

## **SB 284 – Fraudulent Proof of Vaccination (Identical HB 47)**

This bill creates s. 817.354, F.S., stating that “a person who counterfeits, forges, alters, clones, or possesses a certificate, card, or other physical or electronic medium that falsely indicates that the holder of the certificate, card, or other physical or electronic medium has been vaccinated against a specific disease, with the intent to defraud, commits” an **unranked, 3<sup>rd</sup> degree felony (Level 1 by default)**.

Per Office of Attorney General, they have heard 3 complaints so far regarding fraudulent proof of vaccination. While it is currently a federal crime to produce or use fraudulent vaccination cards, the FBI does not have any data available on such offenses.

In FY 18-19, the incarceration rate for a Level 1, 3<sup>rd</sup> degree felony was 9.5%, and in FY 19-20 the incarceration rate was 8.2%. In FY 20-21, the incarceration rate for a Level 1, 3<sup>rd</sup> degree felony was 8.1%.

It is possible that a certain number of offenders will fall under Federal jurisdiction, thus limiting the pool of those potentially entering state prison. Also, it is not known how long such illicit activity will persist, especially once the vaccine has inoculated the population.

**CONFERENCE ADOPTED ESTIMATE: Positive Insignificant**

**Requested by: Senate**