

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Oliver offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 236-448 and insert:

6 **Section 11. Subsection (3) of section 327.35, Florida**
7 **Statutes, is amended to read:**

8 327.35 Boating under the influence; penalties; "designated
9 drivers."—

10 (3) (a) Any person:

11 1.(a) Who is in violation of subsection (1);

12 2.(b) Who operates a vessel; and

13 3.(c) Who, by reason of such operation, causes or
14 contributes to causing:

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15 ~~a.1.~~ Damage to the property or person of another commits a
16 misdemeanor of the first degree, punishable as provided in s.
17 775.082 or s. 775.083.

18 ~~b.2.~~ Serious bodily injury to another, as defined in s.
19 327.353, commits a felony of the third degree, punishable as
20 provided in s. 775.082, s. 775.083, or s. 775.084.

21 ~~c.3.~~ The death of any human being or unborn child commits
22 BUI manslaughter, and commits:

23 ~~(I)a.~~ A felony of the second degree, punishable as
24 provided in s. 775.082, s. 775.083, or s. 775.084.

25 ~~(II)b.~~ A felony of the first degree, punishable as
26 provided in s. 775.082, s. 775.083, or s. 775.084, if:

27 ~~(A)(i)~~ At the time of the accident, the person knew, or
28 should have known, that the accident occurred; and

29 ~~(B)(ii)~~ The person failed to give information and render
30 aid as required by s. 327.30.

31
32 This sub-sub-subparagraph ~~sub-subparagraph~~ does not require that
33 the person knew that the accident resulted in injury or death.

34 (b) For purposes of sub-subparagraph c.:

35 1. The term "unborn child" has the same meaning as in s.
36 775.021(5).

37 2. A person who is convicted of BUI manslaughter shall be
38 sentenced to a mandatory minimum term of imprisonment of 4
39 years.

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40 **Section 12. Paragraphs (e), (f), (g), (h), and (i) of**
41 **subsection (3) of section 921.0022, Florida Statutes, are**
42 **amended to read:**

43 921.0022 Criminal Punishment Code; offense severity
44 ranking chart.—

45 (3) OFFENSE SEVERITY RANKING CHART

46 (e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.

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52

327.30(5)(a)2.

3rd

Vessel accidents involving
personal injuries other than
serious bodily injury; leaving
scene.

~~327.30(5)~~

53

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.

54

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55	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
56	379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
57	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
58	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
59	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
60	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
	624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority;

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61			premium collected \$20,000 or more but less than \$100,000.
62	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
63	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
64	790.162	2nd	Threat to throw or discharge destructive device.
65	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
66	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
67	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.

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68	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
69	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
70	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
71	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
72	810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
73	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
74	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.

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75	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
76	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
77	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
78	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
79	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
80	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
81	812.081 (3)	2nd	Trafficking in trade secrets.

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82	812.131 (2) (b)	3rd	Robbery by sudden snatching.
83	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
84	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
85	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
86	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.
	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

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			personal identification information of 10 or more persons.
87	817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
88	817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
89	825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
90	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
91	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an

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92			identifiable person without consent.
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.	
93	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
94	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
95	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
96	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
97			

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98	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
99	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
100	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).
	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

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recreational facility or
community center.

101

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.

102

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.

103

893.13(1)(f)1. 1st Sell, manufacture, or deliver
cocaine (or other s.
893.03(1)(a), (1)(b), (1)(d),
or (2)(a), (2)(b), or (2)(c)5.

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drugs) within 1,000 feet of
public housing facility.

104

893.13(4)(b) 2nd Use or hire of minor; deliver
to minor other controlled
substance.

105

893.1351(1) 3rd Ownership, lease, or rental for
trafficking in or manufacturing
of controlled substance.

106

107 (f) LEVEL 6

108

Florida	Felony	
Statute	Degree	Description

109

316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
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110

316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
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111

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112	<u>327.30 (5) (a) 3.</u>	<u>2nd</u>	<u>Vessel accidents involving serious bodily injury; leaving scene.</u>
113	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
114	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
115	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
116	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
117	775.0875 (1)	3rd	Taking firearm from law enforcement officer.

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118	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
119	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
120	784.041	3rd	Felony battery; domestic battery by strangulation.
121	784.048 (3)	3rd	Aggravated stalking; credible threat.
122	784.048 (5)	3rd	Aggravated stalking of person under 16.
123	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
124	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
125	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.

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126	784.081 (2)	2nd	Aggravated assault on specified official or employee.
127	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
128	784.083 (2)	2nd	Aggravated assault on code inspector.
129	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
130	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
131	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or

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violence to state property, or
 use of firearms in violent
 manner.

132

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

133

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

134

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

135

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.

136

800.04 (6) (b) 2nd Lewd or lascivious conduct;
 offender 18 years of age or
 older.

137

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138	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
139	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
140	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
141	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
142	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
143	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.

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144	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 120 days is \$3,000 or more; coordination of others.
145	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
146	812.015 (9) (e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
147	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
148	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
149	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
150			

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151	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
152	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
153	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
154	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
155	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
156	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
157	827.03 (2) (c)	3rd	Abuse of a child.
158	827.03 (2) (d)	3rd	Neglect of a child.

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159	827.071(5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
160	828.126(3)	3rd	Sexual activities involving animals.
161	836.05	2nd	Threats; extortion.
162	836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
163	843.12	3rd	Aids or assists person to escape.
164	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.

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165	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
166	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
167	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
168	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
169	918.13(2)(b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community

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supervision, resulting in great
bodily harm.

170

944.40 2nd Escapes.

171

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

172

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

173

951.22(1)(i) 3rd Firearm or weapon introduced
into county detention facility.

174

175 (g) LEVEL 7

176

Florida	Felony	
Statute	Degree	Description

177

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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178

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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179	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
180	<u>327.35 (3) (a) 3.b.</u>	3rd	Vessel BUI resulting in serious bodily injury.
181	327.35 (3) (c) 2.		
182	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
183	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
183	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.

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184	456.065 (2)	3rd	Practicing a health care profession without a license.
185	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
186	458.327 (1)	3rd	Practicing medicine without a license.
187	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
188	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
189	461.012 (1)	3rd	Practicing podiatric medicine without a license.
190	462.17	3rd	Practicing naturopathy without a license.
191			

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192	463.015(1)	3rd	Practicing optometry without a license.
193	464.016(1)	3rd	Practicing nursing without a license.
194	465.015(2)	3rd	Practicing pharmacy without a license.
195	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
196	467.201	3rd	Practicing midwifery without a license.
197	468.366	3rd	Delivering respiratory care services without a license.
198	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
199	483.901(7)	3rd	Practicing medical physics without a license.

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200	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
201	484.053	3rd	Dispensing hearing aids without a license.
202	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.
203	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.
204	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

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205	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
206	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
207	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
208	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
209	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

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210	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
211	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
212	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
213	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
214	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.

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215	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
216	784.048 (7)	3rd	Aggravated stalking; violation of court order.
217	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
218	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
219	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
220	784.081 (1)	1st	Aggravated battery on specified official or employee.
221	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
222			

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223	784.083(1)	1st	Aggravated battery on code inspector.
224	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
225	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.
226	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
227	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
228	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.

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229	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
230	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
231	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
232	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
232	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.

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233	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
234	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
235	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
236	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.
237	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.

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238	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
239	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
240	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
241	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
242	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
243	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.

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244	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
245	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
246	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
247	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014(2) (c) 5.
248	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
249	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

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250	812.131 (2) (a)	2nd	Robbery by sudden snatching.
251	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
252	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
253	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
254	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
255	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
256	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

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a significant cause of the
insolvency of that entity.

257

817.418 (2) (a) 3rd Offering for sale or
advertising personal protective
equipment with intent to
defraud.

258

817.504 (1) (a) 3rd Offering or advertising a
vaccine with intent to defraud.

259

817.535 (2) (a) 3rd Filing false lien or other
unauthorized document.

260

817.611 (2) (b) 2nd Traffic in or possess 15 to 49
counterfeit credit cards or
related documents.

261

825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

262

825.103 (3) (b) 2nd Exploiting an elderly person or
disabled adult and property is

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valued at \$10,000 or more, but
less than \$50,000.

263

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

264

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

265

827.071(2) & (3) 2nd Use or induce a child in a
sexual performance, or promote
or direct such performance.

266

827.071(4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes child pornography.

267

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

268

838.015 2nd Bribery.

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269	838.016	2nd	Unlawful compensation or reward for official behavior.
270	838.021(3)(a)	2nd	Unlawful harm to a public servant.
271	838.22	2nd	Bid tampering.
272	843.0855(2)	3rd	Impersonation of a public officer or employee.
273	843.0855(3)	3rd	Unlawful simulation of legal process.
274	843.0855(4)	3rd	Intimidation of a public officer or employee.
275	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
276	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
277			

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278	872.06	2nd	Abuse of a dead human body.
279	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
280	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
281	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.

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282	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.
283	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
284	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
285	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
286	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

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287	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
288	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
289	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
290	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
291	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
292	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.

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293	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
294	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
295	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
296	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
297	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
298	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

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299	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
300	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
301	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
302	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
303	896.101(5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104(4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

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304	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
305	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
306	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
307	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
308	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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309

944.607(9) 3rd Sexual offender; failure to
comply with reporting
requirements.

310

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

311

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

312

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

313

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

314

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315	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
316	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
317	(h) LEVEL 8		
318			
319	Florida Statute	Felony Degree	Description
320	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
321	316.1935(4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
	<u>327.35</u>	2nd	Vessel BUI manslaughter.

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(3) (a) 3.c. (I)

~~327.35(3)(c)3.~~

322

499.0051(6) 1st Knowing trafficking in
contraband prescription drugs.

323

499.0051(7) 1st Knowing forgery of prescription
labels or prescription drug
labels.

324

560.123(8)(b)2. 2nd Failure to report currency or
payment instruments totaling or
exceeding \$20,000, but less
than \$100,000 by money
transmitter.

325

560.125(5)(b) 2nd Money transmitter business by
unauthorized person, currency
or payment instruments totaling
or exceeding \$20,000, but less
than \$100,000.

326

655.50(10)(b)2. 2nd Failure to report financial
transactions totaling or
exceeding \$20,000, but less

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than \$100,000 by financial institutions.

327

777.03(2)(a) 1st Accessory after the fact, capital felony.

328

782.04(4) 2nd Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

329

782.051(2) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).

330

782.071(1)(b) 1st Committing vehicular homicide and failing to render aid or give information.

331

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332	<u>782.072 (2) (b)</u> 782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
333	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
334	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
335	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
336	787.06 (3) (e) 1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
	787.06 (3) (f) 2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from

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outside Florida to within the
state.

337

790.161(3) 1st Discharging a destructive
device which results in bodily
harm or property damage.

338

794.011(5)(a) 1st Sexual battery; victim 12 years
of age or older but younger
than 18 years; offender 18
years or older; offender does
not use physical force likely
to cause serious injury.

339

794.011(5)(b) 2nd Sexual battery; victim and
offender 18 years of age or
older; offender does not use
physical force likely to cause
serious injury.

340

794.011(5)(c) 2nd Sexual battery; victim 12 years
of age or older; offender
younger than 18 years; offender
does not use physical force
likely to cause injury.

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341
794.011(5)(d) 1st Sexual battery; victim 12 years
of age or older; offender does
not use physical force likely
to cause serious injury; prior
conviction for specified sex
offense.

342
794.08(3) 2nd Female genital mutilation,
removal of a victim younger
than 18 years of age from this
state.

343
800.04(4)(b) 2nd Lewd or lascivious battery.

344
800.04(4)(c) 1st Lewd or lascivious battery;
offender 18 years of age or
older; prior conviction for
specified sex offense.

345
806.01(1) 1st Maliciously damage dwelling or
structure by fire or explosive,
believing person in structure.

346

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347	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
348	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
349	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
350	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
351	812.015 (11) (b)	1st	Retail theft; possession of a firearm during commission of offense.
352	812.13 (2) (b)	1st	Robbery with a weapon.
353	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.

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354	817.418 (2) (b)	2nd	Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.
355	817.504 (1) (b)	2nd	Offering or advertising a vaccine with intent to defraud; second or subsequent offense.
356	817.505 (4) (c)	1st	Patient brokering; 20 or more patients.
357	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
358	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document;

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defendant is incarcerated or
under supervision.

359

817.535 (5) (a) 2nd Filing false lien or other
unauthorized document; owner of
the property incurs financial
loss as a result of the false
instrument.

360

817.568 (6) 2nd Fraudulent use of personal
identification information of
an individual under the age of
18.

361

817.611 (2) (c) 1st Traffic in or possess 50 or
more counterfeit credit cards
or related documents.

362

825.102 (2) 1st Aggravated abuse of an elderly
person or disabled adult.

363

825.1025 (2) 2nd Lewd or lascivious battery upon
an elderly person or disabled
adult.

364

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365	825.103(3)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
366	837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
367	837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
368	860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
369	860.16	1st	Aircraft piracy.
370	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).

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371	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
372	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
373	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
374	893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
375	893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
376	893.135(1)(c)2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.

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377	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
378	893.135 (1) (c) 4.b. (II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
379	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
380	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
381	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
382	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.

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383	893.135 (1) (h) 1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
384	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
385	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
386	893.135 (1) (m) 2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
387	893.135 (1) (n) 2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.

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388	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
389	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
390	895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
391	896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
392	896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

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393			
394	(i)	LEVEL 9	
395			
	Florida	Felony	
	Statute	Degree	Description
396			
	316.193	1st	DUI manslaughter; failing to
	(3) (c) 3.b.		render aid or give information.
397			
	<u>327.35</u>	1st	BUI manslaughter; failing to
	<u>(3) (a) 3.c. (II)</u>		render aid or give information.
	327.35		
	(3) (c) 3.b.		
398			
	409.920	1st	Medicaid provider fraud;
	(2) (b) 1.c.		\$50,000 or more.
399			
	499.0051 (8)	1st	Knowing sale or purchase of
			contraband prescription drugs
			resulting in great bodily harm.
400			
	560.123 (8) (b) 3.	1st	Failure to report currency or
			payment instruments totaling or
			exceeding \$100,000 by money
			transmitter.

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401	560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
402	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
403	775.0844	1st	Aggravated white collar crime.
404	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
405	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
406			

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407	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
408	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
409	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
410	787.01(1)(a)2.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
411	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
	787.02(3)(a)	1st,PBL	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse,

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sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.

412

787.06(3)(c)1. 1st Human trafficking for labor and services of an unauthorized alien child.

413

787.06(3)(d) 1st Human trafficking using coercion for commercial sexual activity of an unauthorized adult alien.

414

787.06(3)(f)1. 1st,PBL Human trafficking for commercial sexual activity by the transfer or transport of any child from outside Florida to within the state.

415

790.161 1st Attempted capital destructive device offense.

416

Amendment No. 1

417	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
418	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
419	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
420	794.011(4)(a)	1st,PBL	Sexual battery, certain circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older.
421	794.011(4)(b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.

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422	794.011 (4) (c)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.
423	794.011 (4) (d)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
424	794.011 (8) (b)	1st, PBL	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
425	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
426	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

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427	812.13(2)(a)	1st,PBL	Robbery with firearm or other deadly weapon.
428	812.133(2)(a)	1st,PBL	Carjacking; firearm or other deadly weapon.
429	812.135(2)(b)	1st	Home-invasion robbery with weapon.
430	817.535(3)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
431	817.535(4)(a)2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
	817.535(5)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial

Amendment No. 1

loss as a result of the false instrument.

432

817.568 (7) 2nd, Fraudulent use of personal
 PBL identification information of
 an individual under the age of
 18 by his or her parent, legal
 guardian, or person exercising
 custodial authority.

433

827.03 (2) (a) 1st Aggravated child abuse.

434

847.0145 (1) 1st Selling, or otherwise
 transferring custody or
 control, of a minor.

435

847.0145 (2) 1st Purchasing, or otherwise
 obtaining custody or control,
 of a minor.

436

859.01 1st Poisoning or introducing
 bacteria, radioactive
 materials, viruses, or chemical
 compounds into food, drink,
 medicine, or water with intent

Amendment No. 1

to kill or injure another
person.

437

893.135 1st Attempted capital trafficking
offense.

438

893.135(1)(a)3. 1st Trafficking in cannabis, more
than 10,000 lbs.

439

893.135 1st Trafficking in cocaine, more
(1)(b)1.c. than 400 grams, less than 150
kilograms.

440

893.135 1st Trafficking in illegal drugs,
(1)(c)1.c. more than 28 grams, less than
30 kilograms.

441

893.135 1st Trafficking in hydrocodone, 300
(1)(c)2.d. grams or more, less than 30
kilograms.

442

893.135 1st Trafficking in oxycodone, 100
(1)(c)3.d. grams or more, less than 30
kilograms.

443

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444	893.135 (1) (c) 4.b. (III)	1st	Trafficking in fentanyl, 28 grams or more.
445	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, 400 grams or more.
446	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, 25 kilograms or more.
447	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, 200 grams or more.
448	893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
449	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
450	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
	893.135 (1) (m) 2.d.	1st	Trafficking in synthetic cannabinoids, 30 kilograms or more.

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- 451 893.135 1st Trafficking in n-benzyl
(1) (n) 2.c. phenethylamines, 200 grams or
more.
- 452 896.101 (5) (c) 1st Money laundering, financial
instruments totaling or
exceeding \$100,000.
- 453 896.104 (4) (a) 3. 1st Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$100,000.

454

455 **Section 13.** This act shall take effect July 1, 2025.

456

457 -----

458 **T I T L E A M E N D M E N T**

459 Remove line 23 and insert:
460 term "vessel homicide"; amending s. 327.35, F.S.;
461 providing a definition for the term "unborn child";
462 requiring a minimum mandatory term of incarceration
463 for BUI manslaughter; amending s. 921.0022, F.S.;