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1 A bill to be entitled
2 An act relating to controlled substances; amending s.
3 893.03, F.S.; adding to the list of Schedule I
4 controlled substances certain specified materials,
5 compounds, mixtures, or preparations that contain
6 hallucinogenic substances or that contain any of these
7 substances' salts, isomers, and salts of isomers, if
8 the existence of such salts, isomers, and salts of
9 isomers is possible within the specific chemical
10 designation; reenacting ss. 893.13(1)-(6) and
11 921.0022(3)(b)-(e), F.S., relating to prohibited acts
12 involving controlled substances and the Criminal
13 Punishment Code, respectively, to incorporate the
14 amendments made to s. 893.03, F.S., in references
15 thereto; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Paragraph (c) of subsection (1) of section
20 893.03, Florida Statutes, is amended to read:

21 893.03 Standards and schedules.—The substances enumerated
22 in this section are controlled by this chapter. The controlled
23 substances listed or to be listed in Schedules I, II, III, IV,
24 and V are included by whatever official, common, usual,
25 chemical, or trade name designated. The provisions of this
26 section shall not be construed to include within any of the
27 schedules contained in this section any excluded drugs listed
28 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded

29 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
 30 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
 31 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
 32 Anabolic Steroid Products."

33 (1) SCHEDULE I.—A substance in Schedule I has a high
 34 potential for abuse and has no currently accepted medical use in
 35 treatment in the United States and in its use under medical
 36 supervision does not meet accepted safety standards. The
 37 following substances are controlled in Schedule I:

38 (c) Unless specifically excepted or unless listed in
 39 another schedule, any material, compound, mixture, or
 40 preparation that ~~which~~ contains any quantity of the following
 41 hallucinogenic substances or that ~~which~~ contains any of their
 42 salts, isomers, and salts of isomers, if ~~whenever~~ the existence
 43 of such salts, isomers, and salts of isomers is possible within
 44 the specific chemical designation:

- 45 1. Alpha-ethyltryptamine.
- 46 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
 47 methylaminorex).
- 48 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 49 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 50 5. 4-Bromo-2, 5-dimethoxyphenethylamine.
- 51 6. Bufotenine.
- 52 7. Cannabis.
- 53 8. Cathinone.
- 54 9. Diethyltryptamine.
- 55 10. 2,5-Dimethoxyamphetamine.
- 56 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).

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- 57 | 12. Dimethyltryptamine.
- 58 | 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
- 59 | analog of phencyclidine).
- 60 | 14. N-Ethyl-3-piperidyl benzilate.
- 61 | 15. N-ethylamphetamine.
- 62 | 16. Fenethylamine.
- 63 | 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 64 | 18. Ibogaine.
- 65 | 19. Lysergic acid diethylamide (LSD).
- 66 | 20. Mescaline.
- 67 | 21. Methcathinone.
- 68 | 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 69 | 23. 4-methoxyamphetamine.
- 70 | 24. 4-methoxymethamphetamine.
- 71 | 25. 4-Methyl-2,5-dimethoxyamphetamine.
- 72 | 26. 3,4-Methylenedioxy-N-ethylamphetamine.
- 73 | 27. 3,4-Methylenedioxyamphetamine.
- 74 | 28. N-Methyl-3-piperidyl benzilate.
- 75 | 29. N,N-dimethylamphetamine.
- 76 | 30. Parahexyl.
- 77 | 31. Peyote.
- 78 | 32. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine
- 79 | analog of phencyclidine).
- 80 | 33. Psilocybin.
- 81 | 34. Psilocyn.
- 82 | 35. Salvia divinorum, except for any drug product approved
- 83 | by the United States Food and Drug Administration which contains
- 84 | Salvia divinorum or its isomers, esters, ethers, salts, and

85 salts of isomers, esters, and ethers, if ~~whenever~~ the existence
 86 of such isomers, esters, ethers, and salts is possible within
 87 the specific chemical designation.

88 36. Salvinorin A, except for any drug product approved by
 89 the United States Food and Drug Administration which contains
 90 Salvinorin A or its isomers, esters, ethers, salts, and salts of
 91 isomers, esters, and ethers, if ~~whenever~~ the existence of such
 92 isomers, esters, ethers, and salts is possible within the
 93 specific chemical designation.

94 37. Tetrahydrocannabinols.

95 38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
 96 (Thiophene analog of phencyclidine).

97 39. 3,4,5-Trimethoxyamphetamine.

98 40. 3,4-Methylenedioxymethcathinone.

99 41. 3,4-Methylenedioxypropylvalerone (MDPV).

100 42. Methylenedioxymethcathinone.

101 43. Methoxymethcathinone.

102 44. Fluoromethcathinone.

103 45. Methylethcathinone.

104 46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
 105 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
 106 homologue.

107 47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
 108 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
 109 also known as HU-210.

110 48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.

111 49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.

112 50. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole,

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- 113 also known as JWH-200.
- 114 51. BZP (Benzylpiperazine).
- 115 52. Fluorophenylpiperazine.
- 116 53. Methylphenylpiperazine.
- 117 54. Chlorophenylpiperazine.
- 118 55. Methoxyphenylpiperazine.
- 119 56. DBZP (1,4-dibenzylpiperazine).
- 120 57. TFMPP (3-Trifluoromethylphenylpiperazine).
- 121 58. MBDB (Methylbenzodioxolylbutanamine).
- 122 59. 5-Hydroxy-alpha-methyltryptamine.
- 123 60. 5-Hydroxy-N-methyltryptamine.
- 124 61. 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 125 62. 5-Methoxy-alpha-methyltryptamine.
- 126 63. Methyltryptamine.
- 127 64. 5-Methoxy-N,N-dimethyltryptamine.
- 128 65. 5-Methyl-N,N-dimethyltryptamine.
- 129 66. Tyramine (4-Hydroxyphenethylamine).
- 130 67. 5-Methoxy-N,N-Diisopropyltryptamine.
- 131 68. DiPT (N,N-Diisopropyltryptamine).
- 132 69. DPT (N,N-Dipropyltryptamine).
- 133 70. 4-Hydroxy-N,N-diisopropyltryptamine.
- 134 71. Methoxytryptamine.
- 135 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 136 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 137 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 138 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
- 139 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 140 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).

- 141 | 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
- 142 | 79. 2C-T-7 (2,5-Dimethoxy-4-propylthiophenethylamine).
- 143 | 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 144 | 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).
- 145 | 82. Ethcathinone.
- 146 | 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
- 147 | 84. Naphyrone (naphthylpyrovalerone).
- 148 | 85. N-N-Dimethyl-3,4-methylenedioxcathinone.
- 149 | 86. N-N-Diethyl-3,4-methylenedioxcathinone.
- 150 | 87. 3,4-methylenedioxy-propiofenone.
- 151 | 88. 2-Bromo-3,4-Methylenedioxypropiofenone.
- 152 | 89. 3,4-methylenedioxy-propiofenone-2-oxime.
- 153 | 90. N-Acetyl-3,4-methylenedioxcathinone.
- 154 | 91. N-Acetyl-N-Methyl-3,4-Methylenedioxcathinone.
- 155 | 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxcathinone.
- 156 | 93. Bromomethcathinone.
- 157 | 94. Buphedrone (alpha-methylamino-butyrophenone).
- 158 | 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 159 | 96. Dimethylcathinone.
- 160 | 97. Dimethylmethcathinone.
- 161 | 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
- 162 | 99. (MDPPP) 3,4-Methylenedioxy-alpha-
- 163 | pyrrolidinopropiofenone.
- 164 | 100. (MDPBP) 3,4-Methylenedioxy-alpha-
- 165 | pyrrolidinobutiophenone.
- 166 | 101. Methoxypyrrolidinopropiofenone (MOPPP).
- 167 | 102. Methylpyrrolidinohexiophenone (MPHP).
- 168 | 103. Benzocyclidine (BCP) or

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- 169 benzothiophenylcyclohexylpiperidine (BTCP).
- 170 104. Fluoromethylaminobutyrophenone (F-MABP).
- 171 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 172 106. Ethylpyrrolidinobutyrophenone (Et-PBP).
- 173 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
- 174 108. Methylethylaminobutyrophenone (Me-EABP)
- 175 109. Methylaminobutyrophenone (MABP).
- 176 110. Pyrrolidinopropiophenone.
- 177 111. Pyrrolidinobutiophenone (PBP).
- 178 112. Pyrrolidinovalerophenone (PVP).
- 179 113. Methylpyrrolidinopropiophenone (MPPP).
- 180 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
- 181 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
- 182 naphthalenylmethanone).
- 183 116. JWH-019 (Naphthalen-1-yl-(1-pentylindol-3-
- 184 yl)methanone).
- 185 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
- 186 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
- 187 yl)methanone).
- 188 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-
- 189 yl)methanone).
- 190 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 191 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-
- 192 6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
- 193 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
- 194 indole).
- 195 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).
- 196 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-

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- 197 yl)ethanone).
- 198 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
- 199 yl)methanone).
- 200 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
- 201 yl)ethanone).
- 202 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-
- 203 yl)ethanone).
- 204 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).
- 205 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
- 206 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 207 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 208 ol)).
- 209 131. HU-308 ([91R,2R,5R)-2-[2,6-dimethoxy-4-(2-
- 210 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
- 211 enyl]methanol).
- 212 132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 213 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 214 1,4-dione).
- 215 133. CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
- 216 yl)methanone).
- 217 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
- 218 undecanamide).
- 219 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
- 220 undecanamide).
- 221 136. CP55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
- 222 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).
- 223 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-
- 224 iodophenyl)methanone).

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225 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
 226 (naphthalen-1-yl)methanone).

227 139. RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-
 228 yl)methanone)).

229 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-
 230 methoxyphenylethanonone).

231 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
 232 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
 233 naphthalenylmethanone).

234 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
 235 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
 236 naphthalenylmethanone).

237 Section 2. For the purpose of incorporating the amendment
 238 made by this act to section 893.03, Florida Statutes, in
 239 references thereto, subsections (1), (2), (3), (4), (5), and (6)
 240 of section 893.13, Florida Statutes, are reenacted to read:

241 893.13 Prohibited acts; penalties.—

242 (1)(a) Except as authorized by this chapter and chapter
 243 499, it is unlawful for any person to sell, manufacture, or
 244 deliver, or possess with intent to sell, manufacture, or
 245 deliver, a controlled substance. Any person who violates this
 246 provision with respect to:

247 1. A controlled substance named or described in s.
 248 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 249 commits a felony of the second degree, punishable as provided in
 250 s. 775.082, s. 775.083, or s. 775.084.

251 2. A controlled substance named or described in s.
 252 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,

253 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 254 the third degree, punishable as provided in s. 775.082, s.
 255 775.083, or s. 775.084.

256 3. A controlled substance named or described in s.
 257 893.03(5) commits a misdemeanor of the first degree, punishable
 258 as provided in s. 775.082 or s. 775.083.

259 (b) Except as provided in this chapter, it is unlawful to
 260 sell or deliver in excess of 10 grams of any substance named or
 261 described in s. 893.03(1)(a) or (1)(b), or any combination
 262 thereof, or any mixture containing any such substance. Any
 263 person who violates this paragraph commits a felony of the first
 264 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 265 775.084.

266 (c) Except as authorized by this chapter, it is unlawful
 267 for any person to sell, manufacture, or deliver, or possess with
 268 intent to sell, manufacture, or deliver, a controlled substance
 269 in, on, or within 1,000 feet of the real property comprising a
 270 child care facility as defined in s. 402.302 or a public or
 271 private elementary, middle, or secondary school between the
 272 hours of 6 a.m. and 12 midnight, or at any time in, on, or
 273 within 1,000 feet of real property comprising a state, county,
 274 or municipal park, a community center, or a publicly owned
 275 recreational facility. For the purposes of this paragraph, the
 276 term "community center" means a facility operated by a nonprofit
 277 community-based organization for the provision of recreational,
 278 social, or educational services to the public. Any person who
 279 violates this paragraph with respect to:

280 1. A controlled substance named or described in s.

281 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 282 commits a felony of the first degree, punishable as provided in
 283 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
 284 sentenced to a minimum term of imprisonment of 3 calendar years
 285 unless the offense was committed within 1,000 feet of the real
 286 property comprising a child care facility as defined in s.
 287 402.302.

288 2. A controlled substance named or described in s.
 289 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 290 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 291 the second degree, punishable as provided in s. 775.082, s.
 292 775.083, or s. 775.084.

293 3. Any other controlled substance, except as lawfully
 294 sold, manufactured, or delivered, must be sentenced to pay a
 295 \$500 fine and to serve 100 hours of public service in addition
 296 to any other penalty prescribed by law.

297
 298 This paragraph does not apply to a child care facility unless
 299 the owner or operator of the facility posts a sign that is not
 300 less than 2 square feet in size with a word legend identifying
 301 the facility as a licensed child care facility and that is
 302 posted on the property of the child care facility in a
 303 conspicuous place where the sign is reasonably visible to the
 304 public.

305 (d) Except as authorized by this chapter, it is unlawful
 306 for any person to sell, manufacture, or deliver, or possess with
 307 intent to sell, manufacture, or deliver, a controlled substance
 308 in, on, or within 1,000 feet of the real property comprising a

309 public or private college, university, or other postsecondary
 310 educational institution. Any person who violates this paragraph
 311 with respect to:

312 1. A controlled substance named or described in s.
 313 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 314 commits a felony of the first degree, punishable as provided in
 315 s. 775.082, s. 775.083, or s. 775.084.

316 2. A controlled substance named or described in s.
 317 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 318 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 319 the second degree, punishable as provided in s. 775.082, s.
 320 775.083, or s. 775.084.

321 3. Any other controlled substance, except as lawfully
 322 sold, manufactured, or delivered, must be sentenced to pay a
 323 \$500 fine and to serve 100 hours of public service in addition
 324 to any other penalty prescribed by law.

325 (e) Except as authorized by this chapter, it is unlawful
 326 for any person to sell, manufacture, or deliver, or possess with
 327 intent to sell, manufacture, or deliver, a controlled substance
 328 not authorized by law in, on, or within 1,000 feet of a physical
 329 place for worship at which a church or religious organization
 330 regularly conducts religious services or within 1,000 feet of a
 331 convenience business as defined in s. 812.171. Any person who
 332 violates this paragraph with respect to:

333 1. A controlled substance named or described in s.
 334 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 335 commits a felony of the first degree, punishable as provided in
 336 s. 775.082, s. 775.083, or s. 775.084.

337 2. A controlled substance named or described in s.
 338 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 339 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 340 the second degree, punishable as provided in s. 775.082, s.
 341 775.083, or s. 775.084.

342 3. Any other controlled substance, except as lawfully
 343 sold, manufactured, or delivered, must be sentenced to pay a
 344 \$500 fine and to serve 100 hours of public service in addition
 345 to any other penalty prescribed by law.

346 (f) Except as authorized by this chapter, it is unlawful
 347 for any person to sell, manufacture, or deliver, or possess with
 348 intent to sell, manufacture, or deliver, a controlled substance
 349 in, on, or within 1,000 feet of the real property comprising a
 350 public housing facility at any time. For purposes of this
 351 section, the term "real property comprising a public housing
 352 facility" means real property, as defined in s. 421.03(12), of a
 353 public corporation created as a housing authority pursuant to
 354 part I of chapter 421. Any person who violates this paragraph
 355 with respect to:

356 1. A controlled substance named or described in s.
 357 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 358 commits a felony of the first degree, punishable as provided in
 359 s. 775.082, s. 775.083, or s. 775.084.

360 2. A controlled substance named or described in s.
 361 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 362 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 363 the second degree, punishable as provided in s. 775.082, s.
 364 775.083, or s. 775.084.

365 3. Any other controlled substance, except as lawfully
 366 sold, manufactured, or delivered, must be sentenced to pay a
 367 \$500 fine and to serve 100 hours of public service in addition
 368 to any other penalty prescribed by law.

369 (g) Except as authorized by this chapter, it is unlawful
 370 for any person to manufacture methamphetamine or phencyclidine,
 371 or possess any listed chemical as defined in s. 893.033 in
 372 violation of s. 893.149 and with intent to manufacture
 373 methamphetamine or phencyclidine. If any person violates this
 374 paragraph and:

375 1. The commission or attempted commission of the crime
 376 occurs in a structure or conveyance where any child under 16
 377 years of age is present, the person commits a felony of the
 378 first degree, punishable as provided in s. 775.082, s. 775.083,
 379 or s. 775.084. In addition, the defendant must be sentenced to a
 380 minimum term of imprisonment of 5 calendar years.

381 2. The commission of the crime causes any child under 16
 382 years of age to suffer great bodily harm, the person commits a
 383 felony of the first degree, punishable as provided in s.
 384 775.082, s. 775.083, or s. 775.084. In addition, the defendant
 385 must be sentenced to a minimum term of imprisonment of 10
 386 calendar years.

387 (h) Except as authorized by this chapter, it is unlawful
 388 for any person to sell, manufacture, or deliver, or possess with
 389 intent to sell, manufacture, or deliver, a controlled substance
 390 in, on, or within 1,000 feet of the real property comprising an
 391 assisted living facility, as that term is used in chapter 429.
 392 Any person who violates this paragraph with respect to:

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393 1. A controlled substance named or described in s.
394 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
395 commits a felony of the first degree, punishable as provided in
396 s. 775.082, s. 775.083, or s. 775.084.

397 2. A controlled substance named or described in s.
398 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
399 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
400 the second degree, punishable as provided in s. 775.082, s.
401 775.083, or s. 775.084.

402 (2)(a) Except as authorized by this chapter and chapter
403 499, it is unlawful for any person to purchase, or possess with
404 intent to purchase, a controlled substance. Any person who
405 violates this provision with respect to:

406 1. A controlled substance named or described in s.
407 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
408 commits a felony of the second degree, punishable as provided in
409 s. 775.082, s. 775.083, or s. 775.084.

410 2. A controlled substance named or described in s.
411 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
412 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
413 the third degree, punishable as provided in s. 775.082, s.
414 775.083, or s. 775.084.

415 3. A controlled substance named or described in s.
416 893.03(5) commits a misdemeanor of the first degree, punishable
417 as provided in s. 775.082 or s. 775.083.

418 (b) Except as provided in this chapter, it is unlawful to
419 purchase in excess of 10 grams of any substance named or
420 described in s. 893.03(1)(a) or (1)(b), or any combination

421 | thereof, or any mixture containing any such substance. Any
 422 | person who violates this paragraph commits a felony of the first
 423 | degree, punishable as provided in s. 775.082, s. 775.083, or s.
 424 | 775.084.

425 | (3) Any person who delivers, without consideration, not
 426 | more than 20 grams of cannabis, as defined in this chapter,
 427 | commits a misdemeanor of the first degree, punishable as
 428 | provided in s. 775.082 or s. 775.083. For the purposes of this
 429 | paragraph, "cannabis" does not include the resin extracted from
 430 | the plants of the genus Cannabis or any compound manufacture,
 431 | salt, derivative, mixture, or preparation of such resin.

432 | (4) Except as authorized by this chapter, it is unlawful
 433 | for any person 18 years of age or older to deliver any
 434 | controlled substance to a person under the age of 18 years, or
 435 | to use or hire a person under the age of 18 years as an agent or
 436 | employee in the sale or delivery of such a substance, or to use
 437 | such person to assist in avoiding detection or apprehension for
 438 | a violation of this chapter. Any person who violates this
 439 | provision with respect to:

440 | (a) A controlled substance named or described in s.
 441 | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 442 | commits a felony of the first degree, punishable as provided in
 443 | s. 775.082, s. 775.083, or s. 775.084.

444 | (b) A controlled substance named or described in s.
 445 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 446 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 447 | the second degree, punishable as provided in s. 775.082, s.
 448 | 775.083, or s. 775.084.

449
 450 Imposition of sentence may not be suspended or deferred, nor
 451 shall the person so convicted be placed on probation.

452 (5) It is unlawful for any person to bring into this state
 453 any controlled substance unless the possession of such
 454 controlled substance is authorized by this chapter or unless
 455 such person is licensed to do so by the appropriate federal
 456 agency. Any person who violates this provision with respect to:

457 (a) A controlled substance named or described in s.
 458 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 459 commits a felony of the second degree, punishable as provided in
 460 s. 775.082, s. 775.083, or s. 775.084.

461 (b) A controlled substance named or described in s.
 462 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 463 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 464 the third degree, punishable as provided in s. 775.082, s.
 465 775.083, or s. 775.084.

466 (c) A controlled substance named or described in s.
 467 893.03(5) commits a misdemeanor of the first degree, punishable
 468 as provided in s. 775.082 or s. 775.083.

469 (6)(a) It is unlawful for any person to be in actual or
 470 constructive possession of a controlled substance unless such
 471 controlled substance was lawfully obtained from a practitioner
 472 or pursuant to a valid prescription or order of a practitioner
 473 while acting in the course of his or her professional practice
 474 or to be in actual or constructive possession of a controlled
 475 substance except as otherwise authorized by this chapter. Any
 476 person who violates this provision commits a felony of the third

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477 degree, punishable as provided in s. 775.082, s. 775.083, or s.
478 775.084.

479 (b) If the offense is the possession of not more than 20
480 grams of cannabis, as defined in this chapter, or 3 grams or
481 less of a controlled substance described in s. 893.03(1)(c)46.-
482 50., the person commits a misdemeanor of the first degree,
483 punishable as provided in s. 775.082 or s. 775.083. For the
484 purposes of this subsection, "cannabis" does not include the
485 resin extracted from the plants of the genus Cannabis, or any
486 compound manufacture, salt, derivative, mixture, or preparation
487 of such resin, and a controlled substance described in s.
488 893.03(1)(c)46.-50. does not include the substance in a powdered
489 form.

490 (c) Except as provided in this chapter, it is unlawful to
491 possess in excess of 10 grams of any substance named or
492 described in s. 893.03(1)(a) or (1)(b), or any combination
493 thereof, or any mixture containing any such substance. Any
494 person who violates this paragraph commits a felony of the first
495 degree, punishable as provided in s. 775.082, s. 775.083, or s.
496 775.084.

497 (d) Notwithstanding any provision to the contrary of the
498 laws of this state relating to arrest, a law enforcement officer
499 may arrest without warrant any person who the officer has
500 probable cause to believe is violating the provisions of this
501 chapter relating to possession of cannabis.

502 Section 3. For the purpose of incorporating the amendment
503 made by this act to section 893.03, Florida Statutes, in
504 references thereto, paragraphs (b), (c), (d), and (e) of

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505 subsection (3) of section 921.0022, Florida Statutes, are
 506 reenacted to read:

507 921.0022 Criminal Punishment Code; offense severity
 508 ranking chart.—

509 (3) OFFENSE SEVERITY RANKING CHART

510 (b) LEVEL 2

511

Florida	Felony	
Statute	Degree	Description

512

379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
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513

379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
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514

403.413 (5) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
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515

517.07	3rd	Registration of securities and furnishing of prospectus required.
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516

590.28 (1)	3rd	Intentional burning of lands.
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517

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518	784.05(3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
519	787.04(1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
520	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
521	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
522	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
523	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
524	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
	812.015(7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control

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			device countermeasure.
525	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
526	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
527	817.52(3)	3rd	Failure to redeliver hired vehicle.
528	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
529	817.60(5)	3rd	Dealing in credit cards of another.
530	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
531	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
532	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
533	831.01	3rd	Forgery.
534			

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535	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
536	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
537	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
538	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
539	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
540	832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
541	843.08	3rd	Falsely impersonating an officer.
542	893.13(2)(a)2.	3rd	Purchase of any 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) drugs other than cannabis.
	893.147(2)	3rd	Manufacture or delivery of drug

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paraphernalia.

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(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.

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554	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
555	327.35 (2) (b)	3rd	Felony BUI.
556	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
557	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
558	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
559	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
	379.2431 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle

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			Protection Act.
560	400.9935 (4)	3rd	Operating a clinic without a license or filing false license application or other required information.
561	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
562	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
563	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
564	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
565	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
566	697.08	3rd	Equity skimming.
567	790.15 (3)	3rd	Person directs another to discharge

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			firearm from a vehicle.
568			
	796.05 (1)	3rd	Live on earnings of a prostitute.
569			
	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
570			
	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
571			
	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
572			
	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
573			
	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
574			
	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
575			
	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property

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			valued at less than \$20,000.
576			
	817.233	3rd	Burning to defraud insurer.
577			
	817.234	3rd	Unlawful solicitation of persons
	(8) (b) - (c)		involved in motor vehicle accidents.
578			
	817.234 (11) (a)	3rd	Insurance fraud; property value less
			than \$20,000.
579			
	817.236	3rd	Filing a false motor vehicle insurance
			application.
580			
	817.2361	3rd	Creating, marketing, or presenting a
			false or fraudulent motor vehicle
			insurance card.
581			
	817.413 (2)	3rd	Sale of used goods as new.
582			
	817.505 (4)	3rd	Patient brokering.
583			
	828.12 (2)	3rd	Tortures any animal with intent to
			inflict intense pain, serious physical
			injury, or death.
584			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with
			intent to defraud or possessing a

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585 counterfeit payment instrument.

586 831.29 2nd Possession of instruments for
counterfeiting drivers' licenses or
identification cards.

587 838.021(3)(b) 3rd Threatens unlawful harm to public
servant.

588 843.19 3rd Injure, disable, or kill police dog or
horse.

589 860.15(3) 3rd Overcharging for repairs and parts.

590 870.01(2) 3rd Riot; inciting or encouraging.

591 893.13(1)(a)2. 3rd Sell, manufacture, or deliver cannabis
(or other s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9., (3), or
(4) drugs).

592 893.13(1)(d)2. 2nd Sell, manufacture, or deliver s.
893.03(1)(c), (2)(c)1., (2)(c)2.,
(2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7.,
(2)(c)8., (2)(c)9., (3), or (4) drugs
within 1,000 feet of university.

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- 593 893.13(1)(f)2. 2nd Sell, manufacture, or deliver s.
893.03(1)(c), (2)(c)1., (2)(c)2.,
(2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7.,
(2)(c)8., (2)(c)9., (3), or (4) drugs
within 1,000 feet of public housing
facility.
- 594 893.13(6)(a) 3rd Possession of any controlled substance
other than felony possession of
cannabis.
- 595 893.13(7)(a)8. 3rd Withhold information from practitioner
regarding previous receipt of or
prescription for a controlled substance.
- 596 893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled
substance by fraud, forgery,
misrepresentation, etc.
- 597 893.13(7)(a)10. 3rd Affix false or forged label to package
of controlled substance.
- 598 893.13(7)(a)11. 3rd Furnish false or fraudulent material
information on any document or record
required by chapter 893.
- 893.13(8)(a)1. 3rd Knowingly assist a patient, other

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person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

599

893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

600

893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.

601

893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

602

918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.

603

944.47 3rd Introduce contraband to correctional facility.
(1)(a)1.-2.

604

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605	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
606	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
607	(d) LEVEL 4		
608			
609	Florida Statute	Felony Degree	Description
610	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
611	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
612	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
613	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.

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614	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
615	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
616	784.075	3rd	Battery on detention or commitment facility staff.
617	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
618	784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
619	784.081(3)	3rd	Battery on specified official or employee.
620	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
621	784.083(3)	3rd	Battery on code inspector.
622	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

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- 623
787.03 (1)
3rd
Interference with custody; wrongly takes minor from appointed guardian.
- 624
787.04 (2)
3rd
Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
- 625
787.04 (3)
3rd
Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
- 626
790.115 (1)
3rd
Exhibiting firearm or weapon within 1,000 feet of a school.
- 627
790.115 (2) (b)
3rd
Possessing electric weapon or device, destructive device, or other weapon on school property.
- 628
790.115 (2) (c)
3rd
Possessing firearm on school property.
- 629
800.04 (7) (c)
3rd
Lewd or lascivious exhibition; offender less than 18 years.
- 630
810.02 (4) (a)
3rd
Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

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631	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
632	810.06	3rd	Burglary; possession of tools.
633	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
634	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
635	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
636	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
637	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
638	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
639	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.

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640	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
641	837.02 (1)	3rd	Perjury in official proceedings.
642	837.021 (1)	3rd	Make contradictory statements in official proceedings.
643	838.022	3rd	Official misconduct.
644	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
645	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
646	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
647	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
648	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

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649	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
650	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
651	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
652	914.14(2)	3rd	Witnesses accepting bribes.
653	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
654	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
655	918.12	3rd	Tampering with jurors.
656	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
657	(e)	LEVEL 5	
658	Florida	Felony	
659	Statute	Degree	Description

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660	316.027 (1) (a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
661	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
662	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
663	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
664	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
665	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
666	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
667	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
	624.401 (4) (b) 2.	2nd	Transacting insurance without a

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			certificate or authority; premium collected \$20,000 or more but less than \$100,000.
668	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
669	790.01 (2)	3rd	Carrying a concealed firearm.
670	790.162	2nd	Threat to throw or discharge destructive device.
671	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
672	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
673	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
674	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
675	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
676			

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677	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
678	812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
679	812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
680	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
681	812.131(2)(b)	3rd	Robbery by sudden snatching.
682	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
683	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
684	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
	817.2341(1),	3rd	Filing false financial statements,

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685	(2) (a) & (3) (a)		making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
686	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
687	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
688	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
689	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion

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690			picture, etc., which includes sexual conduct by a child.
691	839.13(2)(b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
692	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
693	847.0135(5)(b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
694	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
695	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
696	874.05(2)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.

697	893.13(1)(c)2.	2nd	drugs) . Sell, manufacture, or deliver cannabis (or other 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) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
698	893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.
699	893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under 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) within 1,000 feet of property used for religious services or a specified business site.
700	893.13(1)(f)1.	1st	Sell, manufacture, or deliver cocaine

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(or other s. 893.03(1)(a), (1)(b),
 (1)(d), or (2)(a), (2)(b), or (2)(c)4.
 drugs) within 1,000 feet of public
 housing facility.

701

893.13(4)(b) 2nd Deliver to minor cannabis (or other 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) drugs).

702

893.1351(1) 3rd Ownership, lease, or rental for
 trafficking in or manufacturing of
 controlled substance.

703

704 Section 4. This act shall take effect October 1, 2012.