



322426

LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 918.13, Florida Statutes, is amended to
read:

918.13 Tampering with or fabricating physical evidence.—

(1) It is unlawful for any ~~No~~ person, knowing that a
criminal trial, ~~or~~ proceeding, or ~~an~~ investigation by a duly
constituted prosecuting authority, law enforcement agency, grand



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11 jury or legislative committee of this state is pending or is
12 about to be instituted, to shall:

13 (a) Alter, destroy, conceal, or remove any record,
14 document, or other item thing with the purpose to impair its
15 verity or availability in such proceeding or investigation; or

16 (b) Make, present, or use any record, document, or other
17 item thing, knowing it to be false.

18 (2) (a) Except as provided in paragraph (b), a ~~Any~~ person
19 who violates subsection (1) commits ~~any provision of this~~
20 ~~section shall be guilty of~~ a felony of the third degree,
21 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

22 (b) A person who violates subsection (1) relating to a
23 criminal trial, proceeding, or investigation that relates to a
24 capital felony commits a felony of the second degree, punishable
25 as provided in s. 775.082, s. 775.083, or s. 775.084.

26 Section 2. Paragraphs (c) and (f) of subsection (3) of
27 section 921.0022, Florida Statutes, are amended to read:

28 921.0022 Criminal Punishment Code; offense severity ranking
29 chart.-

30 (3) OFFENSE SEVERITY RANKING CHART

31 (c) LEVEL 3

32
33

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.

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35	316.066	3rd	Unlawfully obtaining or using
	(3) (b) - (d)		confidential crash reports.
36	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
37	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
38	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
39	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
40	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
41	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
42	327.35 (2) (b)	3rd	Felony BUI.
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- 44 328.05(2) 3rd Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.
- 45 328.07(4) 3rd Manufacture, exchange, or
possess vessel with counterfeit
or wrong ID number.
- 46 376.302(5) 3rd Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.
- 47 379.2431 3rd Taking, disturbing, mutilating,
(1) (e) 5. destroying, causing to be
destroyed, transferring,
selling, offering to sell,
molesting, or harassing marine
turtles, marine turtle eggs, or
marine turtle nests in
violation of the Marine Turtle
Protection Act.
- 379.2431 3rd Possessing any marine turtle
(1) (e) 6. species or hatchling, or parts
thereof, or the nest of any
marine turtle species described
in the Marine Turtle Protection
Act.



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48	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
49	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
50	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
51	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
52	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
53	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
54	624.401 (4) (b) 1.	3rd	Transacting insurance without a



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certificate of authority;
premium collected less than
\$20,000.

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626.902(1)(a) & 3rd Representing an unauthorized
(b) insurer.

56

697.08 3rd Equity skimming.

57

790.15(3) 3rd Person directs another to
discharge firearm from a
vehicle.

58

806.10(1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

59

806.10(2) 3rd Interferes with or assaults
firefighter in performance of
duty.

60

810.09(2)(c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

61

812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

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63	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
64	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
65	812.081 (2)	3rd	Theft of a trade secret.
66	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
67	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
68	817.233	3rd	Burning to defraud insurer.
69	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
70	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
71	817.236	3rd	Filing a false motor vehicle insurance application.



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72	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
73	817.413(2)	3rd	Sale of used goods of \$1,000 or more as new.
74	817.49(2)(b)1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
75	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
76	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
77	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or



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78			police horse.
	860.15(3)	3rd	Overcharging for repairs and parts.
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	870.01(2)	3rd	Riot.
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	870.01(4)	3rd	Inciting a riot.
81			
	893.13(1)(a)2.	3rd	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).
82			
	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver 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 university.
83			
	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver 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



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84

within 1,000 feet of public
housing facility.

893.13(4)(c) 3rd Use or hire of minor; deliver
to minor other controlled
substances.

85

893.13(6)(a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

86

893.13(7)(a)8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

87

893.13(7)(a)9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation,
etc.

88

893.13(7)(a)10. 3rd Affix false or forged label to
package of controlled
substance.

89

893.13(7)(a)11. 3rd Furnish false or fraudulent
material information on any
document or record required by
chapter 893.



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918.13(1) 3rd Tampering with or fabricating
~~918.13(1)(a)~~ physical evidence ~~Alter,~~
~~destroy, or conceal~~
~~investigation evidence.~~

95

944.47 3rd Introduce contraband to
(1)(a)1. & 2. correctional facility.

96

944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

97

985.721 3rd Escapes from a juvenile
facility (secure detention or
residential commitment
facility).

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99

100 (f) LEVEL 6

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102

Florida Statute	Felony Degree	Description
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103

316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
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104

316.193(2)(b)	3rd	Felony DUI, 4th or subsequent
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battery by strangulation.

113

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

114

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

115

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

116

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

117

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

118

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

119

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

120

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

121

787.02 (2) 3rd False imprisonment; restraining



with purpose other than those
in s. 787.01.

122

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

123

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

124

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.

125

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

126

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

127

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

128



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129	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.
130	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
131	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
132	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
133	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent offense.
134	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
135	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
	812.015 (9) (a)	2nd	Retail theft; property stolen



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\$750 or more; second or
subsequent conviction.

136

812.015 (9) (b) 2nd Retail theft; aggregated
property stolen within 30 days
is \$3,000 or more; coordination
of others.

137

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

138

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

139

817.49 (2) (b) 2. 2nd Willful making of a false
report of a crime resulting in
death.

140

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

141

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

142

825.102 (3) (c) 3rd Neglect of an elderly person or
disabled adult.

143

825.1025 (3) 3rd Lewd or lascivious molestation



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of an elderly person or
disabled adult.

144

825.103(3)(c) 3rd Exploiting an elderly person or
disabled adult and property is
valued at less than \$10,000.

145

827.03(2)(c) 3rd Abuse of a child.

146

827.03(2)(d) 3rd Neglect of a child.

147

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

148

836.05 2nd Threats; extortion.

149

836.10 2nd Written or electronic threats
to kill, do bodily injury, or
conduct a mass shooting or an
act of terrorism.

150

843.12 3rd Aids or assists person to
escape.

151

847.011 3rd Distributing, offering to
distribute, or possessing with
intent to distribute obscene
materials depicting minors.



152	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
153	847.0135 (2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
154	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
155	<u>918.13 (2) (b)</u>	<u>2nd</u>	<u>Tampering with or fabricating physical evidence relating to a capital felony.</u>
156	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.
157	944.40	2nd	Escapes.
158	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
159			

