

# Statutes of Limitation Table

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A TABLE OF FLA. STATUTES OF LIMITATION IN CRIMINAL CASES PRESENTED  
ALPHABETICALLY BY NAME OF CHAPTER

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DATE: NOVEMBER 18, 2016

REVISED: FEBURARY 6, 2017

## STATUTE OF LIMITATIONS FOR ALL CRIMES

### CHAPTER 806 – ARSON AND CRIMINAL MISCHIEF

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Arson- Unoccupied Structure or Vehicle	806.01(2)	Any person who willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damages or causes to be damaged any structure, whether the property of himself or herself or another, under any circumstances not referred to in subsection (1), is guilty of arson. The offense is a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Arson- Occupied Structure or Vehicle	806.01(1)(c)	Any person who willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damages or causes to be damaged: Any other structure that he or she knew or had reasonable grounds to believe was occupied by a human being. The offense is a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Arson- Structure Normally Occupied	806.01(1)(b)	Any person who willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damages or causes to be damaged: Any structure or contents thereof, where persons are normally present, such as: jails, prisons, nursing homes, hospitals, etc., has committed a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Arson- Dwelling	806.01(1)(a)	Any person who willfully and unlawfully, or while in the commission of any felony, by fire or explosion, damages, or causes to be damaged: Any dwelling, whether occupied or not, or its contents, has committed a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Arson Resulting in Minor Injury	806.031(1)	A person who perpetrates any arson that results in any bodily harm to a firefighter or any other person, regardless of intent or lack of intent to cause such harm shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Arson Resulting in Major Injury	806.031(2)	A person who perpetrates any arson that results in great bodily harm, permanent disability, or permanent disfigurement to a firefighter or any other person. Regardless of intent or lack of intent to cause such harm shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years

### CHAPTER 784 – ASSAULT; BATTERY; CULPABLE NEGLIGENCE

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Assault	784.011	An “assault” is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent. The offender shall be guilty of a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year
Aggravated Assault	784.021	An “aggravated assault” is where a person who perpetrates assault with a deadly weapon without intent to kill; or intent to commit a felony. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Assault on a Person 65 or older	784.08(2)(d)	A person is charged with committing an assault upon a person 65 years of age or older, regardless of whether he or she knows or has reason to know the age of the victim, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Aggravated Assault on Person 65 or older	784.08(2)(b)	A person is charged with committing an aggravated assault upon a person 65 years of age or older, regardless of whether he or she knows or has reason to know the age of the victim, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Assault on LEO or designated other	784.07(2)(a)	A person is charged with knowingly committing an assault or battery upon a Law Enforcement Officer or designated other, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Aggravated Assault on LEO or designated other	784.07(2)(c)	A person is charged with knowingly committing an aggravated assault upon a Law Enforcement Officer or designated other, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years

## CHAPTER 827- ABUSE OF CHILDREN

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
<b>Aggravated Child Abuse committed upon a child under 18 years of age</b>	<b>827.03 (2006 to Present)</b>	“Aggravated child abuse” occurs when a person: 1. Commits aggravated battery on a child; 2. Willfully tortures, maliciously punishes, or willfully and unlawfully cages a child; or 3. Knowingly or willfully abuses a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to a child.	Any	May be commenced <b>at any time</b> after date on which identity of accused is established, or should have been established by exercise of due diligence, through the <b>analysis of DNA evidence</b> , if a sufficient portion of evidence collected at the time of original investigation and tested for DNA is preserved and available for testing by the accused. Applies to any offense that is not otherwise barred from prosecution <b>on or after July 1, 2006.</b>
Aggravated Child Abuse	827.03(2)(a)	A person who commits aggravated child abuse upon <b>a child under 18 years of age</b> commits aggravated battery on a child by willful torture, malicious punishment, or willful and unlawful caging and in so doing causing great bodily harm, permanent disability, and permanent disfigurement, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Child Abuse- with Great Harm	827.03(2)(b)	A person who willfully or by culpable negligence neglects <b>a child under 18 years of age</b> and in so doing causes great bodily harm, permanent disability, or permanent disfigurement, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Child Abuse (without Great Harm, not aggravated)	827.03(2)(c)	A person who knowingly or willfully abuses <b>a child under 18 years of age</b> without causing great bodily harm, permanent disability, or permanent disfigurement, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Child Neglect- without Great Harm	827.03(2)(d)	A person who willfully or by culpable negligence neglects <b>a child under 18 years of age</b> without causing great bodily harm, permanent disability, or permanent disfigurement, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Elderly Abuse (without Great Harm, not aggravated)	825.102(1)	A person who knowingly or willfully abuses an elderly person or disabled adult without causing great bodily harm, permanent disability, or permanent disfigurement to the elderly person or disabled adult, shall be guilty of felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years
Elderly Abuse – Aggravated	825.102(2)	A person who commits aggravated abuse of an elderly person or disabled adult shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years
Elderly Abuse- Neglect with Great Harm	825.102(3)(b)	A person who willfully or by culpable negligence neglects an elderly person or disabled adult and in so doing <b>causes great bodily harm</b> , permanent disability, or permanent disfigurement to the elderly person or disabled adult shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years

Elderly Abuse-Neglect without Great Harm	825.102(3)(c)	A person who willfully or by culpable negligence neglects an elderly person or disabled adult without causing great bodily harm, permanent disability, or permanent disfigurement to the elderly person or disabled adult shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years
Elderly Exploitation (\$50,000+)	825.103(3)(a)	If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult is valued at <b>\$50,000 or more</b> , the offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years
Elderly Exploitation (\$10,000-\$50,000)	825.103(3)(b)	If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult is valued at <b>\$10,000 or more, but less than \$50,000</b> , the offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years
Elderly Exploitation (<\$10,000)	825.103(3)(c)	If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult is valued at <b>less than \$10,000</b> , the offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years

### CHAPTER 784- ASSAULT; BATTERY; CULPABLE NEGLIGENCE

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Battery	784.03(1)(a)(b)	A person who actually and intentionally touches or strikes another person against the will of the other; or intentionally causes bodily harm to another person, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Felony Battery (second offense)	784.03(2)	A person who has one prior conviction for battery, aggravated battery, or felony battery and who commits any second or subsequent battery, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Felony Battery-Great Harm/Disability/Disfigurement	784.041(1)	A person commits felony battery if he or she actually and intentionally touches or strikes another person against the will of the other and causes great bodily harm, permanent disability, or permanent disfigurement, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Felony Battery-Domestic Battery by Strangulation	784.041(2)	A person commits domestic battery by strangulation if the person knowingly and intentionally, against the will of another, impedes the normal breathing or circulation of the blood of a family or household member or of a person with who he or she is in a dating relationship, so as to create a risk of or cause great bodily harm by applying pressure on the throat or neck of the other person or by blocking the nose or mouth of another person, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Aggravated Battery	784.045(1)(2)	A person commits aggravated battery who, in committing battery; intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; or uses a deadly weapon, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Battery on Person 65 or older	784.08(2)(c)	A person is charged with committing a battery upon a person 65 years of age or older, regardless of whether he or she knows or has reason to know the age of the victim, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Aggravated Battery on Person 65 or older	784.08(2)(a)	A person is charged with committing an aggravated battery upon a person 65 years of age or older, regardless of whether he or she knows or has reason to know the age of the victim, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Battery on LEO or designated other	784.07(2)(b)	Any person is charged with knowingly committing a battery upon a law enforcement officer or designated other, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Aggravated Battery on LEO or designated other	784.07(2)(d)	Any person is charged knowingly with committing an aggravated battery upon a law enforcement officer or designated other, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years

## CHAPTER 562- BEVERAGE LAW; ENFORCEMENT

Crime	Statute #	Description of Crime	Degree	Statute of Limitation
Possession Alcohol Beverage Under 21 (first offense)	562.111(1)	It is unlawful for any person under the age of 21, unless operating within the scope of his or her employment, to have in his or her possession alcoholic beverages. The offender shall be guilty of a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year
Possession Alcohol Beverage Under 21 (repeat offense)	562.111(1)	Any person under the age of 21 who has been convicted of a violation of a section of 562.111(1) and who is thereafter convicted of a further violation of said section, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Sell Alcohol Beverage to person Under 21 (first offense)	562.11(1)(a)	A person may not sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or permit a person under 21 years of age to consume such beverages on the licensed premises. The offender shall be guilty of a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year
Sell Alcohol Beverage to person Under 21 (repeat offense)	562.11(1)(a)	A person who violates section 562.11(1)(a) a second or subsequent time within 1 year after a prior conviction, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years

## CHAPTER 838- BRIBERY/MISUSE OF PUBLIC OFFICE

Crime	Statute #	Description of Crime	Degree	Statute of Limitation
Bribery	838.015(3)	Anyone who knowingly and intentionally give, offer, or promise to any public servant, or, if a public servant, to knowingly and intentionally request, solicit, accept or agree to accept for himself or herself or another, any pecuniary or other benefit not authorized by law with an intent on purpose to influence the performance of any act or omission which the person believes to be, or the public servant represents as being, within the official discretion of a public servant, in violation of a public duty, or in performance of a public duty, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Unlawful Compensation	838.016(4)	It is unlawful for any person to knowingly and intentionally give, offer, or promise to any public servant, or, if a public servant, to knowingly and intentionally request, solicit, accept, or agree to accept, any pecuniary or other benefit not authorized by law, for the past, present, or future performance, nonperformance, or violation of any act or omission which the person believes to have been, or the public servant represents as having been, either within the official discretion of the public servant, in violation of a public duty, or in performance of a public duty. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Corruption by Threat- With Harm	838.021(3)(a)	Whoever unlawfully harms any public servant or any other person with whose welfare the public servant is interested shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Corruption by Threat- No Harm	838.021(3)(b)	Whoever threatens unlawful harm to any public servant or to any other person with whose welfare the public servant is interested shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Official Misconduct	838.022(3)	It is unlawful for a public servant or public contractor, to knowingly and intentionally obtain a benefit for any person or to cause unlawful harm to another by falsifying or causing another person to falsify, conceal, cover up, destroy, obstruct, or delay any official record or document. As well as preventing the communication of information relating to the commission of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

## CHAPTER 810- BURGLARY AND TRESPASS

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Armed Burglary	810.02(2)(b)	A person enters or remains in a dwelling, a structure, or a conveyance with the intent to commit an offense therein and in the course of committing the offense, the offender is or becomes armed with explosives or dangerous weapon, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Burglary with Assault or Battery	810.02(2)(a)	A person enters or remains in a dwelling, a structure, or a conveyance with the intent to commit an offense therein and in the course of committing the offense, the offender makes an assault or battery upon any person, shall be guilty of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Burglary of Dwelling (Occupied or Unoccupied)	810.02(3)(a) or (b)	A person enters and remains in a dwelling and there is or is not another person in the dwelling at the time the offender enters the remains, shall be guilty of a felony of the second degree	2 <sup>nd</sup> Degree Felony	3 Years
Burglary-Occupied Structure	810.02(3)(c)	A person enters and remains in a structure and there is another person in the structure at the time the offender enters the remains, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Burglary-Unoccupied Structure	810.02(4)(a)	A burglary where the offender enters or remains in a structure, and there is not another person in the structure at the time the offender enters or remains, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Burglary-Occupied Conveyance	810.02(3)(d)	A person enters and remains in a conveyance and there is another person in the conveyance at the time the offender enters the remains, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Burglary-Unoccupied Conveyance	810.02(4)(b)	A burglary where the offender enters or remains in a conveyance, and there is not another person in the structure at the time the offender enters or remains. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Possession of burglary tools	810.06	Whoever has in his or her possession any tool, machine, or implement with intent to use the same, or allow the same to be used, to commit any burglary or trespass, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

## CHAPTER 812- THEFT, ROBBERY, AND RELATED CRIMES

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Carjacking with a weapon	812.133(2)(a)	When an offender is carrying a firearm or other deadly weapon in the midst of committing a carjacking, the offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Carjacking without a weapon	812.133(2)(b)	When an offender has carried no firearm, deadly weapon, or other weapon in the midst of committing a carjacking, the offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years

## CHAPTER 790- WEAPONS AND FIREARMS

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Carrying Concealed Weapon	790.01(1)	Any person who carries a concealed weapon or electric weapon or device and is not licensed under the statute is guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Carrying Concealed Firearm	790.01(2)	Any person who carries a concealed firearm on or about his or her person and is not licensed under the statute is guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

**CHAPTERS 847 and 827- OBSCENITY/ ABUSE OF CHILDREN**

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Computer Pornography	847.0135(2)	(2)(a) A person who knowingly compiles, enters into, or transmits by use of computer; (2)(b) makes, prints, publishes, or reproduces by other computerized means; (2)(c) knowingly causes or allows to be entered into or transmitted by use of computer; (2)(d) or buys, sells, receives, exchanges, or disseminates any notice, statement, or advertisement of any minor's name, telephone number, place of residence, physical characteristics, or other descriptive or identifying information for purposes of facilitating, encouraging, offering, or soliciting sexual conduct of or with any minor, or the visual depiction of such conduct, commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Prohibited Uses of Computer Services	847.0135(3) (a)(b)	(a) Any person who knowingly uses a computer online service, internet service, local bulletin board service, or any device capable of electronic data storage or transmission to or attempt to: seduce, solicit, lure, or entice, a child or another person believed by the person to be a child to commit an illegal act or engage in any unlawful sexual conduct with a child or another person believed to be a child; or (b) solicit, lure, or entice a parent, legal guardian, or custodian of a child or a person believed to be as such to consent to the participation of such child engaging in any sexual conduct, commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Prohibited Uses of Computer Services (misrep. Age)	847.0135(3)	Any person who, in violating subsection (3)(a)(b) misrepresents his or her age, commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Travel to Meet Minor	847.0135(4)	Any person who travels any distance either within this state, to this state, or from this state by any means, who attempts to do so, or who causes another to do so or attempt to do so for the purpose of engaging in any illegal act or an unlawful sexual conduct with a child or a person believed to be a child after using a computer online service, internet service, local bulletin board service, or any other device capable of electronic data storage or transmission to or attempt to: seduce, solicit, lure, or entice a child or a person believed to be a child or a parent, legal guardian, or custodian of a child, or person believed to be as such to engage in an illegal act or unlawful sexual conduct with a child, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Prohibited Computer Transmission – Off. >18	847.0135(5)(b)	An offender 18 years or older who commits a lewd or lascivious exhibition using a computer, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Prohibited Computer Transmission- Off. <18	847.0135(5)(c)	An offender less than 18 years of age who commits a lewd or lascivious exhibition using a computer, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Transmitting Child Pornography	847.0137(2)(3)	Any person in this state or any jurisdiction other than this state who knew or reasonably should have known that he she was transmitting child pornography to another person in this state or in another jurisdiction has committed a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Sexting (by minor)- first offense	847.0141(3)(a)	A minor commits the offense of sexting commits a noncriminal violation. The minor must sign and accept a citation indicating that they promise to appear before the juvenile court. In lieu of appearing in court, the minor may complete 8 hours of community service, pay a \$60 civil penalty, or participate in a cyber safety program.	Noncriminal	1 Year
Sexting (by minor)- second offense	847.0141(3)(b)	A minor is guilty for a violation that occurs after the minor has been found to have committed a noncriminal violation for sexting or has satisfied the penalty imposed in lieu of a court appearance, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years

Sexting (by minor)- third offense	847.0141(3)(c)	A minor is guilty for a violation that occurs after the minor has been found to have committed a misdemeanor of the first degree of sexting, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Sexual Performance by a child- use of a child	827.071(2)	A person who employs, authorizes, or induces, <b>a child less than 18 years of age</b> to engage in a sexual performance, shall be guilty of a felony of the second degree. A parent legal guardian, or custodian who consents to the participation of <b>a child less than 18 years of age</b> to engage in a sexual performance, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Sexual performance by a child- promoting of	827.071(3)	A person who produces, directs, or promotes any performance which includes sexual conduct by a child less than 18 years of age by <b>a child less than 18 years of age</b> , shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Sexual performance by a child- poss. w/intent to promote	827.071(4)	A person who possesses at least 3 or more copies with the intent to promote any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, includes any sexual conduct by a child, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Sexual performance by a child- possession	827.071(5)	A person who knowingly possess a photography, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, he or she knows to include any sexual conduct by a child, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

### CHAPTER 815 COMPUTER RELATED CRIMES

Crime	Statute #	Description of Crime	Degree	Statute of Limitation
Offenses Against Intellectual Property	815.04(1)(5)(a)	When a person who willfully, knowingly, and without authorization introduces a computer contaminant or modifies or renders unavailable data, programs, or supporting documentation that resides or exists on an internal or external computer, system or network commits an offense against intellectual property a felony of the third degree	3 <sup>rd</sup> Degree Felony	3 Years
Offenses Against Intellectual Property- Scheme to Defraud	815.04(5)(b)	If the offense is committed for the purpose of devising or executing any scheme or artifice to defraud or to obtain any property. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Offenses Against Computer Users	815.06(2)(3)(a)	A person willfully, knowingly, and without authorization: access or cause to be accessed any computer system or service to an authorized user; destroy, or damage equipment or supplies used or intended to be used for the computer, system, or network; destroy or injure said computer system or network; or introduce any computer contaminant to the computer, system, or network, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Offenses Against Computer Users- damage \$5,000+	815.06(3)(b)1	A person who violates subsection (2) and: Damages a computer, equipment or supplies, a computer system, or a network and the damage or loss is at least \$5,000, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Offenses Against Users-to defraud	815.06(3)(b)2	A person who violates subsection (2) and: commits the offense for the purpose of devising or executing any scheme or artifice to defraud or obtain property, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Offenses Against Computer Users- interrupt gov't etc.	815.06(3)(b)3	A person who violates subsection (2) and: interrupts or impairs a governmental operation or public communication, transportation, or supply of water, gas, or other public service, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years



**CHAPTER 893 DRUG ABUSE PREVENTION AND CONTROL**

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Sale, Manufacture, Deliver, Poss w/ Intent- specified drugs	893.13(1)(a)1	A person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Sale, Manufacture, Deliver, Poss w/ Int.- specified drugs	893.13(1)(a)2	A person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance named or described in 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). The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Sale, Manufacture, Deliver, Poss w/ Int.- specified drugs	893.13(1)(a)3	A person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance named or described in s. 893.03(5). The offender shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Sale, Man., Deliver, Poss w/ Int. > 10 g- specified drugs	893.13(1)(b)	A person may not sell or deliver in excess of 10 grams of any substance named or described in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any mixture containing any such substance. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Sale, Man., Deliver, Poss w/ Int.- specified drugs & area	893.13(1)(c)-(f) or (h)1	A person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4 in, on, or within 1,000 feet of a child care facility or a public or private elementary, middle, or secondary school between the hours of 6 a.m. and 12 midnight or within 1,000 feet of state, county, or municipal property such as a community center or park or within 1,000 feet of a public or private college, university, or other postsecondary educational institution, or within a 1,000 feet of a physical place for worship such as a church or synagogue, or within 1,000 feet of a public housing facility, or within 1,000 feet of an assisted living facility. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Sale, Man., Deliver, Poss. w/ Int.- Specified drugs & area	893.13(1)(c)-(f) or (h)2	A person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance named or described in s. 893.03(1)(c), (2)(c)1, (2)(c)2, (2)(c)3, (2)(c)5, or (2)(c)6, (2)(c)7, (2)(c)8, (2)(c)9, (3), or (4) in, on, or within 1,000 feet of a child care facility or a public or private elementary, middle, or secondary school between the hours of 6 a.m. and 12 midnight or within 1,000 feet of state, county, or municipal property such as a community center or park or within 1,000 feet of a public or private college, university, or other postsecondary educational institution, or within a 1,000 feet of a physical place for worship such as a church or synagogue, or within 1,000 feet of a public housing facility, or within 1,000 feet of an assisted living facility. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Mfr./Int to Mfr. Meth/PCP- person <16 YOA present	893.13(1)(g)1	A person may not manufacture methamphetamine or phencyclidine, or possess any listed chemical defined in s. 893.033 in a structure or conveyance where a child younger than 16 years of age is present. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Mfr./Int. to Mfr. Meth/PCP – person <16 YOA injured	893.13(1)(g)2	A person may not manufacture methamphetamine or phencyclidine, or possess any listed chemical defined in s. 893.033 where the commission of the crime causes any child younger than 16 years of age to suffer great bodily harm. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years

Purchase or Poss. w/Int. to Purchase-specified drugs	893.13(2)(a)1	A person may not purchase, or possess with intent to purchase, a controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Purchase or Poss. w/Int. to Purchase-specified drugs	893.13(2)(a)2	A person may not purchase, or possess with intent to purchase, a controlled substance named or described in 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). The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Purchase or Poss. w/Int. to Purchase-specified drugs	893.13(2)(a)3	A person may not purchase, or possess with intent to purchase, a controlled substance named or described in s. 893.03(5). The offender shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Purchase or Poss. w/Int to Purch>10g-specified drugs	893.13(2)(b)	A person may not purchase more than 10 grams of any substance named or described in s. 893.03(1)(a) or (1)(b) or any combination thereof, or any mixture containing any such substance. The offender is guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Delivery w/o consideration Cannabis <20 grams	893.13(3)	A person who delivers, without consideration, 20 grams or less of cannabis, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Del. to or through person <18 – specified drugs	893.13(4)(a)	A person 18 years of age or older may not deliver any controlled substance or hire a person younger than 18 years of age to be an agent or employee in the sale or delivery of such controlled substances named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Del. to or through person <18 – specified drugs	893.13(4)(b)	A person 18 years of age or older may not deliver any controlled substance or hire a person younger than 18 years of age to be an agent or employee in the sale or delivery of such controlled substances named or described in s. 893.03(1)(c), (2)(c)1, (2)(c)2, (2)(c)3, (2)(c)5, (2)(c)6, (2)(c)8, (2)(c)9, (3), or (4). The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Import into State-specified drugs	893.13(5)(a)	A person may not bring into this state any controlled substance unless the possession is authorized or the person is licensed to do so by the appropriate federal agency. Said controlled substance are those described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Import into State-specified drugs	893.13(5)(b)	A person may not bring into this state any controlled substance unless the possession is authorized or the person is licensed to do so by the appropriate federal agency. Said controlled substance are those described or named in 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). The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Import into State-specified drugs	893.13(5)(c)	A person may not bring into this state any controlled substance unless the possession is authorized or the person is licensed to do so by the appropriate federal agency. Said controlled substance are those described or named in s. 893.03(5). The offender shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Possession of Controlled Substance	893.13(6)(a)	A person may not be in actual or constructive possession of a controlled substance unless said substance was lawfully obtained by a practitioner or pursuant to a valid prescription. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Possession of Cannabis Under 20 grams	893.13(6)(b)	A person in possession of 20 grams or less of cannabis has committed a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years

Possession of Specified Controlled Substance > 10 grams	893.13(6)(c)	A person may not possess more than 10 grams of any substance named or described in 893.03(1)(a) or (1)(b), or any combination thereof, or any mixture containing any such substance. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Possession Blank Prescription Form	893.13(7)(a)7	A person may not possess a prescription form unless it has been signed by the practitioner whose name appears printed thereon and completed, is an agent of the practitioner, a pharmacist, or a supplier of the prescription forms and is authorized by the practitioner. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	2 Years
Withholding Information from Physician (Doctor Shopping)	893.13(7)(a)8	A person may not withhold information from a practitioner from whom the person seeks to obtain a controlled substance or a prescription for a controlled substance where the person who is making the request has received a controlled substance or a prescription for one from another practitioner within the previous 30 days. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Counterfeit controlled substance (Depends on the substance)	831.31(1)(a)	A person who participates or intends to sell, manufacture, or deliver, a counterfeit controlled substance named or described in s. 893.03(1), (2), (3), or (4), shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Counterfeit controlled substance (Depends on the substance)	831.31(1)(b)	A person who participates or intends to sell, manufacture, or deliver, a counterfeit controlled substance named or described in s. 893.03(5), shall be guilty of a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year
Trafficking controlled substance	893.135	Any person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of 25 pounds of cannabis, or 300 or more cannabis plants or a controlled substance, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Possession of Paraphernalia	893.147(1)(a)(b)	It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, cultivate, grow, or conceal a controlled substance; or to inject, ingest, or inhale into the human body a controlled substance. The offender shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years

### CHAPTER 806 ARSON AND CRIMINAL MISCHIEF

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Criminal Mischief \$200 or less	806.13(1)(b)1	If a person willfully and maliciously injures or damages by any means any real or personal property of another and the damage of the property is \$200 or less, the offender shall be guilty of a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year
Criminal mischief \$200-\$1,000	806.13(1)(b)2	If a person willfully and maliciously injures or damages by any means any real or personal property of another and the damage of the property is \$200 but less than \$1,000, the offender shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Criminal mischief \$1,000+	806.13(1)(b)3	If a person willfully and maliciously injures or damages by any means any real or personal property of another and the damage of the property is \$1,000 or greater, the offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Criminal mischief (place worship)	806.13(2)	Any person who willfully and maliciously defaces, injures, or damages a church, synagogue or any other place of worship, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Criminal mischief (telecommunications)	806.13(3)	A person who willfully destroys or substantially damages any public telephone, or any telephone equipment that renders the telephone inoperative, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

Criminal mischief (sexually violent predator facility)	806.13(4)	Any person who willfully and maliciously defaces, injures, or damages by any means a sexually violent predator detention or commitment facility or any property contained therein, shall be guilty of the felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
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**CHAPTER 817 CREDIT CARD CRIMES**

Crime	Statute#	Description of Crime	Degree	Statute of Limitations
Theft- taking or retaining credit cards	817.60(1)	A person who takes a credit card from another person (cardholder) w/out their consent with the intent to use, sell, or transfer the credit card to another person is guilty of credit card theft (a first degree misdemeanor) and is subject to the penalties set forth in s. 817.67(1).	1 <sup>st</sup> Degree Misdemeanor	2 Years
Theft-lost, mislaid, or mis-delivered credit cards	817.60(2)	A person who receives a credit card that he or she knows to have been lost, mislaid, or delivered under a mistake as to the identity or address of the cardholder with the intent to use it, sell, it, or, transfer it to another person other than the cardholder shall be guilty of a misdemeanor of the first degree and is subject to the penalties set forth in s. 817.67(1).	1 <sup>st</sup> Degree Misdemeanor	2 Years
Purchase of credit of another	817.60(3)	A person who other than the issuer who sells a credit card or a person who buys a credit card from a person other than the issuer shall be guilty of a misdemeanor of the first degree and is subject to penalties set forth s.817.67(1).	1 <sup>st</sup> Degree Misdemeanor	2 Years
Dealing in credit cards of another (2 or more)	817.60(5)	A person other than the issuer who, during any 12-month period, receives 2 or more credit cards issued in the name or names of different cardholders where the person has reason to know that the credit card was retained or taken thus constituting a credit card theft violation, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Forgery of a credit card	817.60(6)	A person who intentionally uses a forged or stolen credit card to obtain money or pay for goods and services shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Signing Credit Card of Another	817.60(7)	A person other than the cardholder or who is authorized by the cardholder signs a credit card with the intent to defraud the issuer or a person or organization that provides money, goods, or services, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Credit card-fraudulent use (< \$100 and <2 times w/in 6 mos)	817.61	A person who, in any 6-month period, uses a fraudulent credit card two or fewer times to obtain money, goods, or services that is less than \$100, shall be guilty of a misdemeanor of the first degree and is subject to the penalties set forth in s. 817.67(1).	1 <sup>st</sup> Degree Misdemeanor	2 Years
Credit card-fraudulent user (100+ or >2 times w/in 6 mos)	817.61	A person who, in any 6-month period, uses a fraudulent credit card two or more times to obtain money, goods, or services that is \$100 or more, shall be guilty of a felony of the third degree and is subject to the penalties set forth in s. 817.67(2).	3 <sup>rd</sup> Degree Felony	3 Years
Trafficking in Counterfeit Credit Cards	817.611(2)(a) (b)	A person who traffics in, attempts to traffic in, or possesses 5 to 49 counterfeit credit cards or related documents, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Trafficking in Counterfeit Credit Cards	817.611(2)(c)	A person who traffics in, attempts to traffic in, or possesses 50 or more counterfeit credit cards or related documents, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years

**CHAPTER 856 DRUNKENNESS; OPEN HOUSE PARTIES; LOITERING; PROWLING; DESERTION**

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Disorderly intoxication	856.011(1)	No person in the state shall be intoxicated and endanger the safety of another person or property or drink any alcoholic beverage in public place. The offender shall be guilty of a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year

### CHAPTER 316 STATE UNIFORM TRAFFIC CONTROL

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
DUI- Damage to property or person	316.193(3)(c)1	Any person who is driving under the influence and by reason of such operation causes or contributes to causing damage to the property or person of another, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
DUI with serious injury	316.193(3)(c)2	Any person who is driving under the influence and by reason of such operation causes or contributes to causing serious bodily injury to another, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
DUI Manslaughter	316.193(3)(c)3a	Any person who is driving under the influence and by reason of such operation causes or contributes to causing the death of any human being or unborn child commits DUI manslaughter, shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	No Time Limit
DUI Manslaughter and Fails to Render Aid	316.193(3)(c)3 b(ii)	Any person who is driving under the influence and by reason of such operation causes or contributes to causing the death of any human being or unborn child commits DUI manslaughter, and the person failed to give information and render aid, shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	No Time Limit

### CHAPTER 403 ENVIRONMENTAL CONTROL

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Florida Litter Law (<15lbs and <27 cf)	403.413(6)(a)	Any person who dumps litter in an amount not exceeding 15 pounds in weight or 27 cubic feet in volume and not for commercial purposes is guilty of a noncriminal infraction punishable by a civil penalty of \$100	Noncriminal	1 Year
Florida Litter Law (15-500 lbs. or 27-100 cf)	403.413(6)(b)	Any person who dumps litter in an amount exceeding 15 pounds in weight or 27 cubic feet in volume, but not exceeding 500 pounds in weight or 100 cubic feet in volume and not for commercial purposes is guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Florida Litter Law (500+ lbs. or 100+ cf)	403.413(6)(c)	Any person who dumps litter in an amount exceeding 500 pounds in weight or 100 cubic feet in volume or in any quantity for commercial purposes, or dumps litter which is a hazardous waste is guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*

\*[NOTE – pursuant to 775.15(9) a prosecution for a felony violation of chapter 403 must be commenced within 5 years after the date of the discovery of the violation]

### CHAPTER 836 DEFAMATION; LIBEL; THREATENING LETTERS AND SIMILAR OFFENSES

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Extortion	836.05	Whoever, either verbally or by written communication, maliciously threatens to accuse another of any crime, or maliciously threatens an injury to a person, property or reputation of another, or maliciously threaten to expose another to disgrace with the intent thereby to extort money or any pecuniary advantage whatsoever is guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years

### CHAPTER 817 FRAUDULENT PRACTICES: FALSE PRETENSES AND FRAUDS, GENERALLY

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Changing/ directing change of opinion	817.234(7)(c)	An insurer, or any person acting at the direction of or on behalf of an insurer, may not change an opinion in a mental or physical report. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years
Solicit to defraud person involved in accident- tort/PIP	817.234(8)(a)	It is unlawful for any person to intend to defraud or solicit to defraud a person or business from a person involved in an accident, for the purpose of making a tort claim or claims for personal injury protection benefits. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years

Solicit person involved in accident for PIP w/in 60 days	817.234(8)(b)	A person may not solicit or cause to be solicited any business from a person involved in a motor vehicle accident for tort claims or claims for personal injury protection benefits within 60 days after the occurrence of the accident. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years
Lawyer/health care solicit person inv.in accident w/in 60	817.234(8)(c)	A lawyer, health care practitioner, or owner or medical director of a clinic required to be license may not at any time solicit or cause to be solicited any business from a person involved in an accident within 60 days after the occurrence of the accident. The offender shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years
Organize intentional MV crash for PIP benefits	817.234(9)	A person may not organize, plan, or knowingly participate in an intentional motor vehicle crash or scheme to create documentation of a false motor vehicle crash for the purpose of making a tort claim or claims for personal injury protection benefits. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years
False and fraudulent insurance claim (<\$20,000)	817.234(11)(a)	If the value of any property involved in a violation of this section is less than \$20,000, the offender commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years
False and fraudulent insurance claim (\$20,000 - \$100,000)	817.234(11)(b)	If the value of any property involved in a violation of this section is \$20,000 or more but less than \$100,000, the offender commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years
False and fraudulent insurance claim (\$100,000+)	817.234(11)(c)	If the value of any property involved in a violation of this section is \$100,000 or more than the offender commits a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years

### CHAPTER 837 PERJURY

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Filing false police report pertaining to non-capital crime	837.05(1)(a)	A person who knowingly gives false information to a law enforcement officer concerning the alleged commission of a non-capital crime commits a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Filing false police report pertaining to a capital felony	837.05(2)	Any person who knowingly gives false information to a law enforcement officer concerning the alleged commission of a capital felony commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

### CHAPTER 831 FORGERY AND COUNTERFEITING

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Forgery	831.01	Whoever falsely makes, alters, forges or counterfeits a public record, or any other document issued by a common carrier with intent to injure or defraud any person shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

### CHAPTER 849 GAMBLING

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Gambling	849.08	Whoever plays or engages in any game at cards, keno, roulette, faro or other game of chance, at any place, by any device whatever, for money or other thing of value shall be guilty of a misdemeanor	2 <sup>nd</sup> Degree Misdemeanor	1 Year

Keeping a House of Gambling	849.01	Whoever by herself or himself keeps, exercises or maintains a gaming table or room, house, booth, tent, shelter, or other place for the purpose of gaming or gambling, or permitting any person to play for money or other valuable thing at any game is guilty of a felony of the third degree	3 <sup>rd</sup> Degree Felony	3 Years
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**CHAPTER 826 BIGAMY; INCEST**

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Incest	826.04	A person who knowingly marries or has sexual intercourse with a person to whom he or she is related by lineal consanguinity, or a brother, sister, uncle, aunt nephew, or niece, commits incest, which constitutes a felony of the third degree	3 <sup>rd</sup> Degree Felony	3 Years

**CHAPTER 787 KIDNAPPING; FALSE IMPRISONMENT; LURING OR ENTICING A CHILD; CUSTODY OFFENSES**

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Kidnapping- no special circumstances	787.01(1)(a)(b)(2)	(1)(a) The term kidnapping means forcibly, secretly, or by threat confining, abducting, or imprisoning another person against her or his will and without lawful authority. (b) Confinement of a child under the age of 13 is against her or his will without the consent of her or his parent or legal guardian (2) A person who kidnaps a person is guilty of a felony of the first degree	1 <sup>st</sup> Degree Felony	4 Years*
Kidnapping- with special circumstances	787.01(3)(a)	A person who commits the offense of kidnapping upon a child under the age of 13 and who, in the course of committing the offense, commits one or more of the following: 1. Aggravated child abuse; 2. Sexual battery against the child; 3. Lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition; 4. A violation of former statute relating to prostitution upon the child; 5. Exploitation of the child or allowing the child to be exploited; 6. A violation of statute relating to human trafficking. The offender shall be guilty of a life felony.	Life Felony	No Time Limit
False Imprisonment – V<13	787.02(1)(a)(b)(2)	(1)(a) The term “false imprisonment” means forcibly, by threat, or secretly confining, abducting, imprisoning, or restraining another person without lawful authority and against her or his will. (b) Confinement of a child under the age of 13 is against her or his will within the meaning of this section if such confinement is without the consent of her or his parent or legal guardian (2) A person who commits the offense of false imprisonment is guilty of a felony of the third degree	3 <sup>rd</sup> Degree Felony	3 Years*
False Imprisonment – V<13, commits listed offense	787.02(3)(a)	A person who commits the offense of false imprisonment upon a child under the age of 13 and who, in the course of committing the offense, commits any of the following: 1. Aggravated child abuse; 2. Sexual battery against the child; 3. Lewd or lascivious battery, lewd or lascivious molestation, lewd or lascivious conduct, or lewd or lascivious exhibition; 4. A violation of former statute relating to prostitution upon the child; 5. Exploitation of the child or allowing the child to be exploited; 6. A violation of statute relating to human trafficking, is guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years*

\*[NOTE – Pursuant to 775.15(16)(a), may commence prosecution at any time after DNA identification of accused – after 7/1/06]

**CHAPTERS 800 AND 825 LEWDNESS; INDECENT EXPOSURE; ABUSE, NEGLECT, AND EXPLOITATION OF ELDERLY PERSONS AND DISABLED ADULTS**

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Unnatural and Lascivious Act	800.02	A person who commits any unnatural and lascivious act with another person commits a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	1 Year
Exposure of Sexual Organs	800.03	It is unlawful to expose or exhibit one’s sexual organs in public or on the private premises of another, or so near thereto as to be seen from such private premises, in a vulgar or indecent manner, or to be naked	1 <sup>st</sup> Degree Misdemeanor	2 Years

		in public except in any place provided or set apart for that purpose. The offender shall be guilty of a misdemeanor of the second degree.		
Lewd or Lascivious Battery – Victim 12 to 16	800.04(4)	A person commits lewd or lascivious battery by: 1. Engaging in sexual activity with a person 12 years of age or older but less than 16 years of age; or 2. Encouraging, forcing, or enticing any person less than 16 years of age to engage in sadomasochistic abuse, sexual bestiality, prostitution, or any other act involving sexual activity. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years [1][2][3][4]
Lewd or Lascivious Battery – Elderly/Disabled Adult	825.1025(2)(a)(b)	“Lewd or lascivious battery upon an elderly person or disabled” occurs when a person encourages, forces, or entices an elderly person or disabled person to engage in sadomasochistic abuse, sexual bestiality, prostitution, or any other act involving sexual activity, when the person knows or reasonably should know that the elderly person or disabled person either lacks the capacity to consent or fails to give consent. (b) A person who commits lewd or lascivious molestation of an elderly person or disabled person commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years [2][3]
Lewd or Lascivious Molestation – Off>18, V<12	800.04(5)(a)(b)	(a) A person who intentionally touches in a lewd or lascivious manner the breasts, genitals, genital area, or buttocks, or the clothing covering them, of a person less than 16 years of age, or forces or entices a person under 16 years of age to so touch the perpetrator, commits lewd or lascivious molestation (b) An offender 18 years of age or older who commits lewd or lascivious molestation against a victim less than 12 years of age commits a life felony.	Life Felony	No time Limit
Lewd or Lascivious Molestation – Off<18, V<12	800.04(5)(c)1	An offender less than 18 years of age who commits lewd or lascivious molestation against a victim less than 12 years of age commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years [1][2][3][4]
Lewd or Lascivious Molestation – Off>18, V<12-16	800.04(5)(c)2	An offender 18 years of age or older who commits lewd or lascivious molestation against a victim 12 years of age or older but less than 16 years of age commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years [1][2][3][4]
Lewd or Lascivious Molestation – Off<18, V<12-16	800.04(5)(d)	An offender less than 18 years of age who commits lewd or lascivious molestation against a victim 12 years of age or older but less than 16 years of age, shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years [1][2][3][4]
Lewd or Lascivious Molestation- Elderly/Disabled Adult	825.1025(3)(b)	A person who commits lewd or lascivious molestation of an elderly person or disabled person commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years [2][3]
Lewd or Lascivious Conduct – Off >18, V<16	800.04(6)(a)(b)	(a) A person who intentionally touches a person under 16 years of age in a lewd or lascivious manner; or solicits a person under 16 years of age to commit a lewd or lascivious act commits lewd or lascivious conduct (b) An offender 18 years of age or older who commits lewd or lascivious conduct commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years [1][2][3]
Lewd or Lascivious Conduct – Off <18, V<16	800.04(6)(c)	An offender less than 18 years of age who commits lewd or lascivious conduct commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years [1][2][3]
Lewd or Lascivious Exhibition – Off>18, V<16	800.04(7)(a)(b)	(a) A person who intentionally masturbates; intentionally exposes the genitals in a lewd or lascivious manner; or intentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity	2 <sup>nd</sup> Degree Felony	3 Years [1][2][3]



		(b) An offender 18 years of age or older who commits a lewd or lascivious exhibition commits a felony of the second degree.		
Lewd or Lascivious Exhibition – Off<18, V>16	800.04(7)(c)	An offender less than 18 years of age who commits a lewd or lascivious exhibition commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years [1][2][3]
Lewd or Lascivious Exhibition – Elderly/Disabled Adult	825.1025(4)(a)(b)	(a) “Lewd or lascivious exhibition in the presence of an elderly person or disabled person” occurs when a person, in the presence of an elderly person or disabled person: 1. Intentionally masturbates; 2. Intentionally exposes his or her genitals in a lewd or lascivious manner; or 3. Intentionally commits any other lewd or lascivious act that does not involve actual physical or sexual contact with the elderly person or disabled person, including but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity, when the person knows or reasonably should know that the elderly person or disabled person either lacks the capacity to consent or fails to give consent to having such act committed in his or her presence. (b) A person who commits a lewd or lascivious exhibition in the presence of an elderly person or disabled person commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years [2][3]

[1] [NOTE – Pursuant to 775.15(13)(a), if V<18, Stat. of Limitations begins running only when V reaches 18 or reported to law enforcement]

[2] [NOTE- Pursuant to 775.15(15)(a)2., may commence prosecution w/in one year of DNA identification of accused – 7/1/04 – 6/30/06]

[3] [NOTE – Pursuant to 775.15(16)(a), may commence prosecution at any time after DNA identification of accused – after 7/1/06]

[4] [NOTE – Pursuant to 775.15(18), for violations of s.800.04(4) or (5) and the victims<16 at the time offense was committed, a prosecution may be commenced at any time, unless, at the time of offence, the offender was<18 and is no more than 4 years older than the victim – offenses on or before 10/01/14]

### CHAPTER 782 HOMICIDE

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Manslaughter-w/o legal justification	782.07(1)	The killing of a human being by the act, procurement, or culpable negligence of another, without lawful justification and in cases in which such a killing shall not be excusable homicide or murder but considered manslaughter. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	No Time Limits*
Manslaughter – Aggravated – V elderly, disabled	782.07(2)	A person who causes the death of any elderly person or disabled adult by culpable negligence commits aggravated manslaughter of an elderly person or disabled adult, a felony of the first degree, punishable as provided.	1 <sup>st</sup> Degree Felony	No Time Limits*
Manslaughter-Aggravated – V under 18	782.07(3)	A person who causes the death of any person under the age 18 by culpable negligence commits aggravated manslaughter of an elderly person or disabled adult. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	No Time Limits*
Manslaughter – Aggravated – V LEO, Firefighter, etc.	782.07(4)	A person who causes the death, through culpable negligence, of an officer, a firefighter, an emergency medical technician, or paramedic is performing duties that are within the course of his or her employment, commits aggravated manslaughter and shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	No Time Limits*

\*[NOTE – pursuant to 775.15(1), a prosecution for felony that resulted in a death may be commenced at any time ]

### CHAPTER 409 MEDICAID PROVIDER FRAUD

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Medicaid Provider Fraud (<\$10,000)	409.920(2)(b)1. a.	A person who receives or endeavors to receive anything of value of: Ten thousand dollars or less shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*
Medicaid Provider Fraud (\$10,000 - \$50,000)	409.920(2)(b)1. b.	A person who receives or endeavors to receive anything of value of: More than \$10,000, but less than \$50,000 shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years*

Medicaid Provider Fraud (\$50,000+)	409.920(2)(b)1. c.	A person who receives or endeavors to receive anything of value of: Fifty thousand dollars or more shall be guilty of a felony of the second degree.	1 <sup>st</sup> Degree Felony	5 Years*
*[NOTE – pursuant to 775.15(8) there is a special 5-year statute of limitations]				
<b>CHAPTERS 896 AND 655 OFFENSES RELATED TO FINANCIAL TRANSACTIONS; FINANCIAL INSTITUTIONS GENERALLY (MONEY LAUNDERING)</b>				
Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Failure to Report Currency Transaction > \$10,000	896.102(1)	All persons engaged in a trade or business who receive more than \$10,000 in currency, including foreign currency, in one or multiple transaction(s), must complete and file with the Department of Revenue the information required pursuant to 26 U.S.C. s.650501., concerning returns relating to currency received in trade or business. Failure to comply with reporting requirements is a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Financial Inst. Failure to Report - < \$300	655.50(10)(a)	A person who willfully violates or knowingly causes another person to violate and this violation involves a financial transaction(s) totaling less than \$300 or except as provided in paragraph (b) of this section shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Financial Inst. Failure to Report - \$300 - \$20,000	655.50(10)(b)1	A person who willfully violates or knowingly causes another person to violate and this violation involves a financial transaction(s) totaling or exceeding \$300 but less than \$20,000 in any 12-month period shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Financial Inst. Failure to Report - \$20,000 - \$100,000	655.50(10)(b)2	A person who willfully violates or knowingly causes another person to violate and this violation involves a financial transaction(s) totaling or exceeding \$20,000 but less than \$100,000 in any 12-month period shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Financial Inst. Failure to Report- \$100,000+	655.50(10)(b)3	A person who willfully violates or knowingly causes another person to violate a financial transaction(s) totaling or exceeding \$100,000 in any 12-month period shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Money Laundering - \$300-20,000 in 12 months	896.101(5)(a)	A person who violates this section, if the violation involves: Financial transactions exceeding \$300 but less than \$20,000 in any 12-month period shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Money Laundering - \$20,000 - \$100,000 in 12 months	896.101(5)(b)	A person who violates this section, if the violation involves: Financial transactions exceeding \$20,000 but less than \$100,000 in any 12-month period shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Money Laundering - \$100,000+ in 12 months	896.101(5)(c)	A person who violates this section, if the violation involves: Financial transactions totaling or exceeding \$100,000 in any 12-month period shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Structuring Transaction to Evade Reporting - \$300-\$20,000	896.104(4)(a)1	A person who violates this section, if the violation involves: Financial transactions exceeding \$300 but less than \$20,000 in any 12-month period shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Structuring Transaction to Evade Reporting - \$20K - \$100K	896.104(4)(a)2	A person who violates this section, if the violation involves: Financial transactions exceeding \$20,000 but less than \$100,000 in any 12-month period shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years

Structuring Transaction to Evade Reporting - \$100K +	896.104(4)(a)3	A person who violates this section, if the violation involves: Financial transactions totaling or exceeding \$100,000 in any 12-month period shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
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### CHAPTER 782 HOMICIDE

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Murder- First Degree- Premeditated or Felony murder	782.04(1)(a)	The unlawful killing of a human being: 1. When perpetrated from a premeditated design to effect the death of the person killed or any human being; when committed by a person engaged in the perpetration of, or in attempt to perpetrate, any: Trafficking offense, arson, sexual battery, robbery, burglary, kidnapping, escape, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, aircraft piracy, unlawful throwing, placing, or discharging or a destructive device or bomb, carjacking, home-invasion robbery, aggravated stalking, murder of another human being, resisting an officer who violence to his or her person, aggravated fleeing or eluding with serious bodily injury or death, felony that is an act of terrorism or is in furtherance of an act of terrorism, human trafficking; or which resulted from the unlawful distribution of any controlled substance. The offender shall be guilty of a capital felony.	Capital Felony	No Time Limit
Murder – Second Degree	782.04(2) or (3)	The unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual is murder in the second degree; or when a human being is killed during the perpetration of, or during the attempt to perpetrate, any: Trafficking offense, arson, sexual battery, robbery, burglary, kidnapping, escape, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, aircraft piracy, unlawful throwing, placing, or discharging or a destructive device or bomb, carjacking, home-invasion robbery, aggravated stalking, murder of another human being, resisting an officer who violence to his or her person, aggravated fleeing or eluding with serious bodily injury or death, felony that is an act of terrorism or is in furtherance of an act of terrorism, by a person other than the person engaged in the perpetration of or in the attempt to perpetrate such felony commits murder in the second degree. The offender shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	No Time Limits*
Murder – Third Degree	782.04(4)	The unlawful killing of a human being, when perpetrated without any design to effect death, by a person engaged in the perpetration of, or in the attempt to perpetrate, any felony other than any: Trafficking offense, arson, sexual battery, robbery, burglary, kidnapping, escape, aggravated child abuse, aggravated abuse of an elderly person or disabled adult, aircraft piracy, unlawful throwing, placing, or discharging or a destructive device or bomb, unlawful distribution of any controlled substance, carjacking, home-invasion robbery, aggravated stalking, murder of another human being, resisting an officer who violence to his or her person, aggravated fleeing or eluding with serious bodily injury or death, felony that is an act of terrorism or is in furtherance of an act of terrorism, is murder in the third degree. The offender shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	No Time Limits*

\*[NOTE – pursuant to 775.15(1), a prosecution for a felony that resulted in a death may be commenced at any time]

### CHAPTER 817 FRAUDULENT PRACTICES

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Organized Scheme to Defraud - \$50,000+	817.034(4)(a)1	Any person who engages in a scheme to defraud and obtains property thereby is guilty of organized fraud, punishable as follows: If the amount of property obtained has an aggregate value of \$50,000 or more, the violator is guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years*

Organized Scheme to Defraud - \$20,000 - \$50,000	817.034(4)(a)2	Any person who engages in a scheme to defraud and obtains property thereby is guilty of organized fraud, punishable as follows: If the amount of the property obtained has an aggregate value of \$20,000 or more, but less than \$50,000, the violator is guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years*
Organized Scheme to defraud – under \$20,000	817.034(4)(a)3	Any person who engages in a scheme to defraud and obtains property thereby is guilty of organized fraud, punishable as follows: If the amount of the property obtained has an aggregate value of less than \$20,000, the violator is guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years*

\*[NOTE – pursuant to 775.15(12)(a), if material element of fraud/breach of fiduciary obligation, w/in 1 yr. of discovery, not >3 yrs. Extension]

### CHAPTER 837 PERJURY

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Perjury – Not in Official Proceedings	837.012 (1)	Whoever makes a false statement, which he or she does not believe to be true, under oath, not in an official proceeding, in regard to any material matter shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Perjury – In Official Proceedings	837.02(1)	Except as provided in subsection (2), whoever makes a false statement, which he or she does not believe to be true, under oath in an official proceeding in regard to any material matter commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Perjury – In Official Proceedings (re: Capital Felony)	837.02(2)	Whoever makes a false statement, which he or she does not believe to be true, under oath in an official proceeding that relates to the prosecution of a capital felony, commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	Not Time Limit*

\*[NOTE – pursuant to 775.15(6), there is no time limit on prosecution for perjury related to prosecution of a capital felony]

### CHAPTER 796 PROSTITUTION

Crime	Statute #	Description of Crime	Degree	Statute of Limitation
Prostitution First Offense	796.07(4)(a)1	“Prostitution” means the giving or receiving of the body for sexual activity for hire but excludes sexual activity between spouses. A person who violates any provision of s.796.07, other than paragraph (2)(f) commits a misdemeanor of the 2 <sup>nd</sup> degree if this is the first offense/violation.	2 <sup>nd</sup> Degree Misdemeanor	1 Years
Prostitution Second Offense	796.07(4)(a)2	A person who violates any provision of s.796.07, other than paragraph (2)(f) commits a misdemeanor of the 1 <sup>st</sup> degree if this is the second offense/violation.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Prostitution Third Offense	796.07(4)(a)3	A person who violates any provision of s.796.07, other than paragraph (2)(f) commits a felony of the 3 <sup>rd</sup> degree if this is the third offense/violation.	3 <sup>rd</sup> Degree Felony	3 Years

### Chapter 895 Racketeer Influenced and Corrupt Organization (RICO)

Crime	Statute #	Description of Crime	Degree	Statute of Limitation
RICO	895.04(1)	Any person convicted of engaging in activity in violation of the provisions of s. 895.03 is guilty of a felony in the first degree.	1 <sup>st</sup> Degree Felony	5 Years*

\*[NOTE – pursuant to 895.05(11), for all RICO offenses, there is 5-year statute of limitations. Furthermore, expiration of Statute of Limitations on one of the underlying “predicate” offenses, prohibiting it from being prosecuted separately as a stand-alone offense, does not prohibit its use as a predicate offense under F.S. 895.02(8)(a).]

### CHAPTER 843 AND 944 OBSTRUCTING JUSTICE/STATE CORRECTIONAL SYSTEM

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Resisting a law enforcement	843.01	Whoever knowingly and willfully resists, obstructs, or opposes any officer; member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the	3 <sup>rd</sup> Degree Felony	3 Years

officer with violence		commission; parole and probation officer; county probation officer; personnel or representative of the Department of Law Enforcement; or other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, by offering or doing violence to the person of such officer or legally authorized person is guilty of a felony of the third degree.		
Resisting a law enforcement officer without violence	843.02	Whoever shall resist obstruct, or oppose any officer; member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission; county probation officer; parole and probation supervisor; personnel or representative of the Department of Law Enforcement; or other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, without offering or doing violence to the person of the officer, shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Depriving officer of means of protection or communication	843.025	It is unlawful for any person to deprive a law enforcement officer, a correctional officer, or a correctional probation officer of her or his weapon or radio or to otherwise deprive the officer of the means to defend herself or himself or summon assistance. Any person who violates this section is guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Obstruction by disguised person	843.03	Whoever in any manner disguises himself or herself with intent to obstruct the due execution of the law, or with the intent to intimidate, hinder, or interrupt any officer, beverage enforcement agent, or other person in the legal performance of his or her duty to the exercise of his or her rights under the constitution or laws of this state, whether such intent is effected or not shall be guilty of a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Falsely personating officer	843.08	A person who falsely assumes or pretends to be a law enforcement officer or authorized agent and takes upon himself or herself to act as such, or to require any other person to aid or assist him or her in a matter pertaining to the duty of any such officer commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Falsely personating officer during felony	843.08	A person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Falsely personating officer during felony w/ death or injury	843.08	If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years
Aiding Escape	843.12	Whoever knowingly aids or assists a person in escaping, attempting to escape, or who has escaped, from an officer or person who has or is entitled to the lawful custody of such person is guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Escape	944.40	Any prisoner confined in any prison, jail, private correctional facility, road camp, or other penal institution, working upon the public roads, or being transported to or from a place of confinement who escapes or attempts to escape from such confinement commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years

### CHAPTER 812 THEFT, ROBBERY, AND RELATED CRIMES

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Robbery with a firearm or deadly weapon	812.13(2)(a)	If in the course of committing the robbery the offender carried a firearm or other deadly weapon, then the robbery is a felony of the first degree.	1 <sup>st</sup> Degree Felony (PBL)	4 Years*
Robbery with a weapon	812.13(2)(b)	If in the course of committing the robbery the offender carried a weapon, then the robbery is a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years*
Robbery without a weapon	812.13(2)(c)	If in the course of committing the robbery the offender did not carry a weapon, then the robbery is a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years*

Robbery home invasion – firearm or deadly weapon	812.135(2)(a)	If in the course of committing the home-invasion robbery the person carries a firearm or other deadly weapon, the person commits a felony of the first degree.	1 <sup>st</sup> Degree Felony (PBL)	4 Years*
Robbery home invasion – other weapon or no weapon	812.135(2)(b)(c)	If in the course of committing the home-invasion robbery the person either carries a weapon or does not carry a firearm, deadly weapon, or other weapon, the person commits a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years*

\*[NOTE – Pursuant to 775.15(16)(a), may commence prosecution at any time after DNA identification of accused]

### CHAPTER 517 SECURITIES TRANSACTIONS OFFENSES

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Securities Transaction Offenses	517.302(1)	Whoever violates any of the provisions of this chapter (securities transactions) is guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*
Securities Transactions Offenses (\$50,000+, 5+ persons)	517.302(2)	Any person who violates the provisions of s.517.312(1) by obtaining money or property of an aggregate value exceeding \$50,000 from five or more persons is guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years*

\*[NOTE – pursuant to 775.15(8) there is a special 5-year statute of limitations]

### CHAPTER 794 SEXUAL BATTERY

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Sexual Battery – Off>18, V<12	794.011(2)(a)	A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony	Capital Felony	No Time Limit
Sexual Battery – Off<18, V<12	794.011(2)(b)	A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony.	Life Felony	No Time Limit
Sexual Battery – V>12 – with force	794.011(3)	A person who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony.	Life Felony	No Time Limit
Sexual Battery – special circumstances	794.011(4)	(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person’s consent commits a felony of the first degree (b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without the person’s consent commits a felony of the first degree (c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person’s consent commits a felony of the first degree (d) A person who commits sexual battery upon a person 12 years of age or older without that person’s consent, and such person was previously convicted of a violation of specified statutes has committed a felony of the first degree.	1 <sup>st</sup> Degree Felony (PBL)	4Yrs.[1][2][3][4][5][6]
Sexual battery – V>12 – with NO force	794.011(5)(a)	A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age, without that person’s consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the first degree	1 <sup>st</sup> Degree Felony	4 Yrs.[1][2][4][5][6]
Sexual battery – V>12 – with NO force	794.011(5)(b)	A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older, without that person’s consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree	2 <sup>nd</sup> Degree Felony	3 Yrs.[1][2][4][5][6]

Sexual battery – V>12 – with NO force	794.011(5)(c)	A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree.	2nd Degree Felony	3 Yrs.[1][2][4][5][6]
Sexual battery – V>12 – with NO force	794.011(5)(d)	A person who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process does not use physical force and violence likely to cause serious personal injury and the person was previously convicted of a violation of specified statutes has committed a felony of the first degree.	1st Degree Felony	4 Yrs.[1][2][4][5][6]

- [1] [NOTE – Pursuant to 775.15(13)(a), if V <18, Stat. of Limitations begins running only when V reaches 18 or reported to law enforcement]
- [2] [NOTE – Pursuant to 775.15(13)(a), if 1<sup>st</sup> or 2<sup>nd</sup> Degree Felony and Reported w/in 72 hours-may commence prosecution at any time]
- [3] [NOTE – Pursuant to 775.15(13)(b), if V<18 and 1<sup>st</sup> Degree Felony – may commence prosecution any time]
- [4] [NOTE – Pursuant to 775.15(13)(c), if V<16 – may commence prosecution any time]
- [5] [NOTE – Pursuant to 775.15(15)(a), may commence prosecution w/in one year of DNA identification of accused]
- [6] [NOTE – Pursuant to 775.15(16)(a), may commence prosecution at any time after DNA identification of accused]

### CHAPTER 790 WEAPONS AND FIREARMS

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Shooting into dwelling, building, or vehicle	790.19	Whoever, wantonly or maliciously shoots at, within, or into, or throws any deadly missiles or hurls or projects a stone or other hard substance which would produce death or great bodily harm at, within, or in any public or private building, occupied or not occupied; vessels, aircraft, buses, railroad cars, streetcars, or other vehicles shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years

### CHAPTER 812 THEFT, ROBBERY, AND RELATED CRIMES

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Dealing in stolen property	812.019(1)	Any person who traffics in, or endeavors to traffic in, property that he or she knows or should know was stolen shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	3 Years
Organizes and deals in stolen property	812.019(2)	Any person who initiates, organizes, plans, finances, directs, manages, or supervises the theft of property and traffics in such stolen property shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	4 Years

### CHAPTER 784 ASSAULT; BATTERY; CULPABLE NEGLIGENCE

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Stalking	784.048(2)	A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking a misdemeanor of the first degree.	1 <sup>st</sup> Disagree Misdemeanor	2 Years
Aggravated Stalking (with credible threat)	784.048(3)	A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Aggravated Stalking (violates injunction)	784.048(4)	A person who, after an injunction for protection against repeat violence, sexual violence, dating violence, domestic violence, or after any court-imposed prohibition of conduct toward the subject person or that person’s property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Aggravated Stalking (V<16)	784.048(5)	A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

### CHAPTER 812 THEFT

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
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Petit Theft (first degree)	812.014(2)(e)	If a person steals property that is valued at \$100 or more, but less than \$300, the offender commits petit theft of the first degree and a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	5 Years*
Petit Theft (second)	812.014(3)(a)	Theft of any property not specified in subsection (2) is petit theft of the second degree and a misdemeanor of the second degree.	2 <sup>nd</sup> Degree Misdemeanor	5 Years*
Recidivist Petit Theft (w/ 1 theft prior)	812.014(3)(b)	A person who commits petit theft and who has previously been convicted of any theft commits a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	5 Years*
Recidivist Petit Theft (w/ 2 or more theft priors)	812.014(3)(c)	A person who commits petit theft and who has previously been convicted two or more times of any theft commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*
Grand Theft (\$300-\$20,000/Firearm/Vehicle/Will/ Fire Extinguisher)	812.014(2)(c)	It is grand theft of the third degree and a felony of the third degree if the property stolen is valued at \$300 but less than \$20,000, is a will, codicil, or other testamentary instrument, a firearm, a motor vehicle, or any fire extinguisher, any stop sign, any anhydrous ammonia, or any amount of controlled substance.	3 <sup>rd</sup> Degree Felony	5 Years*
Grand Theft (\$20,000 - \$100,000)	812.014(2)(b)(1)	It is grand theft and a felony of the second degree if the property stolen is valued at \$20,000 or more, but less than \$100,000.	2 <sup>nd</sup> Degree Felony	5 Years*
Grand Theft (\$100,000+)	812.014(2)(a)(1)	If the property stolen is valued at \$100,000 or more or is semitrailer that was deployed by a law enforcement officer it is a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years*
Theft from Elderly (\$50,000+)	812.0145(2)(a)	Whenever a person is charged with committing theft from a person 65 years of age or older or knows or has reason to believe that the victim was 65 years of age or older, the offense charged is as follows: If the funds, assets, or property involved in the theft from a person 65 years of age or older is valued at \$50,000 or more, the offender commits a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years*
Theft from Elderly (\$10,000-\$50,000)	812.0145(2)(b)	Whenever a person is charged with committing theft from a person 65 years of age or older or knows or has reason to believe that the victim was 65 years of age or older, the offense charged is as follows: If the funds, assets, or property involved in the theft from a person 65 years of age or older is valued at \$10,000 or more, but less than \$50,000, the offender commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years*
Theft from Elderly (\$300-\$10,000)	812.0145(2)(c)	Whenever a person is charged with committing theft from a person 65 years of age or older or knows or has reason to believe that the victim was 65 years of age or older, the offense charged is as follows: If the funds, assets, or property involved in the theft from a person 65 years of age or older is valued at \$300 or more, but less than \$10,000, the offender commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*
Dealing in Stolen Property	812.019(1)	Any person who traffics in, or endeavors to traffic in, property that he or she knows or should know was stolen shall be guilty of a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years*
Dealing in Stolen Property (managing, etc.)	812.019(2)	Any person who initiates, organizes, plans, finances, directs, manages, or supervises the theft or property and traffics in such stolen property shall be guilty of a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years*
Theft of Trade Secrets	812.081(2)	Any person who, with intent to deprive or withhold from the owner thereof the control of a trade secret, or with an intent to appropriate a trade secret to his or her own use or to the use of another, steals or embezzles an article representing a trade secret or without authority makes or causes to be made a copy of article representing a trade secret commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*

\*[NOTE – pursuant to 812.035(10), for all theft offenses, there is 5-year statute of limitations – furthermore, up to one-year additional extension is available if defendant is continuously absent from the state – does not apply to solicitation or conspiracy to commit theft]

### CHAPTER 831 FORGERY AND COUNTERFEITING

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
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Uttering Forged Instrument	831.02	Whoever utters and publishes as true a false, forged or altered record, deed, instrument or other writing knowing the same to be false, altered, forged or counterfeited, with intent to injure or defraud any person shall be guilty of a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years
Uttering Counterfeit Currency	831.09	Whoever utters or passes or tenders in payment as true, any such false, altered, forged, or counterfeit, note, check, or draft, payable to the bearer thereof or the order of any person, knowing the same to be false, altered, forged, or counterfeit, with the intent to defraud any person commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years

### CHAPTER 782 HOMICIDE

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Vehicular Homicide – Failure to Render Aid	782.071(1)(b)	“Vehicle Homicide” is the killing of a human being, or the killing of an unborn child by any injury to mother, caused by the operation of a motor vehicle by another in a reckless manner likely to cause the death of, or great bodily harm to, another.  (1)(b) It is a felony of the first degree if at the time of the accident, the person knew, or should have known, that the accident occurred; and the person failed to give information and render aid as required.	1 <sup>st</sup> Degree Felony	No Time Limit*
Vehicular Homicide	782.071(1)(a)	Vehicular homicide is a felony of the second degree.	2 <sup>nd</sup> Degree Felony	No Time Limit*

\*[NOTE – pursuant to 775.15(1), a prosecution of a felony that resulted in a death may be commenced at any time]

### CHAPTER 440 WORKERS' COMPENSATION

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Worker's Compensation Fraud (<\$20,000)	440.105(4)(f)1	Whoever violates any provision of this subsection commits insurance fraud: If the monetary value of any violation is less than \$20,000, the offender commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	5 Years*
Worker's Compensation fraud (\$20,000-\$100,000)	440.105(4)(f)2	Whoever violates any provision of this subsection commits insurance fraud: If the monetary value of any violation is \$20,000 or more, but less than 100,000, the offender commits a felony of the second degree.	2 <sup>nd</sup> Degree Felony	5 Years*
Worker's Compensation Fraud (\$100,000+)	440.105(4)(f)3	Whoever violates any provision of this subsection commits insurance fraud: If the monetary value of any violation is more than \$100,000, the offender commits a felony of the first degree.	1 <sup>st</sup> Degree Felony	5 Years*

\*[NOTE – pursuant to 775.15(11) there is a special 5-year statute of limitations]

### CHAPTER 832 VIOLATIONS INVOLVING CHECKS AND DRAFTS

Crime	Statute #	Description of Crime	Degree	Statute of Limitations
Worthless Documents less than \$150.00	832.05(2)(b)	It is unlawful for any person to give worthless checks, drafts, and debit card orders in the amount of \$150.00 or less, the offender commits a misdemeanor of the first degree.	1 <sup>st</sup> Degree Misdemeanor	2 Years
Worthless Documents more than \$150.00	832.05(2)(b)	It is unlawful for any person to give worthless checks, drafts, and debit card orders unless the check, draft, or debit card order is in the amount of \$150, or its equivalent, or more than the payee or a subsequent holder receives something of value. The offender commits a felony of the third degree.	3 <sup>rd</sup> Degree Felony	3 Years