

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.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

11  
 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

45

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

46

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

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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.
84			



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.

101

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

102

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

103

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

104

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.