharge any destructive

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 device with intent to do bodily harm to any person or

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 with intent to do damage to any property of any

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 person; prohibiting threats to use a firearm or weapon

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 with specified intent; providing applicability;

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 providing criminal penalties; amending s. 921.0022,

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 F.S.; conforming provisions to changes made