



Justice Appropriations Subcommittee

Action Packet

**April 4, 2013
8:00 a.m. – 10:00 a.m.
404 HOB**

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

Summary:

Justice Appropriations Subcommittee

Thursday April 04, 2013 08:00 am

| | | | |
|------------|-------------------------------------|----------|---------|
| CS/HB 643 | Favorable With Committee Substitute | Yeas: 11 | Nays: 0 |
| | Amendment 455555 | Adopted | |
| | Amendment 566395 | Adopted | |
| | Amendment 689451 | Adopted | |
| CS/HB 691 | Favorable | Yeas: 11 | Nays: 0 |
| CS/HB 785 | Not Considered | | |
| CS/HB 915 | Favorable With Committee Substitute | Yeas: 10 | Nays: 0 |
| HB 1305 | Not Considered | | |
| CS/HB 1379 | Favorable With Committee Substitute | Yeas: 11 | Nays: 0 |
| | Amendment 399947 | Adopted | |
| HJR 7081 | Temporarily Deferred | | |
| HB 7083 | Favorable With Committee Substitute | Yeas: 8 | Nays: 3 |
| | Amendment 564715 | Adopted | |
| | Amendment 853687 | Adopted | |

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

Attendance:

| | <i>Present</i> | <i>Absent</i> | <i>Excused</i> |
|--------------------------|----------------|---------------|----------------|
| Charles McBurney (Chair) | X | | |
| Manny Diaz, Jr. | X | | |
| Dave Kerner | X | | |
| Mike La Rosa | X | | |
| Debbie Mayfield | X | | |
| Larry Metz | X | | |
| Jared Moskowitz | X | | |
| Kathleen Passidomo | X | | |
| Ray Pilon | X | | |
| Darryl Rouson | X | | |
| Elaine Schwartz | X | | |
| Irving Slosberg | X | | |
| Charles Van Zant | X | | |
| Totals: | 13 | 0 | 0 |

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

CS/HB 643 : Clerks of Court

Favorable With Committee Substitute

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|--------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Manny Diaz, Jr. | X | | | | |
| Dave Kerner | X | | | | |
| Mike La Rosa | X | | | | |
| Debbie Mayfield | X | | | | |
| Larry Metz | | | | X | |
| Jared Moskowitz | X | | | | |
| Kathleen Passidomo | X | | | | |
| Ray Pilon | X | | | | |
| Darryl Rouson | | | X | | |
| Elaine Schwartz | X | | | | |
| Irving Slosberg | X | | | | |
| Charles Van Zant | X | | | | |
| Charles McBurney (Chair) | X | | | | |
| Total Yeas: 11 | | Total Nays: 0 | | | |

CS/HB 643 Amendments

Amendment 455555

Adopted

Amendment 566395

Adopted

Amendment 689451

Adopted

Appearances:

Trammell, Robert, General Counsel (Lobbyist) - Waive In Support
 FL Public Defender Assoc.
 PO Box 1799
 Tallahassee FL
 Phone: 850-510-2187

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 643 (2013)

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

| | |
|-----------------------|---|
| ADOPTED | <input checked="" type="checkbox"/> (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> (Y/N) |
| WITHDRAWN | <input type="checkbox"/> (Y/N) |
| OTHER | <input type="checkbox"/> |

3/4/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee
3 Representative Pilon offered the following:

Amendment (with title amendment)

Remove lines 296-344

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

Remove lines 18-23 and insert:
circumstances; amending s. 101.151, F.S.;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 643 (2013)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------------------------------|-------|
| ADOPTED | <input checked="" type="checkbox"/> | (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> | (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> | (Y/N) |
| WITHDRAWN | <input type="checkbox"/> | (Y/N) |
| OTHER | <input type="checkbox"/> | |

3/4/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
 2 Subcommittee
 3 Representative Pilon offered the following:

Amendment (with title amendment)

Remove line 498 and insert:

7 initiates evidence exchange, unless the property record card is
 8 available online from the property appraiser ~~clerk shall provide~~
 9 ~~the copy of the~~

13 -----
 14 **T I T L E A M E N D M E N T**

Remove line 32 and insert:

16 initiates evidence exchange, unless the property record card is
 17 available online from the property appraiser; amending s.
 18 938.30, F.S.;

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

| | |
|-----------------------|---|
| ADOPTED | <input checked="" type="checkbox"/> (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> (Y/N) |
| WITHDRAWN | <input type="checkbox"/> (Y/N) |
| OTHER | <input type="checkbox"/> |

3/4/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee

3 Representative Pilon offered the following:

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

6 Between lines 527 and 528, insert:

7 Section 1. Subsection (2) of section 985.045, Florida
8 Statutes, is amended to read:

9 985.045 Court records.—

10 (2) The clerk shall keep all official records required by
11 this section separate from other records of the circuit court,
12 except those records pertaining to motor vehicle violations,
13 which shall be forwarded to the Department of Highway Safety and
14 Motor Vehicles. Except as provided in ss. 943.053 and
15 985.04(6)(b) and (7), official records required by this chapter
16 are not open to inspection by the public, but may be inspected
17 only upon order of the court by persons deemed by the court to
18 have a proper interest therein, except that a child and the
19 parents, guardians, or legal custodians of the child and their
20 attorneys, law enforcement agencies, the Department of Juvenile

Amendment No. 3

21 Justice and its designees, the Parole Commission, the Department
22 of Corrections, and the Justice Administrative Commission shall
23 always have the right to inspect and copy any official record
24 pertaining to the child. Public defender offices shall have
25 access to official records of juveniles on whose behalf they are
26 expected to appear in detention or other hearings prior to an
27 appointment of representation. The court may permit authorized
28 representatives of recognized organizations compiling statistics
29 for proper purposes to inspect, and make abstracts from,
30 official records under whatever conditions upon the use and
31 disposition of such records the court may deem proper and may
32 punish by contempt proceedings any violation of those
33 conditions.

34
35
36
37
38
39 -----
40 **T I T L E A M E N D M E N T**

41 Remove line 34 and insert:

42 to enforce judgment for costs and fines; amending s 985.045,
43 F.S.; providing public defenders access to certain official
44 records; providing an
45

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

CS/HB 691 : Personal Identification Theft

Favorable

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|--------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Manny Diaz, Jr. | X | | | | |
| Dave Kerner | X | | | | |
| Mike La Rosa | X | | | | |
| Debbie Mayfield | X | | | | |
| Larry Metz | | | | X | |
| Jared Moskowitz | X | | | | |
| Kathleen Passidomo | X | | | | |
| Ray Pilon | X | | | | |
| Darryl Rouson | | | X | | |
| Elaine Schwartz | X | | | | |
| Irving Slosberg | X | | | | |
| Charles Van Zant | X | | | | |
| Charles McBurney (Chair) | X | | | | |
| Total Yeas: 11 | | Total Nays: 0 | | | |

Appearances:

Ura, Robert, Major (General Public) - Proponent
 FL Sheriffs Assn, Hillsborough County Sheriffs Office
 2008 E. 8th Avenue
 Tampa FL 33605
 Phone: 813-363-0375

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

CS/HB 785 : Restitution for Juvenile Offenses

Not Considered

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

CS/HB 915 : Filing False Documents Against Real or Personal Property

Favorable With Committee Substitute

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|--------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Manny Diaz, Jr. | X | | | | |
| Dave Kerner | X | | | | |
| Mike La Rosa | X | | | | |
| Debbie Mayfield | X | | | | |
| Larry Metz | | | | X | |
| Jared Moskowitz | X | | | | |
| Kathleen Passidomo | X | | | | |
| Ray Pilon | | | X | | |
| Darryl Rouson | | | X | | |
| Elaine Schwartz | X | | | | |
| Irving Slosberg | X | | | | |
| Charles Van Zant | X | | | | |
| Charles McBurney (Chair) | X | | | | |
| Total Yeas: 10 | | Total Nays: 0 | | | |

Appearances:

Hattaway, Mike, Deputy Sheriff (State Employee) - Information Only
 FL Sheriffs Assn.
 123 W. Indiana Avenue
 Deland FL
 Phone: 386-248-1777

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

3/4/13

Committee/Subcommittee hearing bill: Justice Appropriations
Subcommittee

Representative Combee offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 817.535, Florida Statutes, is created
to read:

817.535 Unlawful filing of false documents or records
against real or personal property.—

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

(a) "File" means to present an instrument for recording in
an official record or to cause an instrument to be presented for
recording in an official record.

(b) "Filer" means the person who presents an instrument
for recording in an official record, or causes an instrument to
be presented for recording in an official record.

(c) "Instrument" means any judgment, mortgage, assignment,
pledge, lien, financing statement, encumbrance, deed, lease,

Amendment No. 1

20 bill of sale, agreement, mortgage, notice of claim of lien,
21 notice of levy, promissory note, mortgage note, release, partial
22 release or satisfaction of any of the foregoing, or any other
23 document that relates to or attempts to restrict the ownership,
24 transfer, or encumbrance of or claim against real or personal
25 property, or any interest in real or personal property.

26 (d) "Official record" means the series of instruments,
27 regardless of how they are maintained, which a clerk of the
28 circuit court, or any person or entity designated by general
29 law, special law, or county charter, is required or authorized
30 by law to record. The term also includes a series of instruments
31 pertaining to the Uniform Commercial Code filed with the
32 Secretary of State or with any entity under contract with the
33 Secretary of State to maintain Uniform Commercial Code records
34 and a database of judgment liens maintained by the Secretary of
35 State.

36 (e) "Public officer or employee" means, but is not limited
37 to:

38 1. A person elected or appointed to a local, state, or
39 federal office, including any person serving on an advisory
40 body, board, commission, committee, council, or authority.

41 2. An employee of a state, county, municipal, political
42 subdivision, school district, educational institution, or
43 special district agency or entity, including judges, attorneys,
44 law enforcement officers, deputy clerks of court, and marshals.

45 3. A state or federal executive, legislative, or judicial
46 officer, employee, or volunteer authorized to perform actions or

Amendment No. 1

47 services for any state or federal executive, legislative, or
48 judicial office, or agency.

49 4. A person who acts as a general or special magistrate,
50 auditor, arbitrator, umpire, referee, hearing officer, or
51 consultant to any state or local governmental entity.

52 5. A person who is a candidate for public office or
53 judicial position.

54 (2) (a) A person who files or directs a filer to file, with
55 the intent to defraud or harass another, any instrument
56 containing a materially false, fictitious, or fraudulent
57 statement or representation that purports to affect an owner's
58 interest in the property described in the instrument commits a
59 felony of the third degree, punishable as provided in s.
60 775.082, s. 775.083, or s. 775.084.

61 (b) A person who violates paragraph (a) a second or
62 subsequent time commits a felony of the second degree,
63 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

64 (3) If a person is convicted of violating subsection (2)
65 and the owner of the property subject to the false instrument is
66 a public officer or employee, the offense shall be reclassified
67 as follows:

68 (a) In the case of a felony of the third degree, to a
69 felony of the second degree, punishable as provided in s.
70 775.082, s. 775.083, or s. 775.084.

71 (b) In the case of a felony of the second degree, to a
72 felony of the first degree, punishable as provided in s.
73 775.082, s. 775.083, or s. 775.084.

Amendment No. 1

74 (4) (a) If a person is convicted of violating subsection
75 (2) and the person committed the offense while incarcerated in a
76 jail or correctional institution or while participating in a
77 pretrial diversion program under any form of pretrial release or
78 bond, on probation or parole, or under any postrelease
79 supervision, the offense shall be reclassified as follows:

80 1. In the case of a felony of the third degree, to a
81 felony of the second degree, punishable as provided in s.
82 775.082, s. 775.083, or s. 775.084.

83 2. In the case of a felony of the second degree, to a
84 felony of the first degree, punishable as provided in s.
85 775.082, s. 775.083, or s. 775.084.

86 (b) If a person's offense has been reclassified pursuant
87 to this subsection, the sentencing court shall issue a written
88 finding that the offense occurred while incarcerated in a jail
89 or correctional institution and direct that a copy of the
90 written finding and judgment of conviction be forwarded to the
91 appropriate state institution or county facility for
92 consideration of disciplinary action and forfeiture of all gain-
93 time or any early release credits accumulated up to the date of
94 the violation.

95 (5) If the person is convicted of violating subsection (2)
96 and the owner of the property covered by the false instrument
97 incurs financial loss as a result of the instrument being
98 recorded in the official record, including costs and attorney
99 fees incurred in correcting, sealing, or removing the false
100 instrument from the official record as described herein, the
101 offense shall be reclassified as follows:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

102 (a) In the case of a felony of the third degree, to a
103 felony of the second degree, punishable as provided in s.
104 775.082, s. 775.083, or s. 775.084.

105 (b) In the case of a felony of the second degree, to a
106 felony of the first degree, punishable as provided in s.
107 775.082, s. 775.083, or s. 775.084.

108 (6) A person who fraudulently records a claim of lien in
109 the official records pursuant to part I of chapter 713 is
110 subject to the fraud provisions of s. 713.31 and not this
111 section.

112 (7) If a person is convicted of violating this section,
113 the sentencing court shall issue an order declaring the
114 instrument forming the basis of the conviction null and void and
115 may enjoin the person from filing any instrument in an official
116 record absent prior review and approval for filing by a circuit
117 or county court judge. The sentencing court may also order the
118 instrument forming the basis of the conviction sealed from the
119 official record and removed from any applicable electronic
120 database used for recording instruments in the official record.

121 (8) (a) Any person adversely affected by an instrument
122 filed in the official record which contains a materially false,
123 fictitious, or fraudulent statement or representation has a
124 civil cause of action under this section without regard to
125 whether criminal charges are pursued under subsection (2). A
126 notice of lis pendens in accord with s. 48.23 shall be filed
127 which specifically describes the instrument under challenge and
128 the real or personal property affected by the instrument.

Amendment No. 1

129 (b) Upon a finding that the instrument contains a
130 materially false, fictitious, or fraudulent statement or
131 representation such that the instrument does not establish a
132 legitimate property or lien interest in favor of another person:

133 1. The court shall determine whether the entire instrument
134 or certain parts thereof are null and void ab initio. If the
135 court finds the instrument void in its entirety, it may order
136 the instrument sealed from the official record and removed from
137 any electronic database used for indexing or locating
138 instruments in the official record. The court may also,
139 permanently or for a period of time, enjoin the defendant who
140 filed the instrument or who directed the filer to file the
141 instrument from filing or directing a person to file an
142 instrument in the official records without prior review and
143 approval for filing by a circuit or county court judge, provided
144 that as to third parties who may have given value for an
145 interest described or granted by any instrument filed in
146 violation of the injunction, the instrument shall be deemed
147 validly filed and provides constructive notice, notwithstanding
148 any failure to comply with the terms of the injunction.

149 2. Upon a finding of intent to defraud or harass, the
150 court or jury shall award actual damages and punitive damages,
151 subject to the criteria in s. 768.72, to the person adversely
152 affected by the instrument. The court may also levy a civil
153 penalty of \$2,500 for each instrument determined to be in
154 violation of subsection (2).

Amendment No. 1

155 3. The court may grant such other relief or remedy that
156 the court determines is just and proper within its sound
157 judicial discretion.

158 (c) The prevailing party in such a suit is entitled to
159 recover costs and reasonable attorney fees.

160 (d) The custodian of any official record shall, upon
161 payment of appropriate fees, provide a certified copy of the
162 sealed instrument to the party seeking relief under this section
163 for use in subsequent court proceedings; in addressing or
164 correcting adverse effects upon the person's credit or property
165 rights, or reporting the matter for investigation and
166 prosecution; or in response to a subpoena seeking the instrument
167 for criminal investigative or prosecution purposes.

168 (e) Upon request, the custodian of any official record
69 shall, upon payment of appropriate fees, provide a certified
170 copy of the sealed instrument to any federal, state, or local
171 law enforcement agency.

172 (f) If feasible, the custodian of the official record
173 where the instrument is recorded shall record any court order
174 finding that the instrument is null and void in its entirety or
175 in certain parts thereof.

176 (g) An instrument removed from an electronic database used
177 for recording instruments in the public record pursuant to this
178 section shall be maintained in a manner in which the instrument
179 can be reduced to paper form.

180 (9) A government agency may provide legal representation
181 to a public officer or employee if the instrument at issue
182 appears to have been filed to defraud or harass the public

Amendment No. 1

183 officer or employee in his or her official capacity. If the
184 public officer or employee is the prevailing party, the award of
185 reasonable attorney fees shall be paid to the government agency
186 that provided the legal representation.

187 (10) This section does not apply to the procedures for
188 sealing or expunging criminal history records as provided in
189 chapter 943.

190 Section 2. Section 843.0855, Florida Statutes, is amended
191 to read:

192 843.0855 Criminal actions under color of law or through
193 use of simulated legal process.—

194 (1) As used in this section:

195 (a) The term "legal process" means a document or order
196 issued by a court or filed or recorded with an official court of
197 this state or the United States or with any official
198 governmental entity of this state or the United States for the
199 purpose of exercising jurisdiction or representing a claim
200 against a person or property, or for the purpose of directing a
201 person to appear before a court or tribunal, or to perform or
202 refrain from performing a specified act. "Legal process"
203 includes, but is not limited to, a summons, lien, complaint,
204 warrant, injunction, writ, notice, pleading, subpoena, or order.

205 (b) The term "person" means an individual, public or
206 private group incorporated or otherwise, legitimate or
207 illegitimate legal tribunal or entity, informal organization,
208 official or unofficial agency or body, or any assemblage of
209 individuals.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

210 (c) The term "public officer or employee" has the same
211 meaning as provided in s. 817.535 ~~means a public officer as~~
212 ~~defined by s. 112.061.~~

213 ~~(d) The term "public employee" means a public employee as~~
214 ~~defined by s. 112.061.~~

215 (2) A Any person who deliberately impersonates or falsely
216 acts as a public officer or employee tribunal, ~~public employee~~
217 ~~or utility employee, including, but not limited to, marshals,~~
218 ~~judges, prosecutors, sheriffs, deputies, court personnel, or any~~
219 ~~law enforcement authority in connection with or relating to any~~
220 legal process affecting persons and property, or otherwise takes
221 any action under color of law against persons or property,
222 commits a felony of the third degree, punishable as provided in
223 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. It is the intent of
224 the Legislature that this section applies if a person acts as an
225 officer or employee purporting to supersede or override any
226 legislation or statute of this state, or to supersede or
227 override any action of any court of this state.

228 (3) A Any person who simulates legal process, including,
229 but not limited to, actions affecting title to real estate or
230 personal property, indictments, subpoenas, warrants,
231 injunctions, liens, orders, judgments, or any legal documents or
232 proceedings, knowing or having reason to know the contents of
233 any such documents or proceedings or the basis for any action to
234 be fraudulent, commits a felony of the third degree, punishable
235 as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

236 (4) A Any person who falsely under color of law attempts
237 in any way to influence, intimidate, harass, retaliate against,

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

238 or hinder a public officer or employee involving law enforcement
239 ~~officer in~~ the discharge of his or her official duties by means
240 of, but not limited to, threats of or actual physical abuse or
241 harassment, or through the use of simulated legal process,
242 commits a felony of the third degree, punishable as provided in
243 s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

244 (5) (a) ~~Nothing in~~ This section does not shall make
245 unlawful any act of any law enforcement officer or legal
246 tribunal which is performed under lawful authority.

247 (b) ~~Nothing in~~ This section does not shall prohibit
248 individuals from assembling freely to express opinions or
249 designate group affiliation or association.

250 (c) ~~Nothing in~~ This section does not shall prohibit or in
251 any way limit a person's lawful and legitimate access to the
252 courts or prevent a person from instituting or responding to
253 legitimate and lawful legal process.

254 Section 3. Paragraphs (g), (h), and (i) of subsection (3)
255 of section 921.0022, Florida Statutes, are amended to read:

256 921.0022 Criminal Punishment Code; offense severity
257 ranking chart.-

258 (3) OFFENSE SEVERITY RANKING CHART

259 (g) LEVEL 7

260

| Florida Statute | Felony Degree | Description |
|-----------------|---------------|---|
| 316.027(1)(b) | 1st | Accident involving death, failure to stop; leaving scene. |

261

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

262

316.193(3)(c)2. 3rd DUI resulting in serious bodily injury.

263

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.

264

327.35(3)(c)2. 3rd Vessel BUI resulting in serious bodily injury.

265

402.319(2) 2nd Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

266

409.920 3rd Medicaid provider fraud; \$10,000 or less.
(2)(b)1.a.

267

409.920 2nd Medicaid provider fraud; more than \$10,000, but less than \$50,000.
(2)(b)1.b.

268

456.065(2) 3rd Practicing a health care profession without a license.

269

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

| | | | |
|-----|------------|-----|---|
| 270 | 456.065(2) | 2nd | Practicing a health care profession without a license which results in serious bodily injury. |
| 271 | 458.327(1) | 3rd | Practicing medicine without a license. |
| 272 | 459.013(1) | 3rd | Practicing osteopathic medicine without a license. |
| 273 | 460.411(1) | 3rd | Practicing chiropractic medicine without a license. |
| 274 | 461.012(1) | 3rd | Practicing podiatric medicine without a license. |
| 275 | 462.17 | 3rd | Practicing naturopathy without a license. |
| 276 | 463.015(1) | 3rd | Practicing optometry without a license. |
| 277 | 464.016(1) | 3rd | Practicing nursing without a license. |
| 278 | 465.015(2) | 3rd | Practicing pharmacy without a license. |
| 279 | 466.026(1) | 3rd | Practicing dentistry or dental hygiene without a license. |
| | 467.201 | 3rd | Practicing midwifery without a license. |

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

280

468.366 3rd Delivering respiratory care services without a license.

281

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

282

483.901 (9) 3rd Practicing medical physics without a license.

283

484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.

284

484.053 3rd Dispensing hearing aids without a license.

285

494.0018 (2) 1st Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

286

560.123 (8) (b) 1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

287

560.125 (5) (a) 3rd Money services business by unauthorized

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

person, currency or payment instruments
exceeding \$300 but less than \$20,000.

288

655.50(10)(b)1. 3rd Failure to report financial
transactions exceeding \$300 but less
than \$20,000 by financial institution.

289

775.21(10)(a) 3rd Sexual predator; failure to register;
failure to renew driver's license or
identification card; other registration
violations.

290

775.21(10)(b) 3rd Sexual predator working where children
regularly congregate.

291

775.21(10)(g) 3rd Failure to report or providing false
information about a sexual predator;
harbor or conceal a sexual predator.

292

782.051(3) 2nd Attempted felony murder of a person by
a person other than the perpetrator or
the perpetrator of an attempted felony.

293

782.07(1) 2nd Killing of a human being by the act,
procurement, or culpable negligence of
another (manslaughter).

294

782.071 2nd Killing of a human being or viable

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

fetus by the operation of a motor vehicle in a reckless manner (vehicular homicide).

295

782.072 2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

296

784.045(1)(a)1. 2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.

297

784.045(1)(a)2. 2nd Aggravated battery; using deadly weapon.

298

784.045(1)(b) 2nd Aggravated battery; perpetrator aware victim pregnant.

299

784.048(4) 3rd Aggravated stalking; violation of injunction or court order.

300

784.048(7) 3rd Aggravated stalking; violation of court order.

301

784.07(2)(d) 1st Aggravated battery on law enforcement officer.

302

784.074(1)(a) 1st Aggravated battery on sexually violent

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

predators facility staff.

303

784.08(2)(a) 1st Aggravated battery on a person 65 years of age or older.

304

784.081(1) 1st Aggravated battery on specified official or employee.

305

784.082(1) 1st Aggravated battery by detained person on visitor or other detainee.

306

784.083(1) 1st Aggravated battery on code inspector.

307

787.06(3)(a) 1st Human trafficking using coercion for labor and services.

308

787.06(3)(e) 1st Human trafficking using coercion for labor and services by the transfer or transport of any individual from outside Florida to within the state.

309

790.07(4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

310

790.16(1) 1st Discharge of a machine gun under specified circumstances.

311

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

- 312 790.165(2) 2nd Manufacture, sell, possess, or deliver
hoax bomb.
- 313 790.165(3) 2nd Possessing, displaying, or threatening
to use any hoax bomb while committing
or attempting to commit a felony.
- 314 790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon of mass
destruction.
- 315 790.166(4) 2nd Possessing, displaying, or threatening
to use a hoax weapon of mass
destruction while committing or
attempting to commit a felony.
- 316 790.23 1st,PBL Possession of a firearm by a person who
qualifies for the penalty enhancements
provided for in s. 874.04.
- 317 794.08(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.
- 318 796.03 2nd Procuring any person under 16 years for
prostitution.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

319

800.04(5)(c)1. 2nd Lewd or lascivious molestation; victim less than 12 years of age; offender less than 18 years.

320

800.04(5)(c)2. 2nd Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender 18 years or older.

321

806.01(2) 2nd Maliciously damage structure by fire or explosive.

322

810.02(3)(a) 2nd Burglary of occupied dwelling; unarmed; no assault or battery.

323

810.02(3)(b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

324

810.02(3)(d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.

325

810.02(3)(e) 2nd Burglary of authorized emergency vehicle.

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.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

326

812.014(2)(b)2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

327

812.014(2)(b)3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

328

812.014(2)(b)4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

329

812.0145(2)(a) 1st Theft from person 65 years of age or older; \$50,000 or more.

330

812.019(2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

331

812.131(2)(a) 2nd Robbery by sudden snatching.

332

812.133(2)(b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

333

817.234(8)(a) 2nd Solicitation of motor vehicle accident victims with intent to defraud.

334

817.234(9) 2nd Organizing, planning, or participating

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

in an intentional motor vehicle collision.

335

817.234(11)(c) 1st Insurance fraud; property value \$100,000 or more.

336

817.2341 1st Making false entries of material fact
(2)(b) & or false statements regarding property
(3)(b) values relating to the solvency of an
insuring entity which are a significant
cause of the insolvency of that entity.

337

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

338

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

339

340

825.103(2)(b) 2nd Exploiting an elderly person or disabled adult and property is valued at \$20,000 or more, but less than \$100,000.

341

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

342

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

| | | | |
|-----|--------------------|------------|---|
| 343 | 827.04(3) | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older. |
| 344 | 837.05(2) | 3rd | Giving false information about alleged capital felony to a law enforcement officer. |
| 345 | 838.015 | 2nd | Bribery. |
| 346 | 838.016 | 2nd | Unlawful compensation or reward for official behavior. |
| 347 | 838.021(3)(a) | 2nd | Unlawful harm to a public servant. |
| 348 | 838.22 | 2nd | Bid tampering. |
| 349 | <u>843.0855(2)</u> | <u>3rd</u> | <u>Impersonation of a public officer or employee.</u> |
| 350 | <u>843.0855(3)</u> | <u>3rd</u> | <u>Unlawful simulation of legal process.</u> |
| 351 | <u>843.0855(4)</u> | <u>3rd</u> | <u>Intimidation of a public officer or employee.</u> |
| 352 | 847.0135(3) | 3rd | Solicitation of a child, via a computer service, to commit an unlawful sex act. |

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

353

847.0135(4) 2nd Traveling to meet a minor to commit an unlawful sex act.

354

872.06 2nd Abuse of a dead human body.

355

874.10 1st, PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

356

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)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

357

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)4., within 1,000 feet of property used for religious services or a specified business site.

893.13(4)(a) 1st Deliver to minor cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a),

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

(2) (b), or (2) (c) 4. drugs).

358

893.135 (1) (a) 1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

359

893.135 (1) (b) 1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.

360

893.135 (1) (c) 1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

361

893.135 (1) (d) 1. 1st Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

362

893.135 (1) (e) 1. 1st Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

363

893.135 (1) (f) 1. 1st Trafficking in amphetamine, more than 14 grams, less than 28 grams.

364

893.135 (1) (g) 1.a. 1st Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

365

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

366

893.135 1st Trafficking in 1,4-Butanediol, 1

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

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|-----|-------------------------|-----|--|
| 367 | (1) (j) 1.a. | | kilogram or more, less than 5 kilograms. |
| 368 | 893.135 (1) (k) 2.a. | 1st | Trafficking in Phenethylamines, 10 grams or more, less than 200 grams. |
| 369 | 893.1351(2) | 2nd | Possession of place for trafficking in or manufacturing of controlled substance. |
| 370 | 896.101(5) (a) | 3rd | Money laundering, financial transactions exceeding \$300 but less than \$20,000. |
| 371 | 896.104(4) (a) 1. | 3rd | Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000. |
| 372 | 943.0435(4) (c) | 2nd | Sexual offender vacating permanent residence; failure to comply with reporting requirements. |
| 373 | 943.0435(8) | 2nd | Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements. |
| | 943.0435(9) (a) | 3rd | Sexual offender; failure to comply with |

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

reporting requirements.

374

943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

375

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification.

376

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

377

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

378

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

379

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

380

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

381

985.4815(12) 3rd Failure to report or providing false

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.

393

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.

394

655.50(10)(b)2.

2nd

Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.

395

777.03(2)(a)

1st

Accessory after the fact, capital felony.

396

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.

397

782.051(2)

1st

Attempted felony murder while

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

perpetrating or attempting to
perpetrate a felony not enumerated in
s. 782.04(3).

398

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

399

782.072(2) 1st Committing vessel homicide and failing
to render aid or give information.

400

787.06(3)(b) 1st Human trafficking using coercion for
commercial sexual activity.

401

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

402

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

403

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

404

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

- 405 794.011(5) 2nd Sexual battery, victim 12 years or
over, offender does not use physical
force likely to cause serious injury.
- 406 794.08(3) 2nd Female genital mutilation, removal of a
victim younger than 18 years of age
from this state.
- 407 800.04(4) 2nd Lewd or lascivious battery.
- 408 806.01(1) 1st Maliciously damage dwelling or
structure by fire or explosive,
believing person in structure.
- 409 810.02(2)(a) 1st,PBL Burglary with assault or battery.
- 410 810.02(2)(b) 1st,PBL Burglary; armed with explosives or
dangerous weapon.
- 411 810.02(2)(c) 1st Burglary of a dwelling or structure
causing structural damage or \$1,000 or
more property damage.
- 412 812.014(2)(a)2. 1st Property stolen; cargo valued at
\$50,000 or more, grand theft in 1st
degree.
- 812.13(2)(b) 1st Robbery with a weapon.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

413

812.135(2)(c) 1st Home-invasion robbery, no firearm,
deadly weapon, or other weapon.

414

817.535(2)(b) 2nd Filing false lien or other unauthorized
document; second or subsequent offense.

415

817.535(3)(a) 2nd Filing false lien or other unauthorized
document; property owner is a public
officer or employee.

416

817.535(4)(a)1. 2nd Filing false lien or other unauthorized
document; defendant is incarcerated or
under supervision.

417

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.

418

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

419

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

420

825.1025(2) 2nd Lewd or lascivious battery upon an

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

elderly person or disabled adult.

421

825.103(2)(a) 1st Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.

422

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

423

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

424

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

425

860.16 1st Aircraft piracy.

426

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).

427

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

428

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

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

429

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

430

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

431

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

432

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

433

893.135 (1)(e)1.b. 1st Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.

434

893.135 (1)(f)1.b. 1st Trafficking in amphetamine, more than 28 grams, less than 200 grams.

435

893.135 (1)(g)1.b. 1st Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.

436

893.135 (1)(h)1.b. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

437

893.135 1st Trafficking in 1,4-Butanediol, 5
(1)(j)1.b. kilograms or more, less than 10
kilograms.

438

893.135 1st Trafficking in Phenethylamines, 200
(1)(k)2.b. grams or more, less than 400 grams.

439

893.1351(3) 1st Possession of a place used to
manufacture controlled substance when
minor is present or resides there.

440

895.03(1) 1st Use or invest proceeds derived from
pattern of racketeering activity.

441

895.03(2) 1st Acquire or maintain through
racketeering activity any interest in
or control of any enterprise or real
property.

442

895.03(3) 1st Conduct or participate in any
enterprise through pattern of
racketeering activity.

443

896.101(5)(b) 2nd Money laundering, financial
transactions totaling or exceeding
\$20,000, but less than \$100,000.

444

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

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.

445

446

447 (i) LEVEL 9

448

| Florida Statute | Felony Degree | Description |
|-----------------|---------------|-------------|
|-----------------|---------------|-------------|

449

| | | |
|-----------------------|-----|--|
| 316.193 (3)(c)3.b. | 1st | DUI manslaughter; failing to render aid or give information. |
|-----------------------|-----|--|

450

| | | |
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| 327.35(3)(c)3.b. | 1st | BUI manslaughter; failing to render aid or give information. |
|------------------|-----|--|

451

| | | |
|-----------------------|-----|--|
| 409.920 (2)(b)1.c. | 1st | Medicaid provider fraud; \$50,000 or more. |
|-----------------------|-----|--|

452

| | | |
|-------------|-----|---|
| 499.0051(9) | 1st | Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm. |
|-------------|-----|---|

453

| | | |
|-----------------|-----|---|
| 560.123(8)(b)3. | 1st | Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter. |
|-----------------|-----|---|

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

454

560.125(5)(c) 1st Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.

455

655.50(10)(b)3. 1st Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.

456

775.0844 1st Aggravated white collar crime.

457

782.04(1) 1st Attempt, conspire, or solicit to commit premeditated murder.

458

782.04(3) 1st,PBL Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.

459

782.051(1) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).

460

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

461

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward
or as a shield or hostage.

462

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or
facilitate commission of any felony.

463

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere
with performance of any governmental
or political function.

464

787.02(3)(a) 1st False imprisonment; child under age
13; perpetrator also commits
aggravated child abuse, sexual
battery, or lewd or lascivious
battery, molestation, conduct, or
exhibition.

465

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

466

787.06(3)(g) 1st,PBL Human trafficking for commercial
sexual activity of a child under the
age of 18.

467

787.06(4) 1st Selling or buying of minors into human
trafficking.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

468

790.161 1st Attempted capital destructive device offense.

469

790.166(2) 1st,PBL Possessing, selling, using, or attempting to use a weapon of mass destruction.

470

794.011(2) 1st Attempted sexual battery; victim less than 12 years of age.

471

794.011(2) Life Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.

472

794.011(4) 1st Sexual battery; victim 12 years or older, certain circumstances.

473

794.011(8) (b) 1st Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

474

794.08(2) 1st Female genital mutilation; victim younger than 18 years of age.

475

796.035 1st Selling or buying of minors into prostitution.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

476

800.04 (5) (b) Life Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

477

812.13 (2) (a) 1st,PBL Robbery with firearm or other deadly weapon.

478

812.133 (2) (a) 1st,PBL Carjacking; firearm or other deadly weapon.

479

812.135 (2) (b) 1st Home-invasion robbery with weapon.

480

817.535 (3) (b) 1st Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.

481

817.535 (4) (a) 2. 1st Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.

482

817.535 (5) (b) 1st Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.

483

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

| | | | |
|-----|-----------------------|-------------|---|
| 484 | 817.568(7) | 2nd, PBL | Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority. |
| 485 | 827.03(2)(a) | 1st | Aggravated child abuse. |
| 486 | 847.0145(1) | 1st | Selling, or otherwise transferring custody or control, of a minor. |
| 487 | 847.0145(2) | 1st | Purchasing, or otherwise obtaining custody or control, of a minor. |
| 488 | 859.01 | 1st | Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person. |
| 489 | 893.135 | 1st | Attempted capital trafficking offense. |
| 490 | 893.135(1)(a)3. | 1st | Trafficking in cannabis, more than 10,000 lbs. |
| 491 | 893.135 (1)(b)1.c. | 1st | Trafficking in cocaine, more than 400 grams, less than 150 kilograms. |

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

| | | | |
|-----|-------------------------|-----|--|
| 492 | 893.135 (1) (c) 1.c. | 1st | Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms. |
| 493 | 893.135 (1) (d) 1.c. | 1st | Trafficking in phencyclidine, more than 400 grams. |
| 494 | 893.135 (1) (e) 1.c. | 1st | Trafficking in methaqualone, more than 25 kilograms. |
| 495 | 893.135 (1) (f) 1.c. | 1st | Trafficking in amphetamine, more than 200 grams. |
| 496 | 893.135 (1) (h) 1.c. | 1st | Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more. |
| 497 | 893.135 (1) (j) 1.c. | 1st | Trafficking in 1,4-Butanediol, 10 kilograms or more. |
| 498 | 893.135 (1) (k) 2.c. | 1st | Trafficking in Phenethylamines, 400 grams or more. |
| 499 | 896.101 (5) (c) | 1st | Money laundering, financial instruments totaling or exceeding \$100,000. |
| | 896.104 (4) (a) 3. | 1st | Structuring transactions to evade reporting or registration requirements, financial transactions |

Amendment No. 1

totaling or exceeding \$100,000.

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Section 4. If any section, subsection, sentence, clause, phrase, or word of this act is for any reason held or declared to be unconstitutional, illegal, invalid, inoperative, ineffective, inapplicable, or void, such invalidity or unconstitutionality shall not affect the portions of this act not so held to be unconstitutional, illegal, invalid, inoperative, ineffective, inapplicable, or void, or affect the application of this act to other circumstances not so held to be invalid, it being the express legislative intent that any such unconstitutional, illegal, invalid, inoperative, ineffective, inapplicable, or void portion or portions of this act did not induce its passage, and that without the inclusion of any such unconstitutional, illegal, invalid, inoperative, ineffective, inapplicable, or void portions of this act, the Legislature would have enacted the valid and constitutional portions thereof.

Section 5. This act shall take effect October 1, 2013.

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to filing false documents against real or personal property; creating s. 817.535, F.S.; defining terms; prohibiting a person from filing or causing to be filed, with intent to defraud or harass

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

527 another, a document relating to the ownership,
528 transfer, or encumbrance of, or claim against, real or
529 personal property, or any interest in real or personal
530 property; providing criminal penalties; establishing
531 reclassified penalties for persons who commit the
532 specified offenses a second or subsequent time when
533 the person is a convicted offender who commits the
534 specified offenses while incarcerated in a jail or
535 participating in a community correctional program and
536 when the victim of the offense is a public officer or
537 employee or incurs financial losses under certain
538 circumstances; authorizing the court to issue an
539 injunction; authorizing a court to seal specified
540 public or private records under certain circumstances;
541 providing that the subject of the false statements has
542 a civil cause of action against the perpetrator;
543 providing for actual and punitive damages; providing
544 that the prevailing party is entitled to costs and
545 reasonable attorney fees; providing duties of the
546 custodian of the official record; providing
547 applicability; requiring that attorney fees be paid to
548 the government agency that provides legal
549 representation under certain circumstances; amending
550 s. 843.0855, F.S.; revising definitions; defining the
551 term "public officer or employee"; revising criminal
552 penalties for criminal actions under color of law or
553 through use of simulated legal process; providing
554 legislative intent; amending s. 921.0022, F.S.;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 915 (2013)

Amendment No. 1

555 revising provisions of the offense severity ranking
556 chart of the Criminal Punishment Code to conform to
557 changes made by the act; providing severability;
558 providing an effective date.

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

HB 1305 : Punitive Damages

Not Considered

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

CS/HB 1379 : Service of Process

Favorable With Committee Substitute

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|--------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Manny Diaz, Jr. | X | | | | |
| Dave Kerner | X | | | | |
| Mike La Rosa | X | | | | |
| Debbie Mayfield | X | | | | |
| Larry Metz | | | | X | |
| Jared Moskowitz | X | | | | |
| Kathleen Passidomo | X | | | | |
| Ray Pilon | X | | | | |
| Darryl Rouson | | | X | | |
| Elaine Schwartz | X | | | | |
| Irving Slosberg | X | | | | |
| Charles Van Zant | X | | | | |
| Charles McBurney (Chair) | X | | | | |
| Total Yeas: 11 | | Total Nays: 0 | | | |

CS/HB 1379 Amendments

Amendment 399947

Adopted

Appearances:

Brown, Capt. Charles, Volusia County Sheriff's Office (General Public) - Proponent

FSA
 123 W. Indiana Avenue
 Deland FL 32720
 Phone: 386-736-5961

Murray, Nakia (General Public) - Proponent

FL Assoc. of Professional Process Servers
 108 E. Jefferson Ste. B
 Tallahassee FL 32301
 Phone: 850-681-0254

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1379 (2013)

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------------------------------|-------|
| ADOPTED | <input checked="" type="checkbox"/> | (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> | (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> | (Y/N) |
| WITHDRAWN | <input type="checkbox"/> | (Y/N) |
| OTHER | | |

3/4/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee
3 Representative Mayfield offered the following:

Amendment (with title amendment)

6 Remove lines 117-325

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

10 Remove lines 21-49 and insert:
11 certain circumstances; providing an effective date.

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

HJR 7081 : Postconviction Capital Case Procedures

Temporarily Deferred

Committee meeting was reported out: Thursday, April 04, 2013 1:35:42PM

COMMITTEE MEETING REPORT
Justice Appropriations Subcommittee

4/4/2013 8:00:00AM

Location: 404 HOB

HB 7083 : Postconviction Capital Case Proceedings

Favorable With Committee Substitute

| | <i>Yea</i> | <i>Nay</i> | <i>No Vote</i> | <i>Absentee Yea</i> | <i>Absentee Nay</i> |
|--------------------------|------------|----------------------|----------------|-------------------------|-------------------------|
| Manny Diaz, Jr. | X | | | | |
| Dave Kerner | X | | | | |
| Mike La Rosa | X | | | | |
| Debbie Mayfield | X | | | | |
| Larry Metz | | | | X | |
| Jared Moskowitz | X | | | | |
| Kathleen Passidomo | X | | | | |
| Ray Pilon | | | X | | |
| Darryl Rouson | | X | | | |
| Elaine Schwartz | | X | | | |
| Irving Slosberg | | X | | | |
| Charles Van Zant | X | | | | |
| Charles McBurney (Chair) | X | | | | |
| Total Yeas: 8 | | Total Nays: 3 | | | |

HB 7083 Amendments

Amendment 564715

Adopted

Amendment 853687

Adopted

Appearances:

Metz, Steve (Lobbyist) - Information Only
 Florida Bar
 215 S. Monroe
 Tallahassee FL

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7083 (2013)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

3/4/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee

3 Representative Gaetz offered the following:

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

6 Between lines 1822 and 1823, insert:

7 Section 33. Effective July 1, 2013, the sum of \$82,047 in
8 nonrecurring funds is appropriated from the General Revenue Fund
9 to the Department of State for purposes of publishing, as
10 required under s. 5(d), Article XI of the State Constitution,
11 the proposed constitutional amendment contained in House Joint
12 Resolution 7081, or a similar joint resolution having
13 substantially the same specific intent and purpose.

14 Section 34. Effective July 1, 2013, four full-time
15 equivalent positions, with associated salary and rate of
16 220,000, are authorized and \$417,338 in recurring funds from the
17 General Revenue Fund and \$14,832 in nonrecurring general revenue
18 is appropriated to the Justice Administration Commission for the
19 creation of the northern region office of the capital collateral
20 regional council as provided in this bill.

Amendment No. 1

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

Remove line 100 and insert:

severability; providing an appropriation to the Department of
State; providing an appropriation to the Justice Administration
Commission; providing effective dates and a

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7083 (2013)

Amendment No. 1a

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------------------------------------|-------|
| ADOPTED | <input checked="" type="checkbox"/> | (Y/N) |
| ADOPTED AS AMENDED | <input type="checkbox"/> | (Y/N) |
| ADOPTED W/O OBJECTION | <input type="checkbox"/> | (Y/N) |
| FAILED TO ADOPT | <input type="checkbox"/> | (Y/N) |
| WITHDRAWN | <input type="checkbox"/> | (Y/N) |
| OTHER | <input type="checkbox"/> | |

3/4/13

1 Committee/Subcommittee hearing bill: Justice Appropriations
 2 Subcommittee
 3 Representative Kerner offered the following:

Amendment to Amendment (853687) by Representative

Remove lines 7-13 of the amendment and insert:

Enter Amending Text Here