1	A bill to be entitled
2	An act relating to tampering with or fabricating
3	physical evidence; amending s. 918.13, F.S.; providing
4	enhanced criminal penalties for tampering with or
5	fabricating physical evidence in certain criminal
6	proceedings and investigations; amending s. 921.0022,
7	F.S.; ranking an offense on the offense severity
8	ranking chart of the Criminal Punishment Code;
9	providing an effective date.
10	
11	Be It Enacted by the Legislature of the State of Florida:
12	
13	Section 1. Section 918.13, Florida Statutes, is amended to
14	read:
15	918.13 Tampering with or fabricating physical evidence
16	(1) It is unlawful for any No person, knowing that a
17	criminal trial or proceeding or an investigation by a duly
18	constituted prosecuting authority, law enforcement agency, grand
19	jury or legislative committee of this state is pending or is
20	about to be instituted, <u>to</u> shall :
21	(a) Alter, destroy, conceal, or remove any record,
22	document, or <u>other item</u> thing with the purpose to impair its
23	verity or availability in such proceeding or investigation; or
24	(b) Make, present, or use any record, document, or <u>other</u>
25	item thing, knowing it to be false.
	Page 1 of 13

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26 (2) (a) Except as provided in paragraph (b), a Any person 27 who violates subsection (1) commits any provision of this 28 section shall be quilty of a felony of the third degree, 29 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 30 (b)1. Except as provided in subparagraph 2., a person who 31 violates subsection (1) relating to a criminal trial or 32 proceeding or an investigation that relates to a violent felony offense described in s. 775.084(1)(b)1., commits a felony of the 33 second degree, punishable as provided in s. 775.082, s. 775.083, 34 35 or s. 775.084. 2. A person who violates subsection (1) relating to a 36 37 criminal trial or proceeding or an investigation that relates to a capital felony, or a criminal offense which results in the 38 39 death of a person, commits a felony of the first degree, 40 punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Section 2. Paragraph (c) of subsection (3) of section 41 42 921.0022, Florida Statutes, is amended to read: 43 921.0022 Criminal Punishment Code; offense severity 44 ranking chart.-45 (3) OFFENSE SEVERITY RANKING CHART 46 (c) LEVEL 3 47 Florida Felony Statute Degree Description 48 Page 2 of 13

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119.10(2)(b) 3rd Unlawful use of confidential information from police reports. 49 316.066 3rd Unlawfully obtaining or using (3)(b) - (d)confidential crash reports. 50 Felony DUI, 3rd conviction. 316.193(2)(b) 3rd 51 316.1935(2) 3rd Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated. 52 Possession by junkyard of motor 319.30(4) 3rd vehicle with identification number plate removed. 53 319.33(1)(a) 3rd Alter or forge any certificate of title to a motor vehicle or mobile home. 54 319.33(1)(c) 3rd Procure or pass title on stolen vehicle. 55 Page 3 of 13

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FLORIDA HOUSE OF	R E P R E S E N T A T I V E S
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319.33(4)	3rd	With intent to defraud,
		possess, sell, etc., a blank,
		forged, or unlawfully obtained
		title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit
		fictitious, stolen, or
		fraudulent titles or bills of
		sale of vessels.
328.07(4)	3rd	Manufacture, exchange, or
		possess vessel with counterfeit
		or wrong ID number.
376.302(5)	3rd	Fraud related to reimbursement
		for cleanup expenses under the
		Inland Protection Trust Fund.
379.2431	3rd	Taking, disturbing, mutilating,
(1)(e)5.		destroying, causing to be
		destroyed, transferring,
		selling, offering to sell,
		molesting, or harassing marine
		moresering, or marassring marrine
		Page 4 of 13
	327.35(2)(b) 328.05(2) 328.07(4) 376.302(5)	327.35(2)(b) 3rd 328.05(2) 3rd 328.07(4) 3rd 376.302(5) 3rd 379.2431 3rd

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			turtles, marine turtle eggs, or
			marine turtle nests in
			violation of the Marine Turtle
			Protection Act.
61			
-	379.2431	3rd	Possessing any marine turtle
	(1)(e)6.		species or hatchling, or parts
			thereof, or the nest of any
			marine turtle species described
			in the Marine Turtle Protection
			Act.
62			
02	379.2431	3rd	Soliciting to commit or
	(1) (e) 7.	514	conspiring to commit a
	(1) (0) / •		violation of the Marine Turtle
6.2			Protection Act.
63			
	400.9935(4)(a)	3rd	Operating a clinic, or offering
	or (b)		services requiring licensure,
			without a license.
64			
	400.9935(4)(e)	3rd	Filing a false license
			application or other required
			information or failing to
			report information.
			Dara 5 of 12
			Page 5 of 13

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FLORIDA	HOUSE	OF REPF	RESENTA	TIVES
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65			
	440.1051(3)	3rd	False report of workers'
			compensation fraud or
			retaliation for making such a
			report.
66			
	501.001(2)(b)	2nd	Tampers with a consumer product
			or the container using
			materially false/misleading
			information.
67			
	624.401(4)(a)	3rd	Transacting insurance without a
			certificate of authority.
68			
	624.401(4)(b)1.	3rd	
			certificate of authority;
			premium collected less than
69			\$20,000.
69	626.902(1)(a) &	3rd	Representing an unauthorized
	(b)	310	insurer.
70	(D)		insurer.
10	697.08	3rd	Equity skimming.
71	0.57.00	JIU	Equicy Skinding.
′⊥	790.15(3)	3rd	Person directs another to
	, , , , , , , , , , , , , , , , , , , ,	010	
			Page 6 of 13

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2021

72			discharge firearm from a vehicle.
/ 2	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
73	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
74	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
75	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
77	812.015(8)(b)	3rd	Retail theft with intent to sell; conspires with others. Page7 of 13

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78 815.04(5)(b) 2nd Computer offense devised to defraud or obtain property. 79 817.034(4)(a)3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000. 80 817.233 3rd Burning to defraud insurer. 81 817.234 Unlawful solicitation of 3rd persons involved in motor (8) (b) & (c) vehicle accidents. 82 817.234(11)(a) 3rd Insurance fraud; property value less than \$20,000. 83 817.236 3rd Filing a false motor vehicle insurance application. 84 817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card. Page 8 of 13

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FLO	RIDA	нои	SE OF	REPRE	SENTA	TIVES
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2021

85			
	817.413(2)	3rd	Sale of used goods of \$1,000 or
			more as new.
86	831.28(2)(a)	3rd	Counterfeiting a payment
	001.20(2)(0)	514	instrument with intent to
			defraud or possessing a
			counterfeit payment instrument
0.5			with intent to defraud.
87	831.29	2nd	Possession of instruments for
	001.23	2110	counterfeiting driver licenses
			or identification cards.
88			
	838.021(3)(b)	3rd	Threatens unlawful harm to
89			public servant.
0.5	843.19	2nd	Injure, disable, or kill
			police, fire, or SAR canine or
			police horse.
90	000 15(2)	2 -	One was have a face was a sing and
	860.15(3)	3rd	Overcharging for repairs and parts.
91			Par 22.
	870.01(2)	3rd	Riot; inciting or encouraging.
ļ			Page 9 of 13

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92			
	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).
93			
	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.
94			
	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.
95			
	893.13(4)(c)	3rd	Use or hire of minor; deliver
			Dega 10 of 12
			Page 10 of 13

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2021

96			to minor other controlled substances.
	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
97	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous
98			receipt of or prescription for a controlled substance.
	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
99	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
100	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
			Page 11 of 13

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FLORID	A HOU	SE OF	REPRES	ENTATIVES
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101 893.13(8)(a)1. Knowingly assist a patient, 3rd 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. 102 893.13(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. 103 893.13(8)(a)3. Knowingly write a prescription 3rd for a controlled substance for a fictitious person. 104 893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of Page 12 of 13

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FLORIDA HOUSE OF REPRESENTATI	VES
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ĺ			writing the prescription is a
			monetary benefit for the
			practitioner.
105			
105			
	918.13(1)(a) <u>&</u>	3rd	Tampering with or fabricating
	<u>(b)</u>		physical evidence Alter,
			destroy, or conceal
			investigation evidence.
106			
	944.47	3rd	Introduce contraband to
	(1)(a)1. & 2.		correctional facility.
107			2
10,	944.47(1)(c)	2nd	Possess contraband while upon
	944.47(1)(C)	2110	-
			the grounds of a correctional
			institution.
108			
	985.721	3rd	Escapes from a juvenile
			facility (secure detention or
			residential commitment
			facility).
109			<i></i>
110	Section 3.	This act	shall take effect October 1, 2021.
ΤΤΟ	Section 5.	IIIIS act	Shall take effect october 1, 2021.
			Page 13 of 13
			Page 13 of 13

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