

By Senator Martin

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A bill to be entitled

An act relating to criminal sexual conduct; amending s. 775.0847, F.S.; revising the circumstances under which the violation of specified provisions must be reclassified to the next higher degree; providing for reclassification of such violations and mandatory minimum terms of imprisonment; amending s. 794.0116, F.S.; increasing the mandatory minimum terms of imprisonment for persons who commit a violation of specified provisions and have a certain prior conviction; amending s. 827.071, F.S.; revising the definition of the term "child" or "minor"; increasing criminal penalties and providing a mandatory minimum term of imprisonment for persons who commit the offense of use of a child in a sexual performance; providing criminal penalties and a mandatory minimum term of imprisonment for persons who commit the offense of aggravated use of a child in a sexual performance; providing a mandatory minimum term of imprisonment for persons who commit the offense of promoting a sexual performance by a child; increasing criminal penalties for persons who knowingly solicit, possess, control, or intentionally view any photographic material, motion picture, or other specified representations that include child pornography; amending s. 827.072, F.S.; increasing criminal penalties and providing a mandatory minimum term of imprisonment for persons who intentionally create generated child pornography; amending s.

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828.126, F.S.; increasing criminal penalties for specified offenses relating to sexual activities involving animals; making technical changes; requiring a court to issue a specified order that must be effective for a minimum of 5 years, rather than authorizing the court to issue such order to be effective for up to 5 years, after the date of a specified conviction; amending s. 847.011, F.S.; providing applicability; amending s. 847.0137, F.S.; defining terms; providing criminal penalties and a mandatory minimum term of imprisonment for persons who knew or reasonably should have known that they were transmitting or taking other actions to make accessible child pornography or generated child pornography; increasing criminal penalties and providing a mandatory minimum term of imprisonment for persons who knew or reasonably should have known that they were transmitting child pornography or generated child pornography; specifying circumstances under which persons may not be subject to prosecution; amending ss. 775.15, 794.0115, and 921.0022, F.S.; conforming cross-references; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Subsections (2) and (3) of section 775.0847, Florida Statutes, are amended to read:

775.0847 Possession or promotion of certain images of child

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pornography; reclassification.—

(2) A violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138 must ~~shall~~ be reclassified to the next higher degree as provided in subsection (3) if:

(a) The offender possesses 20 ~~10~~ or more images of any form of child pornography regardless of content; or ~~and~~

(b) The content of at least one image contains one or more of the following:

1. A prepubescent child ~~who is younger than the age of 5.~~

2. Sadomasochistic abuse involving a child.

3. Sexual battery involving a child.

4. Sexual bestiality involving a child.

~~5. Any motion picture, film, video, or computer-generated motion picture, film, or video involving a child, regardless of length and regardless of whether the motion picture, film, video, or computer-generated motion picture, film, or video contains sound.~~

(3)(a) In the case of a felony of the third degree, the offense is reclassified to a felony of the second degree, and the offender must be sentenced to a mandatory minimum term of imprisonment of 5 years.

(b) In the case of a felony of the second degree, the offense is reclassified to a felony of the first degree, and the offender must be sentenced to a mandatory minimum term of imprisonment of 15 years.

(c) In the case of a felony of the first degree, the offense is reclassified to a life felony, and the offender must be sentenced to a mandatory minimum term of imprisonment of 25 years.

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For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, a felony offense that is reclassified under this section is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Section 2. Subsection (1) of section 794.0116, Florida Statutes, is amended to read:

794.0116 Sexual offenses by persons previously convicted of sexual offenses.—

(1) A person who was previously convicted of or had adjudication withheld for an offense specified in s. 943.0435(1)(h)1.a. and commits a violation of s. 800.04(5); s. 825.1025(3); s. 827.071(2), (3), (4), or (5)(a); s. 847.0135; s. 847.0137; or s. 847.0145 must ~~shall~~ be sentenced to a mandatory minimum term of imprisonment as follows:

	Statute	Mandatory Minimum
(a)	800.04(5)	<u>15</u> <del>10</del> years
(b)	825.1025(3)	10 years
(c)	827.071(2)	<u>25</u> <del>20</del> years
(d)	827.071(3)	20 years
(e)	827.071(4)	15 years

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(f) 827.071 (5) (a) 10 years

(g) 847.0135 10 years

(h) 847.0137 10 years

(i) 847.0145 25 ~~20~~ years

Section 3. Paragraph (a) of subsection (1), subsections (2) and (3), and paragraph (a) of subsection (5) of section 827.071, Florida Statutes, are amended, and paragraphs (b) through (n) of subsection (1) of that section are republished, to read:

827.071 Sexual performance by a child; child pornography; penalties.—

(1) As used in this section, the following definitions shall apply:

(a) "Child" or "minor" means a ~~any~~ person, whose identity is known and who is ~~or unknown~~, younger than 18 years of age, or whose identity is unknown and who appears to be under 18 years of age.

(b) "Child pornography" means:

1. Any image depicting a minor engaged in sexual conduct; or

2. Any image that has been created, altered, adapted, or modified by electronic, mechanical, or other means, to portray an identifiable minor engaged in sexual conduct.

(c) "Deviate sexual intercourse" means sexual conduct between persons not married to each other consisting of contact between the penis and the anus, the mouth and the penis, or the

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136 mouth and the vulva.

137 (d) "Female genitals" includes the labia minora, labia  
138 majora, clitoris, vulva, hymen, and vagina.

139 (e) "Identifiable minor" means a person:

140 1. Who was a minor at the time the image was created,  
141 altered, adapted, or modified, or whose image as a minor was  
142 used in the creating, altering, adapting, or modifying of the  
143 image; and

144 2. Who is recognizable as an actual person by the person's  
145 face, likeness, or other distinguishing characteristic, such as  
146 a unique birthmark, or other recognizable feature.

147  
148 The term may not be construed to require proof of the actual  
149 identity of the identifiable minor.

150 (f) "Intentionally view" means to deliberately,  
151 purposefully, and voluntarily view. Proof of intentional viewing  
152 requires establishing more than a single image, motion picture,  
153 exhibition, show, image, data, computer depiction,  
154 representation, or other presentation over any period of time.

155 (g) "Performance" means any play, motion picture,  
156 photograph, or dance or any other visual representation  
157 exhibited before an audience.

158 (h) "Promote" means to procure, manufacture, issue, sell,  
159 give, provide, lend, mail, deliver, transfer, transmit,  
160 transmute, publish, distribute, circulate, disseminate, present,  
161 exhibit, send, post, share, or advertise or to offer or agree to  
162 do the same.

163 (i) "Sadomasochistic abuse" means flagellation or torture  
164 by or upon a person, or the condition of being fettered, bound,

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or otherwise physically restrained, for the purpose of deriving sexual satisfaction from inflicting harm on another or receiving such harm oneself.

(j) "Sexual battery" means oral, anal, or female genital penetration by, or union with, the sexual organ of another or the anal or female genital penetration of another by any other object; however, "sexual battery" does not include an act done for a bona fide medical purpose.

(k) "Sexual bestiality" means any sexual act between a person and an animal involving the sex organ of the one and the mouth, anus, or female genitals of the other.

(l)1. "Sexual conduct" means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual or simulated lewd exhibition of the genitals; actual physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast, with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed. A mother's breastfeeding of her baby does not under any circumstance constitute "sexual conduct."

2. As used in subparagraph 1., "actual or simulated lewd exhibition of the genitals" may be evidenced by the overall content of an image, taking into account the age of the minor depicted and, including, but not limited to, whether:

- a. The focal point of the image is on the minor's genitals;
- b. The setting of the image is sexually suggestive or in a place or pose generally associated with sexual conduct;

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194 c. The minor is depicted in an unnatural pose, or in  
195 inappropriate attire, considering the age of the minor;

196 d. The image suggests sexual coyness or a willingness to  
197 engage in sexual conduct; or

198 e. The image is intended or designed to elicit a sexual  
199 response in the viewer.

200 (m) "Sexual performance" means any performance or part  
201 thereof which includes sexual conduct by a child.

202 (n) "Simulated" means the explicit depiction of conduct set  
203 forth in paragraph (1) which creates the appearance of such  
204 conduct and which exhibits any uncovered portion of the breasts,  
205 genitals, or buttocks.

206 (2) (a) A person commits ~~is guilty of the~~ use of a child in  
207 a sexual performance if, knowing the character and content  
208 thereof, he or she employs, authorizes, or induces a child to  
209 engage in a sexual performance or, being a parent, legal  
210 guardian, or custodian of such child, consents to the  
211 participation by such child in a sexual performance. A person  
212 who violates this paragraph subsection commits a felony of the  
213 first ~~second~~ degree, punishable as provided in s. 775.082, s.  
214 775.083, or s. 775.084, and must be sentenced to a mandatory  
215 minimum term of imprisonment of 15 years.

216 (b) A person commits aggravated use of a child in a sexual  
217 performance if, knowing the character and content thereof, he or  
218 she employs, authorizes, or induces a child younger than 12  
219 years of age to engage in a sexual performance. A person who  
220 violates this paragraph commits a life felony, punishable as  
221 provided in s. 775.082, s. 775.083, or s. 775.084, and must be  
222 sentenced to a mandatory minimum term of imprisonment of 25

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223 years.

224 (3) A person commits ~~is guilty of~~ promoting a sexual  
225 performance by a child if ~~when~~, knowing the character and  
226 content thereof, he or she produces, directs, or promotes any  
227 performance which includes sexual conduct by a child. A person  
228 who violates this subsection commits a felony of the second  
229 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
230 775.084, and must be sentenced to a mandatory minimum term of  
231 imprisonment of 5 years.

232 (5)(a) It is unlawful for any person to knowingly solicit,  
233 possess, control, or intentionally view a photograph, motion  
234 picture, exhibition, show, representation, image, data, computer  
235 depiction, or other presentation which, in whole or in part, he  
236 or she knows to include child pornography. The solicitation,  
237 possession, control, or intentional viewing of each such  
238 photograph, motion picture, exhibition, show, image, data,  
239 computer depiction, representation, or presentation is a  
240 separate offense. If such photograph, motion picture,  
241 exhibition, show, representation, image, data, computer  
242 depiction, or other presentation includes child pornography  
243 depicting more than one child, then each such child in each such  
244 photograph, motion picture, exhibition, show, representation,  
245 image, data, computer depiction, or other presentation that is  
246 knowingly solicited, possessed, controlled, or intentionally  
247 viewed is a separate offense. A person who violates this  
248 paragraph commits a felony of the second ~~third~~ degree,  
249 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

250 Section 4. Paragraph (b) of subsection (2) of section  
251 827.072, Florida Statutes, is amended, and paragraph (a) of

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subsection (1) of that section is republished, to read:

827.072 Generated child pornography.—

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

(a) “Generated child pornography” means any image that has been created, altered, adapted, or modified by electronic, mechanical, or other computer-generated means to portray a fictitious person, who a reasonable person would regard as being a real person younger than 18 years of age, engaged in sexual conduct.

(2)

(b) A person who intentionally creates generated child pornography commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, and must be sentenced to a mandatory minimum term of imprisonment of 5 years.

Section 5. Section 828.126, Florida Statutes, is amended to read:

828.126 Sexual activities involving animals.—

(1) As used in this section, the term “sexual contact with an animal” means any act committed between a person and an animal for the purpose of sexual gratification, abuse, or financial gain which involves:

(a) Contact between the sex organ or anus of one and the mouth, sex organ, or anus of the other;

(b) The fondling of the sex organ or anus of an animal; or

(c) The insertion, however slight, of any part of the body of a person or any object into the vaginal or anal opening of an animal, or the insertion of any part of the body of an animal into the vaginal or anal opening of a person.

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281 (2) A person may not~~+~~

282 ~~(a)~~ knowingly engage in any sexual contact with an animal.

283 A person who violates this subsection commits a felony of the  
284 second degree, punishable as provided in s. 775.082, s. 775.083,  
285 or s. 775.084.~~+~~

286 ~~(3)(b)~~ A person may not knowingly cause, aid, or abet  
287 another person to engage in any sexual contact with an animal. A  
288 person who violates this subsection commits a felony of the  
289 second degree, punishable as provided in s. 775.082, s. 775.083,  
290 or s. 775.084.~~+~~

291 ~~(4)(e)~~ A person may not knowingly permit any sexual contact  
292 with an animal to be conducted on any premises under his or her  
293 charge or control. A person who violates this subsection commits  
294 a felony of the third degree, punishable as provided in s.  
295 775.082, s. 775.083, or s. 775.084.~~+~~

296 ~~(5)(d)~~ A person may not knowingly organize, promote,  
297 conduct, aid, abet, participate in as an observer, or advertise,  
298 offer, solicit, or accept an offer of an animal for the purpose  
299 of sexual contact with such animal, or perform any service in  
300 the furtherance of an act involving any sexual contact with an  
301 animal. A person who violates this subsection commits a felony  
302 of the third degree, punishable as provided in s. 775.082, s.  
303 775.083, or s. 775.084.~~+~~ ~~or~~

304 ~~(6)(e)~~ A person may not knowingly film, distribute, or  
305 possess any pornographic image or video of a person and an  
306 animal engaged in any of the activities prohibited by this  
307 section. A person who violates this subsection commits a felony  
308 of the third degree, punishable as provided in s. 775.082, s.  
309 775.083, or s. 775.084

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~~(3) A person who violates this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

(7)~~(4)~~ In addition to other penalties prescribed by law, the court shall issue an order prohibiting a person convicted under this section from harboring, owning, possessing, or exercising control over any animal; from residing in any household in which animals are present; and from engaging in an occupation, whether paid or unpaid, or participating in a volunteer position at any establishment at which animals are present. The order must ~~may~~ be effective for a minimum of ~~up to~~ 5 years after the date of the conviction, regardless of whether adjudication is withheld.

(8)~~(5)~~ This section does not apply to accepted animal husbandry practices, including, but not limited to, bona fide agricultural purposes, assistance with the birthing process or artificial insemination of an animal for reproductive purposes, accepted conformation judging practices, or accepted veterinary medical practices.

Section 6. Subsection (12) is added to section 847.011, Florida Statutes, to read:

847.011 Prohibition of certain acts in connection with obscene, lewd, etc., materials; penalty.—

(12) This section does not apply to a person charged solely under a section relating to child pornography, including, but not limited to, s. 827.071, s. 827.072, s. 847.0135, s. 847.0137, or s. 847.0138.

Section 7. Section 847.0137, Florida Statutes, is amended to read:

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339       847.0137 Transmission of child pornography or generated  
340 child pornography ~~by electronic device or equipment~~ prohibited;  
341 penalties.—

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

343       (a) "Access credential" means any password, username,  
344 token, unique link, URL, hyperlink, or other data that allows or  
345 facilitates access to files or data stored in cloud storage.

346       (b) "Cloud storage" means any remote, networked, or third-  
347 party-provided storage service that allows a user to store,  
348 host, or share digital files or data and to access those files  
349 or data through the Internet or other network, whether by direct  
350 file transfer, URL, hyperlink, shareable link, access token,  
351 credentials, or other means.

352       (c) "Link" means any URL, hyperlink, short link, shareable  
353 link, magnet link, or other string, token, or data that, when  
354 used, directs or grants access to content stored remotely,  
355 including cloud storage.

356       (d) "Transmit" means the act of sending and causing to be  
357 delivered, including the act of providing access for receiving  
358 and causing to be delivered, any image, information, or data  
359 over or through any medium, including the Internet or an  
360 interconnected network, by use of any electronic equipment or  
361 other device.

362       (2) A person who knew or reasonably should have known that  
363 he or she was transmitting, distributing, posting, sharing,  
364 providing, publishing, or making accessible by any means,  
365 including by sending, posting, uploading, or otherwise providing  
366 a link, an access credential, or information that grants access  
367 to cloud storage that the person knows contains child

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368 pornography or generated child pornography, and who knowingly  
369 causes another person to view or obtain such images, or  
370 otherwise facilitates access to such material, commits a felony  
371 of the second degree, punishable as provided in ss. 775.082,  
372 775.083, or 775.084, and must be sentenced to a mandatory  
373 minimum term of imprisonment of 5 years.

374 (3) Notwithstanding ss. 847.012 and 847.0133, a ~~any~~ person  
375 in this state who knew or reasonably should have known that he  
376 or she was transmitting child pornography~~7~~ as defined in s.  
377 847.001 or generated child pornography as defined in s. 827.072~~7~~  
378 to another person in this state or in another jurisdiction  
379 commits a felony of the second ~~third~~ degree, punishable as  
380 provided in s. 775.082, s. 775.083, or s. 775.084, and must be  
381 sentenced to a mandatory minimum term of imprisonment of 5  
382 years.

383 (4)~~(3)~~ Notwithstanding ss. 847.012 and 847.0133, a ~~any~~  
384 person in any jurisdiction other than this state who knew or  
385 reasonably should have known that he or she was transmitting  
386 child pornography~~7~~ as defined in s. 847.001 or generated child  
387 pornography as defined in s. 827.072~~7~~ to any person in this  
388 state commits a felony of the second ~~third~~ degree, punishable as  
389 provided in s. 775.082, s. 775.083, or s. 775.084, and must be  
390 sentenced to a mandatory minimum term of imprisonment of 5  
391 years.

392 (5) A person who, in good faith, provides a link, access  
393 credential, or other information to a law enforcement agency,  
394 prosecuting authority, or authorized forensic examiner for the  
395 purpose of reporting suspected child pornography, cooperating  
396 with an investigation, preserving evidence, or seeking lawful

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removal of content may not be subject to prosecution under this section for that disclosure.

(6)~~(4)~~ This section may ~~shall~~ not be construed to preclude prosecution of a person in this state or another jurisdiction for a violation of any law of this state, including a law providing for greater penalties than prescribed in this section, for the transmission of child pornography~~r~~, as defined in s. 847.001~~r~~, to any person in this state.

(7)~~(5)~~ A person is subject to prosecution in this state pursuant to chapter 910 for any act or conduct proscribed by this section, including a person in a jurisdiction other than this state, if the act or conduct violates subsection (4) ~~(3)~~.

The provisions of this section do not apply to subscription-based transmissions such as list servers.

Section 8. Subsection (21) of section 775.15, Florida Statutes, is amended to read:

775.15 Time limitations; general time limitations; exceptions.—

(21) In addition to the time periods prescribed in this section, a prosecution for any offense under s. 827.071(2)(a) or (3) ~~s. 827.071(2) or (3)~~, if the offender was 18 years of age or older at the time of the offense, may be commenced at any time. This subsection applies to any offense that is not otherwise barred from prosecution on or before July 1, 2022.

Section 9. Subsection (2) of section 794.0115, Florida Statutes, is amended to read:

794.0115 Dangerous sexual felony offender; mandatory sentencing.—

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426 (2) A ~~Any person who is~~ convicted of a violation of s.  
427 787.025(2)(c); s. 794.011(2), (3), (4), (5), or (8); s.  
428 800.04(4) or (5); s. 825.1025(2) or (3); s. 827.071(2)(a) ~~s.~~  
429 ~~827.071(2)~~, (3), or (4); or s. 847.0145; or of any similar  
430 offense under a former designation, which offense the person  
431 committed when he or she was 18 years of age or older, and the  
432 person:

433 (a) Caused serious personal injury to the victim as a  
434 result of the commission of the offense;

435 (b) Used or threatened to use a deadly weapon during the  
436 commission of the offense;

437 (c) Victimized more than one person during the course of  
438 the criminal episode applicable to the offense;

439 (d) Committed the offense while under the jurisdiction of a  
440 court for a felony offense under the laws of this state, for an  
441 offense that is a felony in another jurisdiction, or for an  
442 offense that would be a felony if that offense were committed in  
443 this state; or

444 (e) Has previously been convicted of a violation of s.  
445 787.025(2)(c); s. 794.011(2), (3), (4), (5), or (8); s.  
446 800.04(4) or (5); s. 825.1025(2) or (3); s. 827.071(2)(a) ~~s.~~  
447 ~~827.071(2)~~, (3), or (4); s. 847.0145; of any offense under a  
448 former statutory designation which is similar in elements to an  
449 offense described in this paragraph; or of any offense that is a  
450 felony in another jurisdiction, or would be a felony if that  
451 offense were committed in this state, and which is similar in  
452 elements to an offense described in this paragraph,

453  
454 is a dangerous sexual felony offender, who must be sentenced to

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a mandatory minimum term of 25 years imprisonment up to, and including, life imprisonment. If the offense described in this subsection was committed on or after October 1, 2014, a person who qualifies as a dangerous sexual felony offender pursuant to this subsection must be sentenced to a mandatory minimum term of 50 years imprisonment up to, and including, life imprisonment.

Section 10. Paragraphs (e), (f), and (g) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(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(3) (a)	2nd	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

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lights activated.

470

316.80 (2)

2nd

Unlawful conveyance of  
fuel; obtaining fuel  
fraudulently.

471

322.34 (6)

3rd

Careless operation of  
motor vehicle with  
suspended license,  
resulting in death or  
serious bodily injury.

472

327.30 (5) (a) 2.

3rd

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

473

365.172  
(14) (b) 2.

2nd

Misuse of emergency  
communications system  
resulting in death.

474

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

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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.

475

379.367(4)

3rd

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

476

379.407(5) (b) 3.

3rd

Possession of 100 or  
more undersized spiny  
lobsters.

477

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381.0041 (11) (b)

3rd

Donate blood, plasma, or  
organs knowing HIV  
positive.

478

440.10 (1) (g)

2nd

Failure to obtain  
workers' compensation  
coverage.

479

440.105 (5)

2nd

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

480

440.381 (2)

3rd

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

481

624.401 (4) (b) 2.

2nd

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

482

626.902 (1) (c)

2nd

Representing an

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unauthorized insurer;  
repeat offender.

483

790.01(3)

3rd

Unlawful carrying of a  
concealed firearm.

484

790.162

2nd

Threat to throw or  
discharge destructive  
device.

485

790.163(1)

2nd

False report of bomb,  
explosive, weapon of  
mass destruction, or use  
of firearms in violent  
manner.

486

790.221(1)

2nd

Possession of short-  
barreled shotgun or  
machine gun.

487

790.23

2nd

Felons in possession of  
firearms, ammunition, or  
electronic weapons or  
devices.

488

796.05(1)

2nd

Live on earnings of a  
prostitute; 1st offense.

489

800.04(6)(c)

3rd

Lewd or lascivious

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conduct; offender less  
than 18 years of age.

490

800.04 (7) (b)

2nd

Lewd or lascivious  
exhibition; offender 18  
years of age or older.

491

806.111 (1)

3rd

Possess, manufacture, or  
dispense fire bomb with  
intent to damage any  
structure or property.

492

810.145 (4)

3rd

Commercial digital  
voyeurism dissemination.

493

810.145 (7) (a)

2nd

Digital voyeurism; 2nd  
or subsequent offense.

494

810.145 (8) (a)

2nd

Digital voyeurism;  
certain minor victims.

495

812.014 (2) (d) 3.

2nd

Grand theft, 2nd degree;  
theft from 20 or more  
dwellings or their  
unenclosed curtilage, or  
any combination.

496

812.0145 (2) (b)

2nd

Theft from person 65  
years of age or older;

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

497

812.015

3rd

Retail theft; property  
stolen is valued at \$750  
or more and one or more  
specified acts.

(8) (a) &amp; (c) - (e)

498

812.015 (8) (f)

3rd

Retail theft; multiple  
thefts within specified  
period.

499

812.015 (8) (g)

3rd

Retail theft; committed  
with specified number of  
other persons.

500

812.019 (1)

2nd

Stolen property; dealing  
in or trafficking in.

501

812.081 (3)

2nd

Trafficking in trade  
secrets.

502

812.131 (2) (b)

3rd

Robbery by sudden  
snatching.

503

812.16 (2)

3rd

Owning, operating, or  
conducting a chop shop.

504

817.034 (4) (a) 2.

2nd

Communications fraud,

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value \$20,000 to  
\$50,000.

817.234 (11) (b)

2nd

Insurance fraud;  
property value \$20,000  
or more but less than  
\$100,000.

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  
personal identification  
information of 10 or  
more persons.

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817.611 (2) (a)

2nd

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

817.625 (2) (b)

2nd

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

825.1025 (4)

3rd

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

828.12 (2)

3rd

Tortures any animal with  
intent to inflict  
intense pain, 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.

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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.

843.01 (1)

3rd

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

847.0135 (5) (b)

2nd

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

847.0137

2nd ~~3rd~~(3) & (4) ~~(2) & (3)~~

Transmission of child pornography or generated child pornography ~~by electronic device or equipment~~.

847.0138

3rd

(2) &amp; (3)

Transmission of material harmful to minors to a minor by electronic device or equipment.

874.05 (1) (b)

2nd

Encouraging or recruiting another to

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join a criminal gang;  
second or subsequent  
offense.

519

874.05(2)(a)

2nd

Encouraging or  
recruiting person under  
13 years of age to join  
a criminal gang.

520

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).

521

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.

522

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.

523

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.

524

893.13(1)(f)1.

1st

Sell, manufacture, or  
deliver cocaine (or  
other s. 893.03(1)(a),  
(1)(b), (1)(d), or

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(2) (a), (2) (b), or  
 (2) (c) 5. drugs) within  
 1,000 feet of public  
 housing facility.

893.13 (4) (b)

2nd

Use or hire of minor;  
 deliver to minor other  
 controlled substance.

893.1351 (1)

3rd

Ownership, lease, or  
 rental for trafficking  
 in or manufacturing of  
 controlled substance.

(f) LEVEL 6

Florida  
 Statute

Felony  
 Degree

Description

316.027 (2) (b)

2nd

Leaving the scene of a  
 crash involving serious  
 bodily injury.

316.193 (2) (b)

3rd

Felony DUI, 4th or  
 subsequent conviction.

316.1935 (4) (a)

2nd

Aggravated fleeing or  
 eluding.

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327.30 (5) (a) 3.

2nd

Vessel accidents  
involving serious bodily  
injury; leaving scene.

534

400.9935 (4) (c)

2nd

Operating a clinic, or  
offering services  
requiring licensure,  
without a license.

535

499.0051 (2)

2nd

Knowing forgery of  
transaction history,  
transaction information,  
or transaction  
statement.

536

499.0051 (3)

2nd

Knowing purchase or  
receipt of prescription  
drug from unauthorized  
person.

537

499.0051 (4)

2nd

Knowing sale or transfer  
of prescription drug to  
unauthorized person.

538

775.0875 (1)

3rd

Taking firearm from law  
enforcement officer.

539

784.021 (1) (a)

3rd

Aggravated assault;  
deadly weapon without

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intent to kill.

540

784.021 (1) (b)

3rd

Aggravated assault;  
intent to commit felony.

541

784.041

3rd

Felony battery; domestic  
battery by  
strangulation.

542

784.048 (3)

3rd

Aggravated stalking;  
credible threat.

543

784.048 (5)

3rd

Aggravated stalking of  
person under 16.

544

784.07 (2) (c)

2nd

Aggravated assault on  
law enforcement officer.

545

784.074 (1) (b)

2nd

Aggravated assault on  
sexually violent  
predators facility  
staff.

546

784.08 (2) (b)

2nd

Aggravated assault on a  
person 65 years of age  
or older.

547

784.081 (2)

2nd

Aggravated assault on  
specified official or

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employee.

548

784.082 (2)

2nd

Aggravated assault by  
detained person on  
visitor or other  
detainee.

549

784.083 (2)

2nd

Aggravated assault on  
code inspector.

550

787.02 (2)

3rd

False imprisonment;  
restraining with purpose  
other than those in s.  
787.01.

551

787.025 (2) (a)

3rd

Luring or enticing a  
child.

552

790.115 (2) (d)

2nd

Discharging firearm or  
weapon on school  
property.

553

790.161 (2)

2nd

Make, possess, or throw  
destructive device with  
intent to do bodily harm  
or damage property.

554

790.164 (1)

2nd

False report concerning  
bomb, explosive, weapon

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of mass destruction, act  
of arson or violence to  
state property, or use  
of firearms in violent  
manner.

555

790.19

2nd

Shooting or throwing  
deadly missiles into  
dwellings, vessels, or  
vehicles.

556

794.011 (8) (a)

3rd

Solicitation of minor to  
participate in sexual  
activity by custodial  
adult.

557

794.05 (1)

2nd

Unlawful sexual activity  
with specified minor.

558

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.

559

800.04 (6) (b)

2nd

Lewd or lascivious  
conduct; offender 18  
years of age or older.

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560	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
561	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
562	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
563	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
564	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
565	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
566	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more;

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second or subsequent  
conviction.

567

812.015 (9) (b)

2nd

Retail theft; aggregated  
property stolen within  
120 days is \$3,000 or  
more; coordination of  
others.

568

812.015 (9) (d)

2nd

Retail theft; multiple  
thefts within specified  
period.

569

812.015 (9) (e)

2nd

Retail theft; committed  
with specified number of  
other persons and use of  
social media platform.

570

812.13 (2) (c)

2nd

Robbery, no firearm or  
other weapon (strong-arm  
robbery).

571

817.4821 (5)

2nd

Possess cloning  
paraphernalia with  
intent to create cloned  
cellular telephones.

572

817.49 (2) (b) 2.

2nd

Willful making of a  
false report of a crime

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resulting in death.

573

817.505 (4) (b)

2nd

Patient brokering; 10 or  
more patients.

574

817.5695 (3) (b)

2nd

Exploitation of person  
65 years of age or  
older, value \$10,000 or  
more, but less than  
\$50,000.

575

825.102 (1)

3rd

Abuse of an elderly  
person or disabled  
adult.

576

825.102 (3) (c)

3rd

Neglect of an elderly  
person or disabled  
adult.

577

825.1025 (3)

3rd

Lewd or lascivious  
molestation of an  
elderly person or  
disabled adult.

578

825.103 (3) (c)

3rd

Exploiting an elderly  
person or disabled adult  
and property is valued  
at less than \$10,000.

579

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827.03 (2) (c)

3rd

Abuse of a child.

827.03 (2) (d)

3rd

Neglect of a child.

827.071 (5) (a)2nd ~~3rd~~

Knowingly solicit,  
~~827.071 (5)~~ possess, control, or  
 intentionally view any  
 photographic material,  
 motion picture, etc.,  
that ~~which~~ includes  
 child pornography.

828.126 (2) or (3)2nd

Sexual activities  
involving animals.

828.126 (4), (5), or (6)

3rd

Sexual activities  
 involving animals.

~~828.126 (3)~~

836.05

2nd

Threats; extortion.

836.10

2nd

Written or electronic  
 threats to kill, do  
 bodily injury, or  
 conduct a mass shooting  
 or an act of terrorism.

843.12

3rd

Aids or assists person  
 to escape.

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847.011

3rd

Distributing, offering  
to distribute, or  
possessing with intent  
to distribute obscene  
materials depicting  
minors.

588

847.012

3rd

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

589

847.0135 (2)

3rd

Facilitates sexual  
conduct of or with a  
minor or the visual  
depiction of such  
conduct.

590

893.131

2nd

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

591

914.23

2nd

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

592

918.13 (2) (b)

2nd

Tampering with or

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fabricating physical  
evidence relating to a  
capital felony.

593

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.

594

944.40

2nd

Escapes.

595

944.46

3rd

Harboring, concealing,  
aiding escaped  
prisoners.

596

944.47 (1) (a) 5.

2nd

Introduction of  
contraband (firearm,  
weapon, or explosive)  
into correctional  
facility.

597

951.22 (1) (i)

3rd

Firearm or weapon  
introduced into county  
detention facility.

598

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599 (g) LEVEL 7

600

Florida

Felony

Statute

Degree

Description

601

316.027(2)(c)

1st

Accident involving death,  
failure to stop; leaving  
scene.

602

316.193(3)(c)2.

3rd

DUI resulting in serious  
bodily injury.

603

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.

604

327.35(3)(a)3.b.

3rd

Vessel BUI resulting in  
serious bodily injury.

605

402.319(2)

2nd

Misrepresentation and  
negligence or intentional

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act resulting in great  
bodily harm, permanent  
disfiguration, permanent  
disability, or death.

606

409.920  
(2) (b) 1.a.

3rd

Medicaid provider fraud;  
\$10,000 or less.

607

409.920  
(2) (b) 1.b.

2nd

Medicaid provider fraud;  
more than \$10,000, but  
less than \$50,000.

608

456.065 (2)

3rd

Practicing a health care  
profession without a  
license.

609

456.065 (2)

2nd

Practicing a health care  
profession without a  
license which results in  
serious bodily injury.

610

458.327 (1)

3rd

Practicing medicine  
without a license.

611

459.013 (1)

3rd

Practicing osteopathic  
medicine without a  
license.

612

460.411 (1)

3rd

Practicing chiropractic

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medicine without a  
license.

613

461.012 (1)

3rd

Practicing podiatric  
medicine without a  
license.

614

462.17

3rd

Practicing naturopathy  
without a license.

615

463.015 (1)

3rd

Practicing optometry  
without a license.

616

464.016 (1)

3rd

Practicing nursing  
without a license.

617

465.015 (2)

3rd

Practicing pharmacy  
without a license.

618

466.026 (1)

3rd

Practicing dentistry or  
dental hygiene without a  
license.

619

467.201

3rd

Practicing midwifery  
without a license.

620

468.366

3rd

Delivering respiratory  
care services without a  
license.

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621

483.828 (1)

3rd

Practicing as clinical  
laboratory personnel  
without a license.

622

483.901 (7)

3rd

Practicing medical  
physics without a  
license.

623

484.013 (1) (c)

3rd

Preparing or dispensing  
optical devices without a  
prescription.

624

484.053

3rd

Dispensing hearing aids  
without a license.

625

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.

626

560.123 (8) (b) 1.

3rd

Failure to report  
currency or payment  
instruments exceeding  
\$300 but less than  
\$20,000 by a money

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services business.

627

560.125 (5) (a)

3rd

Money services business  
by unauthorized person,  
currency or payment  
instruments exceeding  
\$300 but less than  
\$20,000.

628

655.50 (10) (b) 1.

3rd

Failure to report  
financial transactions  
exceeding \$300 but less  
than \$20,000 by financial  
institution.

629

775.21 (10) (a)

3rd

Sexual predator; failure  
to register; failure to  
renew driver license or  
identification card;  
other registration  
violations.

630

775.21 (10) (b)

3rd

Sexual predator working  
where children regularly  
congregate.

631

775.21 (10) (g)

3rd

Failure to report or  
providing false  
information about a

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sexual predator; harbor  
or conceal a sexual  
predator.

632

782.051(3)

2nd

Attempted felony murder  
of a person by a person  
other than the  
perpetrator or the  
perpetrator of an  
attempted felony.

633

782.07(1)

2nd

Killing of a human being  
by the act, procurement,  
or culpable negligence of  
another (manslaughter).

634

782.071

2nd

Killing of a human being  
or unborn child by the  
operation of a motor  
vehicle in a reckless  
manner (vehicular  
homicide).

635

782.072

2nd

Killing of a human being  
by the operation of a  
vessel in a reckless  
manner (vessel homicide).

636

784.045(1)(a)1.

2nd

Aggravated battery;

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intentionally causing  
great bodily harm or  
disfigurement.

637

784.045 (1) (a) 2.

2nd

Aggravated battery; using  
deadly weapon.

638

784.045 (1) (b)

2nd

Aggravated battery;  
perpetrator aware victim  
pregnant.

639

784.048 (4)

3rd

Aggravated stalking;  
violation of injunction  
or court order.

640

784.048 (7)

3rd

Aggravated stalking;  
violation of court order.

641

784.07 (2) (d)

1st

Aggravated battery on law  
enforcement officer.

642

784.074 (1) (a)

1st

Aggravated battery on  
sexually violent  
predators facility staff.

643

784.08 (2) (a)

1st

Aggravated battery on a  
person 65 years of age or  
older.

644

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784.081 (1)

1st

Aggravated battery on  
specified official or  
employee.

645

784.082 (1)

1st

Aggravated battery by  
detained person on  
visitor or other  
detainee.

646

784.083 (1)

1st

Aggravated battery on  
code inspector.

647

787.025 (2) (b)

2nd

Luring or enticing a  
child; second or  
subsequent offense.

648

787.025 (2) (c)

2nd

Luring or enticing a  
child with a specified  
prior conviction.

649

787.06 (3) (a) 2.

1st

Human trafficking using  
coercion for labor and  
services of an adult.

650

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

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within the state.

651

790.07(4)

1st

Specified weapons  
violation subsequent to  
previous conviction of s.  
790.07(1) or (2).

652

790.16(1)

1st

Discharge of a machine  
gun under specified  
circumstances.

653

790.165(2)

2nd

Manufacture, sell,  
possess, or deliver hoax  
bomb.

654

790.165(3)

2nd

Possessing, displaying,  
or threatening to use any  
hoax bomb while  
committing or attempting  
to commit a felony.

655

790.166(3)

2nd

Possessing, selling,  
using, or attempting to  
use a hoax weapon of mass  
destruction.

656

790.166(4)

2nd

Possessing, displaying,  
or threatening to use a  
hoax weapon of mass

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destruction while  
committing or attempting  
to commit a felony.

657

790.23

1st, PBL

Possession of a firearm  
by a person who qualifies  
for the penalty  
enhancements provided for  
in s. 874.04.

658

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.

659

796.05 (1)

1st

Live on earnings of a  
prostitute; 2nd offense.

660

796.05 (1)

1st

Live on earnings of a  
prostitute; 3rd and  
subsequent offense.

661

800.04 (5) (c) 1.

2nd

Lewd or lascivious  
molestation; victim  
younger than 12 years of  
age; offender younger

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than 18 years of age.

662

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.

663

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.

664

806.01 (2)

2nd

Maliciously damage  
structure by fire or  
explosive.

665

810.02 (3) (a)

2nd

Burglary of occupied  
dwelling; unarmed; no  
assault or battery.

666

810.02 (3) (b)

2nd

Burglary of unoccupied  
dwelling; unarmed; no  
assault or battery.

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667

810.02 (3) (d)

2nd

Burglary of occupied conveyance; unarmed; no assault or battery.

668

810.02 (3) (e)

2nd

Burglary of authorized emergency vehicle.

669

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.

670

812.014 (2) (b) 2.

2nd

Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

671

812.014 (2) (b) 3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

672

812.014 (2) (b) 4.

2nd

Property stolen, law enforcement equipment

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from authorized emergency  
vehicle.

673

812.014 (2) (g)

2nd

Grand theft; second  
degree; firearm with  
previous conviction of s.  
812.014 (2) (c) 5.

674

812.0145 (2) (a)

1st

Theft from person 65  
years of age or older;  
\$50,000 or more.

675

812.019 (2)

1st

Stolen property;  
initiates, organizes,  
plans, etc., the theft of  
property and traffics in  
stolen property.

676

812.131 (2) (a)

2nd

Robbery by sudden  
snatching.

677

812.133 (2) (b)

1st

Carjacking; no firearm,  
deadly weapon, or other  
weapon.

678

817.034 (4) (a) 1.

1st

Communications fraud,  
value greater than  
\$50,000.

679

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817.234 (8) (a)

2nd

Solicitation of motor  
vehicle accident victims  
with intent to defraud.

817.234 (9)

2nd

Organizing, planning, or  
participating in an  
intentional motor vehicle  
collision.

817.234 (11) (c)

1st

Insurance fraud; property  
value \$100,000 or more.

817.2341

1st

(2) (b) &amp; (3) (b)

Making false entries of  
material fact or false  
statements regarding  
property values relating  
to the solvency of an  
insuring entity which are  
a significant cause of  
the insolvency of that  
entity.

817.418 (2) (a)

3rd

Offering for sale or  
advertising personal  
protective equipment with  
intent to defraud.

817.504 (1) (a)

3rd

Offering or advertising a  
vaccine with intent to

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defraud.

685

817.535 (2) (a)

3rd

Filing false lien or  
other unauthorized  
document.

686

817.611 (2) (b)

2nd

Traffic in or possess 15  
to 49 counterfeit credit  
cards or related  
documents.

687

825.102 (3) (b)

2nd

Neglecting an elderly  
person or disabled adult  
causing great bodily  
harm, disability, or  
disfigurement.

688

825.103 (3) (b)

2nd

Exploiting an elderly  
person or disabled adult  
and property is valued at  
\$10,000 or more, but less  
than \$50,000.

689

827.03 (2) (b)

2nd

Neglect of a child  
causing great bodily  
harm, disability, or  
disfigurement.

690

827.04 (3)

3rd

Impregnation of a child

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under 16 years of age by  
person 21 years of age or  
older.

691

827.071 (2) (a)1st ~~2nd~~

Use of ~~or induce~~ a child  
in a sexual performance,  
~~or promote or direct such~~  
performance.

~~827.071 (2) & (3)~~

692

827.071 (3)2nd

Promoting a sexual  
performance by a child.

693

827.071 (4)

2nd

Possess with intent to  
promote any photographic  
material, motion picture,  
etc., which includes  
child pornography.

694

837.05 (2)

3rd

Giving false information  
about alleged capital  
felony to a law  
enforcement officer.

695

838.015

2nd

Bribery.

696

838.016

2nd

Unlawful compensation or  
reward for official  
behavior.

697

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838.021 (3) (a)

2nd

Unlawful harm to a public  
servant.

698

838.22

2nd

Bid tampering.

699

843.0855 (2)

3rd

Impersonation of a public  
officer or employee.

700

843.0855 (3)

3rd

Unlawful simulation of  
legal process.

701

843.0855 (4)

3rd

Intimidation of a public  
officer or employee.

702

847.0135 (3)

3rd

Solicitation of a child,  
via a computer service,  
to commit an unlawful sex  
act.

703

847.0135 (4)

2nd

Traveling to meet a minor  
to commit an unlawful sex  
act.

704

872.06

2nd

Abuse of a dead human  
body.

705

874.05 (2) (b)

1st

Encouraging or recruiting  
person under 13 to join a  
criminal gang; second or

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subsequent offense.

706

874.10

1st, PBL

Knowingly initiates,  
organizes, plans,  
finances, directs,  
manages, or supervises  
criminal gang-related  
activity.

707

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.

708

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

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feet of property used for  
religious services or a  
specified business site.

709

893.13(4)(a)

1st

Use or hire of minor;  
deliver to minor other  
controlled substance.

710

893.135(1)(a)1.

1st

Trafficking in cannabis,  
more than 25 lbs., less  
than 2,000 lbs.

711

893.135  
(1)(b)1.a.

1st

Trafficking in cocaine,  
more than 28 grams, less  
than 200 grams.

712

893.135  
(1)(c)1.a.

1st

Trafficking in illegal  
drugs, more than 4 grams,  
less than 14 grams.

713

893.135  
(1)(c)2.a.

1st

Trafficking in  
hydrocodone, 28 grams or  
more, less than 50 grams.

714

893.135  
(1)(c)2.b.

1st

Trafficking in  
hydrocodone, 50 grams or  
more, less than 100  
grams.

715

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893.135  
(1) (c) 3.a.

1st

Trafficking in oxycodone,  
7 grams or more, less  
than 14 grams.

716

893.135  
(1) (c) 3.b.

1st

Trafficking in oxycodone,  
14 grams or more, less  
than 25 grams.

717

893.135  
(1) (c) 4.b. (I)

1st

Trafficking in fentanyl,  
4 grams or more, less  
than 14 grams.

718

893.135  
(1) (d) 1.a.

1st

Trafficking in  
phencyclidine, 28 grams  
or more, less than 200  
grams.

719

893.135 (1) (e) 1.

1st

Trafficking in  
methaqualone, 200 grams  
or more, less than 5  
kilograms.

720

893.135 (1) (f) 1.

1st

Trafficking in  
amphetamine, 14 grams or  
more, less than 28 grams.

721

893.135  
(1) (g) 1.a.

1st

Trafficking in  
flunitrazepam, 4 grams or  
more, less than 14 grams.

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722

893.135  
(1) (h) 1.a.

1st

Trafficking in gamma-  
hydroxybutyric acid  
(GHB), 1 kilogram or  
more, less than 5  
kilograms.

723

893.135  
(1) (j) 1.a.

1st

Trafficking in 1,4-  
Butanediol, 1 kilogram or  
more, less than 5  
kilograms.

724

893.135  
(1) (k) 2.a.

1st

Trafficking in  
Phenethylamines, 10 grams  
or more, less than 200  
grams.

725

893.135  
(1) (m) 2.a.

1st

Trafficking in synthetic  
cannabinoids, 280 grams  
or more, less than 500  
grams.

726

893.135  
(1) (m) 2.b.

1st

Trafficking in synthetic  
cannabinoids, 500 grams  
or more, less than 1,000  
grams.

727

893.135  
(1) (n) 2.a.

1st

Trafficking in n-benzyl  
phenethylamines, 14 grams

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or more, less than 100  
grams.

728

893.1351(2)

2nd

Possession of place for  
trafficking in or  
manufacturing of  
controlled substance.

729

896.101(5)(a)

3rd

Money laundering,  
financial transactions  
exceeding \$300 but less  
than \$20,000.

730

896.104(4)(a)1.

3rd

Structuring transactions  
to evade reporting or  
registration  
requirements, financial  
transactions exceeding  
\$300 but less than  
\$20,000.

731

943.0435(4)(c)

2nd

Sexual offender vacating  
permanent residence;  
failure to comply with  
reporting requirements.

732

943.0435(8)

2nd

Sexual offender; remains  
in state after indicating  
intent to leave; failure

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to comply with reporting  
requirements.

733

943.0435 (9) (a)

3rd

Sexual offender; failure  
to comply with reporting  
requirements.

734

943.0435 (13)

3rd

Failure to report or  
providing false  
information about a  
sexual offender; harbor  
or conceal a sexual  
offender.

735

943.0435 (14)

3rd

Sexual offender; failure  
to report and reregister;  
failure to respond to  
address verification;  
providing false  
registration information.

736

944.607 (9)

3rd

Sexual offender; failure  
to comply with reporting  
requirements.

737

944.607 (10) (a)

3rd

Sexual offender; failure  
to submit to the taking  
of a digitized  
photograph.

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738

944.607(12)

3rd

Failure to report or  
providing false  
information about a  
sexual offender; harbor  
or conceal a sexual  
offender.

739

944.607(13)

3rd

Sexual offender; failure  
to report and reregister;  
failure to respond to  
address verification;  
providing false  
registration information.

740

985.4815(10)

3rd

Sexual offender; failure  
to submit to the taking  
of a digitized  
photograph.

741

985.4815(12)

3rd

Failure to report or  
providing false  
information about a  
sexual offender; harbor  
or conceal a sexual  
offender.

742

985.4815(13)

3rd

Sexual offender; failure  
to report and reregister;

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failure to respond to  
address verification;  
providing false  
registration information.

743

744

Section 11. This act shall take effect October 1, 2026.