

1 A bill to be entitled
 2 An act relating to theft offenses; amending s.
 3 812.014, F.S.; increasing threshold amounts for
 4 certain theft offenses; amending s. 812.015, F.S.;
 5 increasing threshold amounts for certain theft
 6 offenses; revising circumstances under which an
 7 offense of retail theft by a person with a prior
 8 conviction of retail theft constitutes a felony of the
 9 second degree; amending s. 921.0022, F.S.; conforming
 10 provisions of the offense severity ranking chart of
 11 the Criminal Punishment Code to changes made by the
 12 act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Paragraphs (c), (d), and (e) of subsection (2)
 17 and paragraph (c) of subsection (3) of section 812.014, Florida
 18 Statutes, are amended, and paragraphs s (a) and (b) of
 19 subsection (3) of that section are republished, to read:

20 812.014 Theft.—

21 (2)

22 (c) It is grand theft of the third degree and a felony of
 23 the third degree, punishable as provided in s. 775.082, s.
 24 775.083, or s. 775.084, if the property stolen is:

25 1. Valued at \$1,000 ~~\$300~~ or more, but less than \$5,000.

- 26 | 2. Valued at \$5,000 or more, but less than \$10,000.
- 27 | 3. Valued at \$10,000 or more, but less than \$20,000.
- 28 | 4. A will, codicil, or other testamentary instrument.
- 29 | 5. A firearm.
- 30 | 6. A motor vehicle, except as provided in paragraph (a).
- 31 | 7. Any commercially farmed animal, including any animal of
- 32 | the equine, avian, bovine, or swine class or other grazing
- 33 | animal; a bee colony of a registered beekeeper; and aquaculture
- 34 | species raised at a certified aquaculture facility. If the
- 35 | property stolen is a commercially farmed animal, including an
- 36 | animal of the equine, avian, bovine, or swine class or other
- 37 | grazing animal; a bee colony of a registered beekeeper; or an
- 38 | aquaculture species raised at a certified aquaculture facility,
- 39 | a \$10,000 fine shall be imposed.
- 40 | 8. Any fire extinguisher.
- 41 | 9. Any amount of citrus fruit consisting of 2,000 or more
- 42 | individual pieces of fruit.
- 43 | 10. Taken from a designated construction site identified
- 44 | by the posting of a sign as provided for in s. 810.09(2)(d).
- 45 | 11. Any stop sign.
- 46 | 12. Anhydrous ammonia.
- 47 | 13. Any amount of a controlled substance as defined in s.
- 48 | 893.02. Notwithstanding any other law, separate judgments and
- 49 | sentences for theft of a controlled substance under this
- 50 | subparagraph and for any applicable possession of controlled

51 substance offense under s. 893.13 or trafficking in controlled
52 substance offense under s. 893.135 may be imposed when all such
53 offenses involve the same amount or amounts of a controlled
54 substance.

55

56 However, if the property is stolen within a county that is
57 subject to a state of emergency declared by the Governor under
58 chapter 252, the property is stolen after the declaration of
59 emergency is made, and the perpetration of the theft is
60 facilitated by conditions arising from the emergency, the
61 offender commits a felony of the second degree, punishable as
62 provided in s. 775.082, s. 775.083, or s. 775.084, if the
63 property is valued at \$5,000 or more, but less than \$10,000, as
64 provided under subparagraph 2., or if the property is valued at
65 \$10,000 or more, but less than \$20,000, as provided under
66 subparagraph 3. As used in this paragraph, the term "conditions
67 arising from the emergency" means civil unrest, power outages,
68 curfews, voluntary or mandatory evacuations, or a reduction in
69 the presence of or the response time for first responders or
70 homeland security personnel. For purposes of sentencing under
71 chapter 921, a felony offense that is reclassified under this
72 paragraph is ranked one level above the ranking under s.
73 921.0022 or s. 921.0023 of the offense committed.

74 (d) It is grand theft of the third degree and a felony of
75 the third degree, punishable as provided in s. 775.082, s.

76 775.083, or s. 775.084, if the property stolen is valued at
 77 \$1,000 ~~\$100~~ or more, but less than \$5,000 ~~\$300~~, and is taken
 78 from a dwelling as defined in s. 810.011(2) or from the
 79 unenclosed curtilage of a dwelling pursuant to s. 810.09(1).

80 (e) Except as provided in paragraph (d), if the property
 81 stolen is valued at \$500 ~~\$100~~ or more, but less than \$1,000
 82 ~~\$300~~, the offender commits petit theft of the first degree,
 83 punishable as a misdemeanor of the first degree, as provided in
 84 s. 775.082 or s. 775.083.

85 (3)(a) Theft of any property not specified in subsection
 86 (2) is petit theft of the second degree and a misdemeanor of the
 87 second degree, punishable as provided in s. 775.082 or s.
 88 775.083, and as provided in subsection (5), as applicable.

89 (b) A person who commits petit theft and who has
 90 previously been convicted of any theft commits a misdemeanor of
 91 the first degree, punishable as provided in s. 775.082 or s.
 92 775.083.

93 (c) A person who commits petit theft in the first degree,
 94 ~~and~~ who has previously been convicted two or more times as an
 95 adult of any theft, and if the third or subsequent petit theft
 96 offense occurred within 3 years of the expiration of his or her
 97 sentence for the most recent theft conviction, commits a felony
 98 of the third degree, punishable as provided in s. 775.082 or s.
 99 775.083.

100 Section 2. Subsections (8) and (9) of section 812.015,

101 Florida Statutes, are amended to read:

102 812.015 Retail and farm theft; transit fare evasion;
103 mandatory fine; alternative punishment; detention and arrest;
104 exemption from liability for false arrest; resisting arrest;
105 penalties.—

106 (8) Except as provided in subsection (9), a person who
107 commits retail theft commits a felony of the third degree,
108 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
109 if the property stolen is valued at \$1,000 ~~\$300~~ or more, and the
110 person:

111 (a) Individually, or in concert with one or more other
112 persons, coordinates the activities of one or more individuals
113 in committing the offense, in which case the amount of each
114 individual theft is aggregated to determine the value of the
115 property stolen;

116 (b) Commits theft from more than one location within a 48-
117 hour period, in which case the amount of each individual theft
118 is aggregated to determine the value of the property stolen;

119 (c) Acts in concert with one or more other individuals
120 within one or more establishments to distract the merchant,
121 merchant's employee, or law enforcement officer in order to
122 carry out the offense, or acts in other ways to coordinate
123 efforts to carry out the offense; or

124 (d) Commits the offense through the purchase of
125 merchandise in a package or box that contains merchandise other

126 than, or in addition to, the merchandise purported to be
 127 contained in the package or box.

128 (9) A person commits a felony of the second degree,
 129 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
 130 if the person:

131 (a) Violates subsection (8) as an adult and has previously
 132 been convicted of a violation of subsection (8) within 3 years
 133 of the expiration of his or her sentence for the conviction; or

134 (b) Individually, or in concert with one or more other
 135 persons, coordinates the activities of one or more persons in
 136 committing the offense of retail theft where the stolen property
 137 has a value in excess of \$3,000.

138 Section 3. Paragraphs (a), (b), (d), (e), and (f) of
 139 subsection (3) of section 921.0022, Florida Statutes, are
 140 amended to read:

141 921.0022 Criminal Punishment Code; offense severity
 142 ranking chart.—

143 (3) OFFENSE SEVERITY RANKING CHART

144 (a) LEVEL 1

145

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.

146

147	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
148	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
149	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
150	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
151	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
152	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
153	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully

issued driver license;
possession of simulated
identification.

154

322.212 (4) 3rd Supply or aid in supplying
unauthorized driver license or
identification card.

155

322.212 (5) (a) 3rd False application for driver
license or identification card.

156

414.39 (3) (a) 3rd Fraudulent misappropriation of
public assistance funds by
employee/official, value more
than \$200.

157

443.071 (1) 3rd False statement or
representation to obtain or
increase reemployment
assistance benefits.

158

509.151 (1) 3rd Defraud an innkeeper, food or
lodging value greater than
\$300.

159

160	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
161	562.27 (1)	3rd	Possess still or still apparatus.
162	713.69	3rd	Tenant removes property upon which lien has accrued, value more than \$50.
163	812.014 (3) (c)	3rd	Petit theft (3rd <u>or subsequent adult conviction in specified period</u>); theft of any property not specified in subsection (2).
164	812.081 (2)	3rd	Unlawfully makes or causes to be made a reproduction of a trade secret.
165	815.04 (5) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).

166	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
167	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
168	826.01	3rd	Bigamy.
169	828.122 (3)	3rd	Fighting or baiting animals.
170	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
171	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.

172	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
173	838.15 (2)	3rd	Commercial bribe receiving.
174	838.16	3rd	Commercial bribery.
175	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
176	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
177	849.01	3rd	Keeping gambling house.
178	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.

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849.23	3rd	Gambling-related machines; "common offender" as to property rights.
849.25 (2)	3rd	Engaging in bookmaking.
860.08	3rd	Interfere with a railroad signal.
860.13 (1) (a)	3rd	Operate aircraft while under the influence.
893.13 (2) (a) 2.	3rd	Purchase of cannabis.
893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

(b) LEVEL 2

Florida Felony Description

	Statute	Degree	
189	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
190	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
191	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
192	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
193	590.28 (1)	3rd	Intentional burning of lands.
194	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor

who uses it to inflict injury
or death.

195

787.04(1) 3rd In violation of court order,
take, entice, etc., minor
beyond state limits.

196

806.13(1)(b)3. 3rd Criminal mischief; damage
\$1,000 or more to public
communication or any other
public service.

197

810.061(2) 3rd Impairing or impeding telephone
or power to a dwelling;
facilitating or furthering
burglary.

198

810.09(2)(e) 3rd Trespassing on posted
commercial horticulture
property.

199

812.014(2)(c)1. 3rd Grand theft, 3rd degree; \$1,000
~~\$300~~ or more but less than
\$5,000.

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201	812.014 (2) (d)	3rd	Grand theft, 3rd degree; <u>\$1,000</u> \$100 or more but less than <u>\$5,000</u> \$300 , taken from unenclosed curtilage of dwelling.
202	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
203	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
204	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
205	817.52 (3)	3rd	Failure to redeliver hired vehicle.
	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.

206	817.60 (5)	3rd	Dealing in credit cards of another.
207	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
208	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
209	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
210	831.01	3rd	Forgery.
211	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
212	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
213	831.08	3rd	Possessing 10 or more forged

			notes, bills, checks, or drafts.
214	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
215	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
216	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
217	843.08	3rd	False personation.
218	893.13 (2) (a) 2.	3rd	Purchase of any 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 other than cannabis.
219	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.

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221	(d)	LEVEL 4	
222			
	Florida	Felony	
	Statute	Degree	Description
223			
	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 lights activated.
224			
	499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
225			
	499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
226			
	517.07(1)	3rd	Failure to register securities.
227			
	517.12(1)	3rd	Failure of dealer, associated

person, or issuer of securities
to register.

228

784.07 (2) (b) 3rd Battery of law enforcement
officer, firefighter, etc.

229

784.074 (1) (c) 3rd Battery of sexually violent
predators facility staff.

230

784.075 3rd Battery on detention or
commitment facility staff.

231

784.078 3rd Battery of facility employee by
throwing, tossing, or expelling
certain fluids or materials.

232

784.08 (2) (c) 3rd Battery on a person 65 years of
age or older.

233

784.081 (3) 3rd Battery on specified official
or employee.

234

784.082 (3) 3rd Battery by detained person on
visitor or other detainee.

235

236	784.083 (3)	3rd	Battery on code inspector.
237	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
238	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
239	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
240	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
241	787.07	3rd	Human smuggling.
	790.115 (1)	3rd	Exhibiting firearm or weapon

within 1,000 feet of a school.

242

790.115 (2) (b) 3rd Possessing electric weapon or device, destructive device, or other weapon on school property.

243

790.115 (2) (c) 3rd Possessing firearm on school property.

244

800.04 (7) (c) 3rd Lewd or lascivious exhibition; offender less than 18 years.

245

810.02 (4) (a) 3rd Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

246

810.02 (4) (b) 3rd Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

247

810.06 3rd Burglary; possession of tools.

248

249	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
250	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
251	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, <u>specified items</u> a will, firearm, motor vehicle, livestock, etc.
252	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
253	817.505 (4) (a)	3rd	Patient brokering.
254	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.

255	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
256	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
257	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
258	837.02 (1)	3rd	Perjury in official proceedings.
259	837.021 (1)	3rd	Make contradictory statements in official proceedings.
260	838.022	3rd	Official misconduct.
261	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
262			

263	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
264	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
265	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
266	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
267	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
268	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.

269	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
270	914.14 (2)	3rd	Witnesses accepting bribes.
271	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
272	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
273	918.12	3rd	Tampering with jurors.
274	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
275	(e) LEVEL 5		
276	Florida	Felony	
277	Statute	Degree	Description

278	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
279	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
280	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
281	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
282	327.30 (5)	3rd	Vessel accidents involving personal injury; 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.

283

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

284

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

285

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

286

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

287

288	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
289	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
290	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
291	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
292	790.01 (2)	3rd	Carrying a concealed firearm.
293	790.162	2nd	Threat to throw or discharge destructive device.
	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass

destruction, or use of firearms
in violent manner.

294

790.221 (1) 2nd Possession of short-barreled
shotgun or machine gun.

295

790.23 2nd Felons in possession of
firearms, ammunition, or
electronic weapons or devices.

296

796.05 (1) 2nd Live on earnings of a
prostitute; 1st offense.

297

800.04 (6) (c) 3rd Lewd or lascivious conduct;
offender less than 18 years of
age.

298

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

299

806.111 (1) 3rd Possess, manufacture, or
dispense fire bomb with intent
to damage any structure or
property.

300	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
301	812.015 (8)	3rd	Retail theft; property stolen is valued at <u>\$1,000</u> \$300 or more and one or more specified acts.
302	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
303	812.131 (2) (b)	3rd	Robbery by sudden snatching.
304	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
305	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
306	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
307			

308	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.
309	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.
310	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
311	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.

312	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
313	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
314	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
315	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
	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.

316

843.01 3rd Resist officer with violence to person; resist arrest with violence.

317

847.0135(5)(b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

318

847.0137 3rd Transmission of pornography by (2) & (3) electronic device or equipment.

319

847.0138 3rd Transmission of material (2) & (3) harmful to minors to a minor by electronic device or equipment.

320

874.05(1)(b) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

321

874.05(2)(a) 2nd Encouraging or recruiting person under 13 years of age to join a criminal gang.

322

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).

323

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.

324

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.

325

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.

326

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.

327

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

328

893.1351(1) 3rd Ownership, lease, or rental for

trafficking in or manufacturing
of controlled substance.

329

330 (f) LEVEL 6

331

Florida Felony

Statute Degree Description

332

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

333

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

334

400.9935 (4) (c) 2nd Operating a clinic, or offering
services requiring licensure,
without a license.

335

499.0051 (2) 2nd Knowing forgery of transaction
history, transaction
information, or transaction
statement.

336

499.0051 (3) 2nd Knowing purchase or receipt of

prescription drug from
 unauthorized person.

337

499.0051 (4) 2nd Knowing sale or transfer of
 prescription drug to
 unauthorized person.

338

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

339

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

340

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

341

784.041 3rd Felony battery; domestic
 battery by strangulation.

342

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

343

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

344

345	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
346	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
347	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
348	784.081 (2)	2nd	Aggravated assault on specified official or employee.
349	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
350	784.083 (2)	2nd	Aggravated assault on code inspector.
351	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
	790.115 (2) (d)	2nd	Discharging firearm or weapon

on school property.

352

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

353

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.

354

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

355

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

356

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

357

358	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.
359	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
360	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
361	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
362	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
363	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
	812.014 (6)	2nd	Theft; property stolen \$3,000

or more; coordination of
others.

364

812.015 (9) (a) 2nd Retail theft; property stolen
\$1,000 ~~\$300~~ or more; second or
subsequent adult conviction in
specified period.

365

812.015 (9) (b) 2nd Retail theft; property stolen
\$3,000 or more; coordination of
others.

366

812.13 (2) (c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

367

817.4821 (5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

368

817.505 (4) (b) 2nd Patient brokering; 10 or more
patients.

369

825.102 (1) 3rd Abuse of an elderly person or
disabled adult.

370

371	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
372	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
373	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
374	827.03 (2) (c)	3rd	Abuse of a child.
375	827.03 (2) (d)	3rd	Neglect of a child.
376	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
377	836.05	2nd	Threats; extortion.
	836.10	2nd	Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.

378	843.12	3rd	Aids or assists person to escape.
379	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
380	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
381	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
382	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
383	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.

384

944.40 2nd Escapes.

385

944.46 3rd Harboring, concealing, aiding
escaped prisoners.

386

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

387

951.22(1) 3rd Intoxicating drug, firearm, or
weapon introduced into county
facility.

388

389 Section 4. This act shall take effect July 1, 2019.