

1 A bill to be entitled
 2 An act relating to lewd or lascivious grooming;
 3 creating s. 800.045, F.S.; providing definitions;
 4 creating the offense of lewd or lascivious grooming;
 5 providing criminal penalties; providing applicability;
 6 amending s. 921.0022, F.S.; ranking the offense on the
 7 offense severity ranking chart of the Criminal
 8 Punishment Code; providing an effective date.

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

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 12 Section 1. Section 800.045, Florida Statutes, is created
 13 to read:

14 800.045 Lewd or lascivious grooming.-

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

16 (a) "Inappropriate communication or conduct" means any
 17 verbal, written, or electronic communication or any conduct in
 18 which a person describes, depicts, or demonstrates sexual
 19 conduct or sexual excitement.

20 (b) "Sexual activity" has the same meaning as in s.
 21 800.04(1).

22 (c) "Sexual conduct" and the term "sexual excitement" have
 23 the same meanings as in s. 847.001.

24 (d) "Sexual performance" has the same meaning as in s.
 25 827.071(1).

26 (2) A person 18 years of age or older who, with lewd or
 27 lascivious intent, engages in a pattern of inappropriate
 28 communication or conduct directed toward a person less than 16
 29 years of age for the purpose of preparing, encouraging, or
 30 enticing such person to engage in any unlawful sexual activity,
 31 unlawful sexual conduct, or unlawful sexual performance commits
 32 lewd or lascivious grooming, a felony of the third degree,
 33 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

34 (3) This section does not apply to any act of medical
 35 diagnosis or treatment or to an educational conversation by a
 36 parent, caregiver, counselor, or educator that is intended for
 37 the purpose of sexual education and not intended to elicit
 38 sexual excitement.

39 Section 2. Paragraph (c) of subsection (3) of section
 40 921.0022, Florida Statutes, is amended to read:

41 921.0022 Criminal Punishment Code; offense severity
 42 ranking chart.—

43 (3) OFFENSE SEVERITY RANKING CHART

44 (c) LEVEL 3

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

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47			reports.
48	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
49	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
50	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
51	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
52	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
53	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
53	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank,

			forged, or unlawfully obtained title or registration.
54	327.35(2)(b)	3rd	Felony BUI.
55	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
56	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
57	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
58	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in

59	379.2431 (1) (e) 6.	3rd	violation of the Marine Turtle Protection Act.
60	379.2431 (1) (e) 7.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
61	400.9935(4) (a) or (b)	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
62	400.9935(4) (e)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
63	440.1051(3)	3rd	Filing a false license application or other required information or failing to report information.
			False report of workers'

			compensation fraud or retaliation for making such a report.
64	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
65	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
66	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
67	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
68	697.08	3rd	Equity skimming.
69	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.

70	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
71	<u>800.045 (2)</u>	<u>3rd</u>	<u>Lewd or lascivious grooming.</u>
72	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
73	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
74	810.09(2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
75	812.014(2) (c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
76	812.0145(2) (c)	3rd	Theft from person 65 years of

			age or older; \$300 or more but less than \$10,000.
77	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
78	812.081 (2)	3rd	Theft of a trade secret.
79	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
80	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
81	817.233	3rd	Burning to defraud insurer.
82	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
83	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
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85	817.236	3rd	Filing a false motor vehicle insurance application.
86	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
87	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
88	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
89	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
	831.29	2nd	Possession of instruments for counterfeiting driver licenses

			or identification cards.
90	836.13(2)	3rd	Person who promotes an altered sexual depiction of an identifiable person without consent.
91	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
92	860.15(3)	3rd	Overcharging for repairs and parts.
93	870.01(2)	3rd	Riot.
94	870.01(4)	3rd	Inciting a riot.
95	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).
96	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.

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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
 within 1,000 feet of public
 housing facility.

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

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

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893.13 (7) (a) 8. 3rd Withhold information from
 practitioner regarding previous

receipt of or prescription for
a controlled substance.

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

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

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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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893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of an
animal in obtaining a
controlled substance through
deceptive, untrue, or
fraudulent representations in
or related to the
practitioner's practice.

105	893.13(8)(a)2.	3rd	Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.
106	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
107	893.13(8)(a)4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
108	918.13(1)	3rd	Tampering with or fabricating physical evidence.
109	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.

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

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

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Section 3. This act shall take effect October 1, 2024.