

12.3 ARSON — FIRE BOMB

§ 806.111, Fla. Stat.

To prove the crime of (crime charged), the State must prove the following two elements beyond a reasonable doubt:

1. (Defendant)

[manufactured]

[possessed]

[gave to (person alleged)]

[loaned to (person alleged)]

[offered for sale to (person alleged)]

[sold to (person alleged)]

[transferred to (person alleged)]

[transported]

[disposed of]

[offered to (person alleged)]

a fire bomb.

2. At the time, (defendant) intended that the fire bomb would be willfully and unlawfully used to damage by [fire] [explosion] any structure or property.

Definitions

§ 806.111(2)(b), Fla. Stat.

A "fire bomb" is a container containing flammable liquid, or combustible liquid, or any incendiary chemical mixture or compound, having a wick or similar device capable of being ignited or other means capable of causing ignition; but no device commercially manufactured primarily for the purpose of illumination, heating, or cooking shall be deemed to be such a fire bomb.

§ 806.01(3), Fla. Stat.

"Structure" means:

Any building of any kind.

Any enclosed area with a roof over it.

Any real property and its appurtenances.

Any tent or other portable building.

Any vehicle.

Any vessel.

Any watercraft.

Any aircraft.

Lesser Included Offenses

ARSON — FIREBOMB — 806.111

CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Attempt	777.04(1)	5.1

Comment

This instruction was adopted in 1981 and amended in 1989.