

26 790.1501 Discharging firearm from motor vehicle.-
 27 ~~(1)(2)~~ Any occupant of any vehicle who knowingly and
 28 willfully discharges any firearm from the vehicle within 1,000
 29 feet of any person commits a felony of the second degree,
 30 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

31 ~~(2)(3)~~ Any driver or owner of any vehicle, whether or not
 32 the owner of the vehicle is occupying the vehicle, who knowingly
 33 directs any other person to discharge any firearm from the
 34 vehicle commits a felony of the third degree, punishable as
 35 provided in s. 775.082, s. 775.083, or s. 775.084.

36 (3) A person who attempts, other than for lawful self-
 37 defense, to cause serious bodily injury to another, or causes
 38 such injury purposely, knowingly, or recklessly under
 39 circumstances manifesting extreme indifference to the value of
 40 human life by discharging a firearm while in or on a vehicle
 41 commits the offense of drive-by shooting, a felony of the second
 42 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 43 775.084.

44 Section 3. Subsection (2) of section 775.30, Florida
 45 Statutes, is amended to read:

46 775.30 Terrorism; defined; penalties.-

47 (2) A person who violates s. 782.04(1)(a)1. or (2), s.
 48 782.065, s. 782.07(1), s. 782.09, s. 784.045, s. 784.07, s.
 49 787.01, s. 787.02, s. 787.07, s. 790.115, s. 790.15, s.
 50 790.1501, s. 790.16, s. 790.161, s. 790.1615, s. 790.162, s.

51 790.166, s. 790.19, s. 806.01, s. 806.031, s. 806.111, s.
 52 815.06, s. 815.061, s. 859.01, or s. 876.34, in furtherance of
 53 intimidating or coercing the policy of a government, or in
 54 furtherance of affecting the conduct of a government by mass
 55 destruction, assassination, or kidnapping, commits the crime of
 56 terrorism, a felony of the first degree, punishable as provided
 57 in s. 775.082, s. 775.083, or s. 775.084.

58 Section 4. Subsection (1) of section 790.15, Florida
 59 Statutes, is amended to read:

60 790.15 Discharging firearm in public or on residential
 61 property.—

62 (1) ~~Except as provided in subsection (2) or subsection~~
 63 ~~(3)~~, Any person who knowingly discharges a firearm in any public
 64 place or on the right-of-way of any paved public road, highway,
 65 or street, who knowingly discharges any firearm over the right-
 66 of-way of any paved public road, highway, or street or over any
 67 occupied premises, or who recklessly or negligently discharges a
 68 firearm outdoors on any property used primarily as the site of a
 69 dwelling as defined in s. 776.013 or zoned exclusively for
 70 residential use commits a misdemeanor of the first degree,
 71 punishable as provided in s. 775.082 or s. 775.083. This section
 72 does not apply to a person lawfully defending life or property
 73 or performing official duties requiring the discharge of a
 74 firearm or to a person discharging a firearm on public roads or
 75 properties expressly approved for hunting by the Fish and

76 Wildlife Conservation Commission or Florida Forest Service.
 77 Section 5. Paragraphs (c) and (e) of subsection (3) of
 78 section 921.0022, Florida Statutes, are amended to read:

79 921.0022 Criminal Punishment Code; offense severity
 80 ranking chart.—

81 (3) OFFENSE SEVERITY RANKING CHART
 82 (c) LEVEL 3
 83

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 officer in patrol vehicle with siren and lights activated.

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89	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
90	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
91	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
92	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
93	327.35(2)(b)	3rd	Felony BUI.
94	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

95	376.302 (5)	3rd	or wrong ID number.
96	379.2431 (1) (e) 5.	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
97	379.2431 (1) (e) 6.	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.
98	379.2431 (1) (e) 7.	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.
			Soliciting to commit or conspiring to commit a

violation of the Marine Turtle Protection Act.

99

400.9935(4) (a) 3rd Operating a clinic, or offering
or (b) services requiring licensure,
without a license.

100

400.9935(4) (e) 3rd Filing a false license
application or other required
information or failing to
report information.

101

440.1051(3) 3rd False report of workers'
compensation fraud or
retaliation for making such a
report.

102

501.001(2) (b) 2nd Tamper with a consumer product
or the container using
materially false/misleading
information.

103

624.401(4) (a) 3rd Transacting insurance without a
certificate of authority.

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105	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
106	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
107	697.08	3rd	Equity skimming.
108	<u>790.1501(2)</u> 790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
109	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
110	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

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duty.

111 810.09(2)(c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

112 812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

113 812.0145(2)(c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

114 812.015(8)(b) 3rd Retail theft with intent to
sell; conspires with others.

115 812.081(2) 3rd Theft of a trade secret.

116 815.04(4)(b) 2nd Computer offense devised to
defraud or obtain property.

117 817.034(4)(a)3. 3rd Engages in scheme to defraud
(Florida Communications Fraud
Act), property valued at less

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than \$20,000.

118			than \$20,000.
119	817.233	3rd	Burning to defraud insurer.
120	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
121	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
122	817.236	3rd	Filing a false motor vehicle insurance application.
123	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
124	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent

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125			disfigurement, or permanent disability.
	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
126			
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
127			
	836.13(2)	3rd	Person who promotes an altered sexual depiction of an identifiable person without consent.
128			
	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
129			
	860.15(3)	3rd	Overcharging for repairs and parts.
130			
	870.01(2)	3rd	Riot.

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131

870.01(4) 3rd Inciting a riot.

132

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).

133

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.

134

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.

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135	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
136	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
137	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
138	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
139	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
140	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any

document or record required by
chapter 893.

141

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.

142

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.

143

893.13(8)(a)3. 3rd

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

144

893.13(8)(a)4. 3rd

Write a prescription for a
controlled substance for a

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

145

918.13(1) 3rd Tampering with or fabricating physical evidence.

146

944.47 3rd Introduce contraband to
(1) (a) 1. & 2. correctional facility.

147

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

148

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

149

150 (e) LEVEL 5

151

Florida	Felony	
Statute	Degree	Description

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152	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
153	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
154	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
155	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
156	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
157	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
 suspended or revoked.

- 158
379.367 (4)
3rd
Willful molestation of a
 commercial harvester's spiny
 lobster trap, line, or buoy.
- 159
379.407 (5) (b) 3.
3rd
Possession of 100 or more
 undersized spiny lobsters.
- 160
381.0041 (11) (b)
3rd
Donate blood, plasma, or organs
 knowing HIV positive.
- 161
440.10 (1) (g)
2nd
Failure to obtain workers'
 compensation coverage.

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162	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
163	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
164	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
165	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
166	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
167	<u>790.1501 (3)</u>	<u>2nd</u>	<u>Drive-by shooting.</u>
168	790.162	2nd	Threat to throw or discharge

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169			destructive device.
	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
170			
	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
171			
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
172			
	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
173			
	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
174			
	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
175			

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176	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
177	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
178	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
179	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
180	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
181	812.081 (3)	2nd	Trafficking in trade secrets.
182	812.131 (2) (b)	3rd	Robbery by sudden snatching.
	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.

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183	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
184	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
185	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
186	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.

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188	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
189	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
190	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
191	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
192	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain,

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193			serious physical injury, or death.
	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
194			
	839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
195			
	843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.
196			
	847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
197			
	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.

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198	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
199	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
200	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
201	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).
202	893.13(1)(c)2.	2nd	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) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

203

893.13(1)(d)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.

204

893.13(1)(e)2. 2nd Sell, manufacture, or deliver cannabis or other drug prohibited under 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) within 1,000 feet of property used for religious services or a specified business site.

