

1 A bill to be entitled
2 An act relating to boating safety; providing a short
3 title; amending s. 327.02, F.S.; revising the
4 definition of the term "livery vessel"; amending s.
5 327.30, F.S.; revising and providing penalties for
6 vessel collisions, accidents, and casualties; defining
7 the term "serious bodily injury"; creating s.
8 327.3015, F.S.; prohibiting a person from knowingly
9 providing false information in specified reports;
10 providing a criminal penalty; amending s. 327.33,
11 F.S.; revising and providing penalties for the
12 reckless operation of a vessel; amending s. 327.395,
13 F.S.; revising requirements for operating certain
14 vessels; amending s. 327.54, F.S.; revising the
15 definition of the term "livery"; amending s. 327.731,
16 F.S.; requiring a person convicted of certain
17 noncriminal infractions to pay a fine; requiring such
18 proceeds to be deposited into the Marine Resources
19 Conservation Trust Fund for specified purposes;
20 amending s. 327.73, F.S.; conforming a cross-
21 reference; amending s. 782.072, F.S.; defining the
22 term "unborn child"; revising the definition of the
23 term "vessel homicide"; amending s. 921.0022, F.S.;
24 ranking offenses on the offense severity ranking chart
25 of the Criminal Punishment Code; conforming provisions

26 to changes made by the act; providing an effective
 27 date.

28

29 Be It Enacted by the Legislature of the State of Florida:

30

31 **Section 1.** This act may be cited as "Lucy's Law."

32 **Section 2. Subsection (24) of section 327.02, Florida**
 33 **Statutes, is amended to read:**

34 327.02 Definitions.—As used in this chapter and in chapter
 35 328, unless the context clearly requires a different meaning,
 36 the term:

37 (24) "Livery vessel" means a vessel leased or, ~~rented, or~~
 38 ~~chartered to another for consideration.~~

39 **Section 3. Subsection (5) of section 327.30, Florida**
 40 **Statutes, is amended to read:**

41 327.30 Collisions, accidents, and casualties.—

42 (5) It is unlawful for a person operating a vessel
 43 involved in an accident or injury to leave the scene of the
 44 accident or injury without giving all possible aid to all
 45 persons involved and making a reasonable effort to locate the
 46 owner or persons affected and subsequently complying with and
 47 notifying the appropriate law enforcement official as required
 48 under this section.

49 (a) ~~Any~~ person who violates this subsection with respect
 50 to an accident resulting in:

51 1. Property damage only, commits a misdemeanor of the
52 second degree, punishable as provided in s. 775.082 or s.
53 775.083.

54 2. Injury to a person other than serious bodily injury,
55 commits a felony of the third degree, punishable as provided in
56 s. 775.082, s. 775.083, or s. 775.084.

57 3. Serious bodily injury, commits a felony of the second
58 degree, punishable as provided in s. 775.082, s. 775.083, or s.
59 775.084.

60 4. The death of another person or an unborn child, commits
61 a felony of the first degree, punishable as provided in s.
62 775.082, s. 775.083, or s. 775.084.

63 (b) A person who willfully commits a violation of
64 subparagraph (a)4. must be sentenced to a mandatory minimum term
65 of imprisonment of 4 years.

66 (c) For purposes of this subsection, the term "serious
67 bodily injury" has the same meaning as in s. 327.353 ~~personal~~
68 ~~injury commits a felony of the third degree, punishable as~~
69 ~~provided in s. 775.082, s. 775.083, or s. 775.084. Any person~~
70 ~~who violates this subsection with respect to an accident~~
71 ~~resulting in property damage only commits a misdemeanor of the~~
72 ~~second degree, punishable as provided in s. 775.082 or s.~~
73 ~~775.083.~~

74 **Section 4. Section 327.3015, Florida Statutes, is created**
75 **to read:**

76 327.3015 False reports.—A person who gives information in
 77 oral, electronic, or written reports as required in this
 78 chapter, knowing or having reason to believe that such
 79 information is false, commits a misdemeanor of the second
 80 degree, punishable as provided in s. 775.082 or s. 775.083.

81 **Section 5. Subsection (1) of section 327.33, Florida**
 82 **Statutes, is amended to read:**

83 327.33 Reckless or careless operation of vessel.—

84 (1) It is unlawful to operate a vessel in a reckless
 85 manner. A person who operates any vessel, or manipulates any
 86 water skis, aquaplane, or similar device, in willful or wanton
 87 disregard for the safety of persons or property at a speed or in
 88 a manner as to endanger, or likely to endanger, life or limb, or
 89 damage the property of, or injure a person is guilty of reckless
 90 operation of a vessel. Reckless operation of a vessel includes,
 91 but is not limited to, a violation of s. 327.331(6). If a person
 92 who violates this subsection and the violation:

93 (a) Does not result in an accident, the person commits a
 94 misdemeanor of the second ~~first~~ degree, punishable as provided
 95 in s. 775.082 or s. 775.083.

96 (b) Results in an accident that causes damage to the
 97 property or person of another, the person commits a misdemeanor
 98 of the first degree, punishable as provided in s. 775.082 or s.
 99 775.083.

100 (c) Results in an accident that causes serious bodily

101 injury as defined in s. 316.192, the person commits a felony of
102 the third degree, punishable as provided in s. 775.082, s.
103 775.083, or s. 775.084.

104 **Section 6. Subsection (1) of section 327.395, Florida**
105 **Statutes, is amended to read:**

106 327.395 Boating safety education.—

107 (1) A person ~~born on or after January 1, 1988,~~ may not
108 operate a vessel powered by a motor of 10 horsepower or greater
109 unless he or she was born:

110 (a) On or after January 1, 1988, and ~~such person~~ has in
111 his or her possession aboard the vessel the documents required
112 by subsection (2); or

113 (b) Before January 1, 1988, and:

114 1. As of the date the person is operating a vessel, has
115 been a Florida resident for at least 5 consecutive years; or

116 2. Has in his or her possession aboard the vessel the
117 documents required by subsection (2).

118 **Section 7. Paragraph (c) of subsection (1) of section**
119 **327.54, Florida Statutes, is amended to read:**

120 327.54 Liveries; safety regulations; penalty.—

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

122 (c) "Livery" means a person who advertises and offers a
123 livery vessel for use by another in exchange for any type of
124 consideration when such person does not also provide or does not
125 require the lessee or renter to provide as a condition of the

126 rental or lease agreement a person licensed by the United States
127 Coast Guard to serve as master of the vessel or to with a
128 ~~captain, a crew, or any type of staff or personnel to operate,~~
129 ~~oversee, maintain, or~~ manage the vessel. The owner of a vessel
130 who does not advertise his or her vessel for use by another for
131 consideration and who loans or offers his or her vessel for use
132 to another known to him or her either for consideration or
133 without consideration is not a livery. A public or private
134 school or postsecondary institution located within this state is
135 not a livery. A vessel rented or leased by a livery is a livery
136 vessel as defined in s. 327.02.

137 **Section 8. Section 327.731, Florida Statutes, is amended**
138 **to read:**

139 327.731 Mandatory education for violators.—

140 (1) A person convicted of a ~~criminal violation under this~~
141 ~~chapter, convicted of a noncriminal infraction under this~~
142 ~~chapter if the infraction resulted in a reportable boating~~
143 ~~accident, or convicted of two noncriminal infractions as~~
144 specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y) ~~or~~
145 ~~the infractions occurring within a 12-month period,~~ must:

146 (a) Enroll in, attend, and successfully complete, at his
147 or her own expense, a classroom or online boating safety course
148 that is approved by and meets the minimum standards established
149 by commission rule;

150 (b) File with the commission within 90 days proof of

151 successful completion of the course; and

152 (c) Refrain from operating a vessel until he or she has
153 filed proof of successful completion of the course with the
154 commission; ~~and~~

155 ~~(d) Pay a fine of \$500. The clerk of the court shall remit~~
156 ~~all fines assessed and collected under this paragraph to the~~
157 ~~Department of Revenue to be deposited into the Marine Resources~~
158 ~~Conservation Trust Fund to support law enforcement activities.~~

159 (2) In addition to the penalties provided in paragraphs
160 (1)(a)-(c), a person convicted of a criminal violation under
161 this chapter, convicted of a noncriminal infraction under this
162 chapter if the infraction resulted in a reportable boating
163 accident, or convicted of two or more noncriminal infractions as
164 specified in s. 327.73(1)(h)-(k), (m), (o), (p), and (s)-(y),
165 the infractions occurring within a 12-month period, must pay a
166 fine of \$500. The clerk of the court shall remit all fines
167 assessed and collected under this subsection to the Department
168 of Revenue to be deposited into the Marine Resources
169 Conservation Trust Fund to support law enforcement activities.

170 (3)~~(2)~~ For the purposes of this section, "conviction"
171 means a finding of guilt, or the acceptance of a plea of guilty
172 or nolo contendere, regardless of whether or not adjudication
173 was withheld or whether imposition of sentence was withheld,
174 deferred, or suspended. Any person who operates a vessel on the
175 waters of this state in violation of the provisions of this

176 section is guilty of a misdemeanor of the second degree,
 177 punishable as provided in s. 775.082 or s. 775.083.

178 (4)~~(3)~~ The commission shall print on the reverse side of
 179 the defendant's copy of the boating citation a notice of the
 180 provisions of this section. Upon conviction, the clerk of the
 181 court shall notify the defendant that it is unlawful for him or
 182 her to operate any vessel until he or she has complied with this
 183 section, but failure of the clerk of the court to provide such a
 184 notice shall not be a defense to a charge of unlawful operation
 185 of a vessel under subsection (3)~~(2)~~.

186 (5)~~(4)~~ The commission shall maintain a program to ensure
 187 compliance with the mandatory boating safety education
 188 requirements under this section. This program must:

189 (a) Track any citations resulting in a conviction under
 190 this section and the disposition of such citations.

191 (b) Send specific notices to each person subject to the
 192 requirement for mandatory boating safety education.

193 **Section 9. Paragraph (a) of subsection (11) of section**
 194 **327.73, Florida Statutes, is amended to read:**

195 327.73 Noncriminal infractions.—

196 (11) (a) Court costs that are to be in addition to the
 197 stated civil penalty shall be imposed by the court in an amount
 198 not less than the following:

199 1. For swimming or diving infractions, \$4, from which the
 200 clerk shall remit \$1 to the Department of Revenue for deposit

201 into the General Revenue Fund.

202 2. For nonmoving boating infractions, \$18, from which the
 203 clerk shall remit \$12 to the Department of Revenue for deposit
 204 into the General Revenue Fund.

205 3. For boating infractions listed in s. 327.731 ~~s.~~
 206 ~~327.731(1)~~, \$35, from which the clerk shall remit \$25 to the
 207 Department of Revenue for deposit into the General Revenue Fund.

208
 209 Court costs imposed under this subsection may not exceed \$45. A
 210 criminal justice selection center or both local criminal justice
 211 access and assessment centers may be funded from these court
 212 costs.

213 **Section 10. Section 782.072, Florida Statutes, is amended**
 214 **to read:**

215 782.072 Vessel homicide.—

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

217 (a) "Unborn child" has the same meaning as in s.
 218 775.021(5)(e).

219 (b) "Vessel homicide" means ~~is~~ the killing of a human
 220 being, including the death of an unborn child caused by injury
 221 to the mother, by the operation of a vessel as defined in s.
 222 327.02 by another in a reckless manner likely to cause the death
 223 of, or great bodily harm to, another.

224 (2) Vessel homicide is:

225 (a)~~(1)~~ A felony of the second degree, punishable as

226 provided in s. 775.082, s. 775.083, or s. 775.084.

227 (b)~~(2)~~ A felony of the first degree, punishable as
 228 provided in s. 775.082, s. 775.083, or s. 775.084, if:

229 1.~~(a)~~ At the time of the accident, the person knew, or
 230 should have known, that the accident occurred; and

231 2.~~(b)~~ The person failed to give information and render aid
 232 as required by s. 327.30(1).

233

234 This subsection does not require that the person knew that the
 235 accident resulted in injury or death.

236 **Section 11. Paragraphs (e), (f), and (h) of subsection (3)**
 237 **of section 921.0022, Florida Statutes, are amended to read:**

238 921.0022 Criminal Punishment Code; offense severity
 239 ranking chart.—

240 (3) OFFENSE SEVERITY RANKING CHART

241 (e) LEVEL 5

242

Florida	Felony	Description
Statute	Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.

244

245	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
246	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
247	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
248	<u>327.30 (5) (a) 2.</u> 327.30 (5)	3rd	Vessel accidents involving personal <u>injuries other than</u> <u>serious bodily injury</u> ; leaving scene.
	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.

249

379.367(4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

250

379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

251

381.0041(11)(b) 3rd Donate blood, plasma, or organs knowing HIV positive.

252

440.10(1)(g) 2nd Failure to obtain workers' compensation coverage.

253

440.105(5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

254	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
255	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
256	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
257	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
258	790.162	2nd	Threat to throw or discharge destructive device.
259	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.

260	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
261	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
262	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
263	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
264	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
265	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
266	810.145 (4) (c)	3rd	Commercial digital voyeurism

dissemination.

267

810.145 (7) (a) 2nd Digital voyeurism; 2nd or subsequent offense.

268

810.145 (8) (a) 2nd Digital voyeurism; certain minor victims.

269

812.014 (2) (d) 3. 2nd Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.

270

812.0145 (2) (b) 2nd Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

271

812.015 3rd Retail theft; property stolen (8) (a) & (c) - is valued at \$750 or more and (e) one or more specified acts.

272

812.015 (8) (f) 3rd Retail theft; multiple thefts within specified period.

273

812.015 (8) (g) 3rd Retail theft; committed with

specified number of other
persons.

274

812.019 (1) 2nd Stolen property; dealing in or
trafficking in.

275

812.081 (3) 2nd Trafficking in trade secrets.

276

812.131 (2) (b) 3rd Robbery by sudden snatching.

277

812.16 (2) 3rd Owning, operating, or
conducting a chop shop.

278

817.034 (4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

279

817.234 (11) (b) 2nd Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

280

817.2341 (1), 3rd Filing false financial
(2) (a) & statements, making false
(3) (a) entries of material fact or
false statements regarding
property values relating to the

solvency of an insuring entity.

281

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.

282

817.611 (2) (a) 2nd

Traffic in or possess 5 to 14 counterfeit credit cards or related documents.

283

817.625 (2) (b) 2nd

Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.

284

825.1025 (4) 3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

285

828.12 (2) 3rd

Tortures any animal with intent

to inflict intense pain,
serious physical injury, or
death.

286

836.14(4)

2nd

Person who willfully promotes
for financial gain a sexually
explicit image of an
identifiable person without
consent.

287

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.

288

843.01(1)

3rd

Resist officer with violence to
person; resist arrest with
violence.

289

847.0135(5)(b)

2nd

Lewd or lascivious exhibition
using computer; offender 18
years or older.

290

847.0137

3rd

Transmission of pornography by

291	(2) & (3)		electronic device or equipment.
292	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
293	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
294	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
295	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).
295	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.

296

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.

297

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.

298

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

299

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

300

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

301

302 (f) LEVEL 6

303

Florida	Felony	
Statute	Degree	Description

304

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

305	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
306	<u>327.30 (5) (a) 3.</u>	<u>2nd</u>	<u>Vessel accidents involving serious bodily injury; leaving scene.</u>
307			
308	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
309	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
310	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
311	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to

unauthorized person.

312

775.0875 (1) 3rd Taking firearm from law enforcement officer.

313

784.021 (1) (a) 3rd Aggravated assault; deadly weapon without intent to kill.

314

784.021 (1) (b) 3rd Aggravated assault; intent to commit felony.

315

784.041 3rd Felony battery; domestic battery by strangulation.

316

784.048 (3) 3rd Aggravated stalking; credible threat.

317

784.048 (5) 3rd Aggravated stalking of person under 16.

318

784.07 (2) (c) 2nd Aggravated assault on law enforcement officer.

319

784.074 (1) (b) 2nd Aggravated assault on sexually violent predators facility

staff.

320

784.08 (2) (b) 2nd Aggravated assault on a person
65 years of age or older.

321

784.081 (2) 2nd Aggravated assault on specified
official or employee.

322

784.082 (2) 2nd Aggravated assault by detained
person on visitor or other
detainee.

323

784.083 (2) 2nd Aggravated assault on code
inspector.

324

787.02 (2) 3rd False imprisonment; restraining
with purpose other than those
in s. 787.01.

325

790.115 (2) (d) 2nd Discharging firearm or weapon
on school property.

326

790.161 (2) 2nd Make, possess, or throw
destructive device with intent
to do bodily harm or damage

property.

327

790.164 (1) 2nd False report concerning bomb,
explosive, weapon of mass
destruction, act of arson or
violence to state property, or
use of firearms in violent
manner.

328

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

329

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

330

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

331

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.

332

333	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
334	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
335	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
336	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
337	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
338	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.

339	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
340	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 120 days is \$3,000 or more; coordination of others.
341	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
342	812.015 (9) (e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
343	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
344	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
345			

346	817.49(2)(b)2.	2nd	Willful making of a false report of a crime resulting in death.
347	817.505(4)(b)	2nd	Patient brokering; 10 or more patients.
348	817.5695(3)(b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
349	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
350	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
351	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
352	825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.

353	827.03 (2) (c)	3rd	Abuse of a child.
354	827.03 (2) (d)	3rd	Neglect of a child.
355	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
356	828.126 (3)	3rd	Sexual activities involving animals.
357	836.05	2nd	Threats; extortion.
358	836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
359	843.12	3rd	Aids or assists person to escape.
	847.011	3rd	Distributing, offering to distribute, or possessing with

intent to distribute obscene materials depicting minors.

360

847.012 3rd Knowingly using a minor in the production of materials harmful to minors.

361

847.0135 (2) 3rd Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.

362

893.131 2nd Distribution of controlled substances resulting in overdose or serious bodily injury.

363

914.23 2nd Retaliation against a witness, victim, or informant, with bodily injury.

364

918.13 (2) (b) 2nd Tampering with or fabricating physical evidence relating to a capital felony.

365

944.35 (3) (a) 2. 3rd Committing malicious battery

upon or inflicting cruel or
inhuman treatment on an inmate
or offender on community
supervision, resulting in great
bodily harm.

366

944.40 2nd Escapes.

367

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

368

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

369

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

370

371 (h) LEVEL 8

372

Florida	Felony	
Statute	Degree	Description

373

316.193 2nd DUI manslaughter.
(3) (c) 3.a.

374	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
375	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
376	499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
377	499.0051 (7)	1st	Knowing forgery of prescription labels or prescription drug labels.
378	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.
379	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.

380	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
381	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
382	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.
383	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
384			

385	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
386	<u>782.072 (2) (b)</u> 782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
387	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
388	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
389	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
390	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.

391	787.06 (3) (f) 2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
392	790.161 (3)	1st	Discharging a destructive device which results in bodily harm or property damage.
393	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.
394	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.
	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.

395 794.011 (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.

396 794.08 (3) 2nd Female genital mutilation,
 removal of a victim younger
 than 18 years of age from this
 state.

397 800.04 (4) (b) 2nd Lewd or lascivious battery.

398 800.04 (4) (c) 1st Lewd or lascivious battery;
 offender 18 years of age or
 older; prior conviction for
 specified sex offense.

399 806.01 (1) 1st Maliciously damage dwelling or

structure by fire or explosive,
believing person in structure.

400

810.02 (2) (a) 1st,PBL Burglary with assault or
battery.

401

810.02 (2) (b) 1st,PBL Burglary; armed with explosives
or dangerous weapon.

402

810.02 (2) (c) 1st Burglary of a dwelling or
structure causing structural
damage or \$1,000 or more
property damage.

403

812.014 (2) (a) 2. 1st Property stolen; cargo valued
at \$50,000 or more, grand theft
in 1st degree.

404

812.015 (11) (b) 1st Retail theft; possession of a
firearm during commission of
offense.

405

812.13 (2) (b) 1st Robbery with a weapon.

406

812.135 (2) (c) 1st Home-invasion robbery, no

413	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
414	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.
415	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
416	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
417	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled

adult.

418 825.103(3)(a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$50,000 or more.

419 837.02(2) 2nd Perjury in official proceedings
relating to prosecution of a
capital felony.

420 837.021(2) 2nd Making contradictory statements
in official proceedings
relating to prosecution of a
capital felony.

421 860.121(2)(c) 1st Shooting at or throwing any
object in path of railroad
vehicle resulting in great
bodily harm.

422 860.16 1st Aircraft piracy.

423 893.13(1)(b) 1st Sell or deliver in excess of 10
grams of any substance
specified in s. 893.03(1)(a) or

(b) .

424

893.13(2)(b) 1st Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b) .

425

893.13(6)(c) 1st Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b) .

426

893.135(1)(a)2. 1st Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.

427

893.135(1)(b)1.b. 1st Trafficking in cocaine, more than 200 grams, less than 400 grams.

428

893.135(1)(c)1.b. 1st Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

429

893.135(1)(c)2.c. 1st Trafficking in hydrocodone, 100 grams or more, less than 300 grams.

430	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
431	893.135 (1) (c) 4.b. (II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
432	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
433	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
434	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
435	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
436			

437	893.135 (1) (h) 1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
438	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
439	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
440	893.135 (1) (m) 2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
441	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.

442	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
443	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
444	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
445	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
446	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.

447

448

Section 12. This act shall take effect July 1, 2025.