# CHAPTER 2012-68

## House Bill No. 777

An act relating to criminal penalties for violations of securities laws; amending s. 921.0022, F.S.; increasing the offense severity ranking for failing to register securities with the Office of Financial Regulation; specifying the offense severity ranking for the failure of a dealer, associated person, or issuer of securities to register with the Office of Financial Regulation; providing an effective date.

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

Section 1. Paragraphs (b) and (d) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

| Florida Statute | Felony Degree | Description |
|---|---|---|
| 379.2431 (1)(e)3. | 3rd | Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act. |
| 379.2431 (1)(e)4. | 3rd | Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act. |
| 403.413(5)(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. |
| 517.07(2) ~~517.07~~ | 3rd | Failure to furnish a prospectus meeting requirements. ~~Registration of securities and furnishing of prospectus required.~~ |
| 590.28(1) | 3rd | Intentional burning of lands. |
| 784.05(3) | 3rd | Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death. |
| 787.04(1) | 3rd | In violation of court order, take, entice, etc., minor beyond state limits. |


CODING: Words ~~stricken~~ are deletions; words underlined are additions.

| Florida Statute | Felony Degree | Description |
|---|---|---|
| 806.13(1)(b)3. | 3rd | Criminal mischief; damage $1,000 or more to public communication or any other public service. |
| 810.061(2) | 3rd | Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary. |
| 810.09(2)(e) | 3rd | Trespassing on posted commercial horticulture property. |
| 812.014(2)(c)1. | 3rd | Grand theft, 3rd degree; $300 or more but less than $5,000. |
| 812.014(2)(d) | 3rd | Grand theft, 3rd degree; $100 or more but less than $300, taken from unenclosed curtilage of dwelling. |
| 812.015(7) | 3rd | Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure. |
| 817.234(1)(a)2. | 3rd | False statement in support of insurance claim. |
| 817.481(3)(a) | 3rd | Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over $300. |
| 817.52(3) | 3rd | Failure to redeliver hired vehicle. |
| 817.54 | 3rd | With intent to defraud, obtain mortgage note, etc., by false representation. |
| 817.60(5) | 3rd | Dealing in credit cards of another. |
| 817.60(6)(a) | 3rd | Forgery; purchase goods, services with false card. |
| 817.61 | 3rd | Fraudulent use of credit cards over $100 or more within 6 months. |
| 826.04 | 3rd | Knowingly marries or has sexual intercourse with person to whom related. |
| 831.01 | 3rd | Forgery. |
| 831.02 | 3rd | Uttering forged instrument; utters or publishes alteration with intent to defraud. |


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| Florida Statute | Felony Degree | Description |
|---|---|---|
| 831.07 | 3rd | Forging bank bills, checks, drafts, or promissory notes. |
| 831.08 | 3rd | Possessing 10 or more forged notes, bills, checks, or drafts. |
| 831.09 | 3rd | Uttering forged notes, bills, checks, drafts, or promissory notes. |
| 831.11 | 3rd | Bringing into the state forged bank bills, checks, drafts, or notes. |
| 832.05(3)(a) | 3rd | Cashing or depositing item with intent to defraud. |
| 843.08 | 3rd | Falsely impersonating an officer. |
| 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)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis. |
| 893.147(2) | 3rd | Manufacture or delivery of drug paraphernalia. |

(d) LEVEL 4

| Florida Statute | Felony Degree | Description |
|---|---|---|
| 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. |
| 499.0051(1) | 3rd | Failure to maintain or deliver pedigree papers. |
| 499.0051(2) | 3rd | Failure to authenticate pedigree papers. |
| 499.0051(6) | 2nd | Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs. |
| 517.07(1) | 3rd | Failure to register securities. |
| 517.12(1) | 3rd | Failure of dealer, associated person, or issuer of securities to register. |


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| Florida Statute | Felony Degree | Description |
|---|---|---|
| 784.07(2)(b) | 3rd | Battery of law enforcement officer, firefighter, etc. |
| 784.074(1)(c) | 3rd | Battery of sexually violent predators facility staff. |
| 784.075 | 3rd | Battery on detention or commitment facility staff. |
| 784.078 | 3rd | Battery of facility employee by throwing, tossing, or expelling certain fluids or materials. |
| 784.08(2)(c) | 3rd | Battery on a person 65 years of age or older. |
| 784.081(3) | 3rd | Battery on specified official or employee. |
| 784.082(3) | 3rd | Battery by detained person on visitor or other detainee. |
| 784.083(3) | 3rd | Battery on code inspector. |
| 784.085 | 3rd | Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials. |
| 787.03(1) | 3rd | Interference with custody; wrongly takes minor from appointed guardian. |
| 787.04(2) | 3rd | Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings. |
| 787.04(3) | 3rd | Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person. |
| 790.115(1) | 3rd | Exhibiting firearm or weapon within 1,000 feet of a school. |
| 790.115(2)(b) | 3rd | Possessing electric weapon or device, destructive device, or other weapon on school property. |
| 790.115(2)(c) | 3rd | Possessing firearm on school property. |
| 800.04(7)(c) | 3rd | Lewd or lascivious exhibition; offender less than 18 years. |



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| Florida Statute | Felony Degree | Description |
|---|---|---|
| 810.02(4)(a) | 3rd | Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery. |
| 810.02(4)(b) | 3rd | Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery. |
| 810.06 | 3rd | Burglary; possession of tools. |
| 810.08(2)(c) | 3rd | Trespass on property, armed with firearm or dangerous weapon. |
| 812.014(2)(c)3. | 3rd | Grand theft, 3rd degree $10,000 or more but less than $20,000. |
| 812.014 (2)(c)4.-10. | 3rd | Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc. |
| 812.0195(2) | 3rd | Dealing in stolen property by use of the Internet; property stolen $300 or more. |
| 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. |
| 817.625(2)(a) | 3rd | Fraudulent use of scanning device or reencoder. |
| 828.125(1) | 2nd | Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle. |
| 837.02(1) | 3rd | Perjury in official proceedings. |
| 837.021(1) | 3rd | Make contradictory statements in official proceedings. |
| 838.022 | 3rd | Official misconduct. |
| 839.13(2)(a) | 3rd | Falsifying records of an individual in the care and custody of a state agency. |
| 839.13(2)(c) | 3rd | Falsifying records of the Department of Children and Family Services. |
| 843.021 | 3rd | Possession of a concealed handcuff key by a person in custody. |


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| Florida Statute | Felony Degree | Description |
|---|---|---|
| 843.025 | 3rd | Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication. |
| 843.15(1)(a) | 3rd | Failure to appear while on bail for felony (bond estreature or bond jumping). |
| 847.0135(5)(c) | 3rd | Lewd or lascivious exhibition using computer; offender less than 18 years. |
| 874.05(1) | 3rd | Encouraging or recruiting another to join a criminal gang. |
| 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)4. drugs). |
| 914.14(2) | 3rd | Witnesses accepting bribes. |
| 914.22(1) | 3rd | Force, threaten, etc., witness, victim, or informant. |
| 914.23(2) | 3rd | Retaliation against a witness, victim, or informant, no bodily injury. |
| 918.12 | 3rd | Tampering with jurors. |
| 934.215 | 3rd | Use of two-way communications device to facilitate commission of a crime. |

Section 2. This act shall take effect July 1, 2012.

Approved by the Governor April 6, 2012.

Filed in Office Secretary of State April 6, 2012.


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