

1 A bill to be entitled
 2 An act relating to mandatory minimum sentences for
 3 drug trafficking; amending ss. 893.13 and 893.135,
 4 F.S.; repealing mandatory minimum sentences for
 5 specified controlled substance offenses; amending s.
 6 921.0022, F.S.; conforming provisions to changes made
 7 by the act; providing an effective date.

8

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

10

11 Section 1. Paragraph (c) of subsection (1) of section
 12 893.13, Florida Statutes, is amended to read:

13 893.13 Prohibited acts; penalties.—

14 (1)

15 (c) Except as authorized by this chapter, a person may not
 16 sell, manufacture, or deliver, or possess with intent to sell,
 17 manufacture, or deliver, a controlled substance in, on, or
 18 within 1,000 feet of the real property comprising a child care
 19 facility as defined in s. 402.302 or a public or private
 20 elementary, middle, or secondary school between the hours of 6
 21 a.m. and 12 midnight, or at any time in, on, or within 1,000
 22 feet of real property comprising a state, county, or municipal
 23 park, a community center, or a publicly owned recreational
 24 facility. As used in this paragraph, the term "community center"
 25 means a facility operated by a nonprofit community-based

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26 organization for the provision of recreational, social, or
27 educational services to the public. A person who violates this
28 paragraph with respect to:

29 1. A controlled substance named or described in s.
30 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
31 commits a felony of the first degree, punishable as provided in
32 s. 775.082, s. 775.083, or s. 775.084. ~~The defendant must be~~
33 ~~sentenced to a minimum term of imprisonment of 3 calendar years~~
34 ~~unless the offense was committed within 1,000 feet of the real~~
35 ~~property comprising a child care facility as defined in s.~~
36 ~~402.302.~~

37 2. A controlled substance named or described in s.
38 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
39 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
40 the second degree, punishable as provided in s. 775.082, s.
41 775.083, or s. 775.084.

42 3. Any other controlled substance, except as lawfully
43 sold, manufactured, or delivered, must be sentenced to pay a
44 \$500 fine and to serve 100 hours of public service in addition
45 to any other penalty prescribed by law.

46
47 This paragraph does not apply to a child care facility unless
48 the owner or operator of the facility posts a sign that is not
49 less than 2 square feet in size with a word legend identifying
50 the facility as a licensed child care facility and that is

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51 | posted on the property of the child care facility in a
52 | conspicuous place where the sign is reasonably visible to the
53 | public.

54 | Section 2. Subsections (1) and (3) of section 893.135,
55 | Florida Statutes, are amended to read:

56 | 893.135 Trafficking; mandatory sentences; suspension or
57 | reduction of sentences; conspiracy to engage in trafficking.—

58 | (1) Except as authorized in this chapter or in chapter 499
59 | and notwithstanding ~~the provisions of~~ s. 893.13:

60 | (a) Any person who knowingly sells, purchases,
61 | manufactures, delivers, or brings into this state, or who is
62 | knowingly in actual or constructive possession of, in excess of
63 | 25 pounds of cannabis, or 300 or more cannabis plants, commits a
64 | felony of the first degree, which felony shall be known as
65 | "trafficking in cannabis," punishable as provided in s. 775.082,
66 | s. 775.083, or s. 775.084. ~~If the quantity of cannabis involved:~~

67 | ~~1. Is in excess of 25 pounds, but less than 2,000 pounds,~~
68 | ~~or is 300 or more cannabis plants, but not more than 2,000~~
69 | ~~cannabis plants, such person shall be sentenced to a mandatory~~
70 | ~~minimum term of imprisonment of 3 years, and the defendant shall~~
71 | ~~be ordered to pay a fine of \$25,000.~~

72 | ~~2. Is 2,000 pounds or more, but less than 10,000 pounds,~~
73 | ~~or is 2,000 or more cannabis plants, but not more than 10,000~~
74 | ~~cannabis plants, such person shall be sentenced to a mandatory~~
75 | ~~minimum term of imprisonment of 7 years, and the defendant shall~~

76 | ~~be ordered to pay a fine of \$50,000.~~

77 | ~~3. Is 10,000 pounds or more, or is 10,000 or more cannabis~~
 78 | ~~plants, such person shall be sentenced to a mandatory minimum~~
 79 | ~~term of imprisonment of 15 calendar years and pay a fine of~~
 80 | ~~\$200,000.~~

81 |
 82 | For the purpose of this paragraph, a plant, including, but not
 83 | limited to, a seedling or cutting, is a "cannabis plant" if it
 84 | has some readily observable evidence of root formation, such as
 85 | root hairs. To determine if a piece or part of a cannabis plant
 86 | severed from the cannabis plant is itself a cannabis plant, the
 87 | severed piece or part must have some readily observable evidence
 88 | of root formation, such as root hairs. Callous tissue is not
 89 | readily observable evidence of root formation. The viability and
 90 | sex of a plant and the fact that the plant may or may not be a
 91 | dead harvested plant are not relevant in determining if the
 92 | plant is a "cannabis plant" or in the charging of an offense
 93 | under this paragraph. ~~Upon conviction, the court shall impose~~
 94 | ~~the longest term of imprisonment provided for in this paragraph.~~

95 | (b)1. Any person who knowingly sells, purchases,
 96 | manufactures, delivers, or brings into this state, or who is
 97 | knowingly in actual or constructive possession of, 28 grams or
 98 | more of cocaine, as described in s. 893.03(2)(a)4., or of any
 99 | mixture containing cocaine, but less than 150 kilograms of
 100 | cocaine or any such mixture, commits a felony of the first

101 degree, which felony shall be known as "trafficking in cocaine,"
 102 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 103 ~~If the quantity involved:~~

104 ~~a. Is 28 grams or more, but less than 200 grams, such~~
 105 ~~person shall be sentenced to a mandatory minimum term of~~
 106 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
 107 ~~pay a fine of \$50,000.~~

108 ~~b. Is 200 grams or more, but less than 400 grams, such~~
 109 ~~person shall be sentenced to a mandatory minimum term of~~
 110 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
 111 ~~pay a fine of \$100,000.~~

112 ~~e. Is 400 grams or more, but less than 150 kilograms, such~~
 113 ~~person shall be sentenced to a mandatory minimum term of~~
 114 ~~imprisonment of 15 calendar years and pay a fine of \$250,000.~~

115 2. Any person who knowingly sells, purchases,
 116 manufactures, delivers, or brings into this state, or who is
 117 knowingly in actual or constructive possession of, 150 kilograms
 118 or more of cocaine, as described in s. 893.03(2)(a)4., commits
 119 the first degree felony of trafficking in cocaine. ~~A person who~~
 120 ~~has been convicted of the first degree felony of trafficking in~~
 121 ~~cocaine under this subparagraph shall be punished by life~~
 122 ~~imprisonment and is ineligible for any form of discretionary~~
 123 ~~early release except pardon or executive clemency or conditional~~
 124 ~~medical release under s. 947.149.~~ However, if the court
 125 determines that, in addition to committing any act specified in

126 | this paragraph:

127 | a. The person intentionally killed an individual or
 128 | counseled, commanded, induced, procured, or caused the
 129 | intentional killing of an individual and such killing was the
 130 | result; or

131 | b. The person's conduct in committing that act led to a
 132 | natural, though not inevitable, lethal result,

133 |
 134 | such person commits the capital felony of trafficking in
 135 | cocaine, punishable as provided in ss. 775.082 and 921.142. ~~Any~~
 136 | ~~person sentenced for a capital felony under this paragraph shall~~
 137 | ~~also be sentenced to pay the maximum fine provided under~~
 138 | ~~subparagraph 1.~~

139 | 3. Any person who knowingly brings into this state 300
 140 | kilograms or more of cocaine, as described in s. 893.03(2)(a)4.,
 141 | and who knows that the probable result of such importation would
 142 | be the death of any person, commits capital importation of
 143 | cocaine, a capital felony punishable as provided in ss. 775.082
 144 | and 921.142. ~~Any person sentenced for a capital felony under~~
 145 | ~~this paragraph shall also be sentenced to pay the maximum fine~~
 146 | ~~provided under subparagraph 1.~~

147 | (c)1. A person who knowingly sells, purchases,
 148 | manufactures, delivers, or brings into this state, or who is
 149 | knowingly in actual or constructive possession of, 4 grams or
 150 | more of any morphine, opium, hydromorphone, or any salt,

151 derivative, isomer, or salt of an isomer thereof, including
152 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or
153 (3)(c)4., or 4 grams or more of any mixture containing any such
154 substance, but less than 30 kilograms of such substance or
155 mixture, commits a felony of the first degree, which felony
156 shall be known as "trafficking in illegal drugs," punishable as
157 provided in s. 775.082, s. 775.083, or s. 775.084. ~~If the~~
158 ~~quantity involved:~~

159 ~~a. Is 4 grams or more, but less than 14 grams, such person~~
160 ~~shall be sentenced to a mandatory minimum term of imprisonment~~
161 ~~of 3 years and shall be ordered to pay a fine of \$50,000.~~

162 ~~b. Is 14 grams or more, but less than 28 grams, such~~
163 ~~person shall be sentenced to a mandatory minimum term of~~
164 ~~imprisonment of 15 years and shall be ordered to pay a fine of~~
165 ~~\$100,000.~~

166 ~~c. Is 28 grams or more, but less than 30 kilograms, such~~
167 ~~person shall be sentenced to a mandatory minimum term of~~
168 ~~imprisonment of 25 years and shall be ordered to pay a fine of~~
169 ~~\$500,000.~~

170 2. A person who knowingly sells, purchases, manufactures,
171 delivers, or brings into this state, or who is knowingly in
172 actual or constructive possession of, 28 grams or more of
173 hydrocodone, as described in s. 893.03(2)(a)1.k., codeine, as
174 described in s. 893.03(2)(a)1.g., or any salt thereof, or 28
175 grams or more of any mixture containing any such substance,

176 commits a felony of the first degree, which felony shall be
177 known as "trafficking in hydrocodone," punishable as provided in
178 s. 775.082, s. 775.083, or s. 775.084. ~~If the quantity involved:~~

179 ~~a. Is 28 grams or more, but less than 50 grams, such~~
180 ~~person shall be sentenced to a mandatory minimum term of~~
181 ~~imprisonment of 3 years and shall be ordered to pay a fine of~~
182 ~~\$50,000.~~

183 ~~b. Is 50 grams or more, but less than 100 grams, such~~
184 ~~person shall be sentenced to a mandatory minimum term of~~
185 ~~imprisonment of 7 years and shall be ordered to pay a fine of~~
186 ~~\$100,000.~~

187 ~~e. Is 100 grams or more, but less than 300 grams, such~~
188 ~~person shall be sentenced to a mandatory minimum term of~~
189 ~~imprisonment of 15 years and shall be ordered to pay a fine of~~
190 ~~\$500,000.~~

191 ~~d. Is 300 grams or more, but less than 30 kilograms, such~~
192 ~~person shall be sentenced to a mandatory minimum term of~~
193 ~~imprisonment of 25 years and shall be ordered to pay a fine of~~
194 ~~\$750,000.~~

195 3. A person who knowingly sells, purchases, manufactures,
196 delivers, or brings into this state, or who is knowingly in
197 actual or constructive possession of, 7 grams or more of
198 oxycodone, as described in s. 893.03(2)(a)1.q., or any salt
199 thereof, or 7 grams or more of any mixture containing any such
200 substance, commits a felony of the first degree, which felony

201 shall be known as "trafficking in oxycodone," punishable as
 202 provided in s. 775.082, s. 775.083, or s. 775.084. ~~If the~~
 203 ~~quantity involved:~~

204 ~~a. Is 7 grams or more, but less than 14 grams, such person~~
 205 ~~shall be sentenced to a mandatory minimum term of imprisonment~~
 206 ~~of 3 years and shall be ordered to pay a fine of \$50,000.~~

207 ~~b. Is 14 grams or more, but less than 25 grams, such~~
 208 ~~person shall be sentenced to a mandatory minimum term of~~
 209 ~~imprisonment of 7 years and shall be ordered to pay a fine of~~
 210 ~~\$100,000.~~

211 ~~e. Is 25 grams or more, but less than 100 grams, such~~
 212 ~~person shall be sentenced to a mandatory minimum term of~~
 213 ~~imprisonment of 15 years and shall be ordered to pay a fine of~~
 214 ~~\$500,000.~~

215 ~~d. Is 100 grams or more, but less than 30 kilograms, such~~
 216 ~~person shall be sentenced to a mandatory minimum term of~~
 217 ~~imprisonment of 25 years and shall be ordered to pay a fine of~~
 218 ~~\$750,000.~~

219 ~~4.a.~~ A person who knowingly sells, purchases,
 220 manufactures, delivers, or brings into this state, or who is
 221 knowingly in actual or constructive possession of, 4 grams or
 222 more of:

223 a.(I) Alfentanil, as described in s. 893.03(2)(b)1.;

224 b.(II) Carfentanil, as described in s. 893.03(2)(b)6.;

225 c.(III) Fentanyl, as described in s. 893.03(2)(b)9.;

226 ~~d. (IV)~~ Sufentanil, as described in s. 893.03 (2) (b) 30.;

227 ~~e. (V)~~ A fentanyl derivative, as described in s.

228 893.03(1) (a) 62.;

229 ~~f. (VI)~~ A controlled substance analog, as described in s.

230 893.0356, of any substance described in sub-subparagraphs a.-e.

231 ~~sub-sub-subparagraphs (I)-(V);~~ or

232 ~~g. (VII)~~ A mixture containing any substance described in

233 sub-subparagraphs a.-f. ~~sub-sub-subparagraphs (I)-(VI),~~

234

235 commits a felony of the first degree, which felony shall be

236 known as "trafficking in fentanyl," punishable as provided in s.

237 775.082, s. 775.083, or s. 775.084.

238 ~~b. If the quantity involved under sub-subparagraph a.:~~

239 ~~(I) Is 4 grams or more, but less than 14 grams, such~~

240 ~~person shall be sentenced to a mandatory minimum term of~~

241 ~~imprisonment of 3 years, and shall be ordered to pay a fine of~~

242 ~~\$50,000.~~

243 ~~(II) Is 14 grams or more, but less than 28 grams, such~~

244 ~~person shall be sentenced to a mandatory minimum term of~~

245 ~~imprisonment of 15 years, and shall be ordered to pay a fine of~~

246 ~~\$100,000.~~

247 ~~(III) Is 28 grams or more, such person shall be sentenced~~

248 ~~to a mandatory minimum term of imprisonment of 25 years, and~~

249 ~~shall be ordered to pay a fine of \$500,000.~~

250 5. A person who knowingly sells, purchases, manufactures,

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251 delivers, or brings into this state, or who is knowingly in
252 actual or constructive possession of, 30 kilograms or more of
253 any morphine, opium, oxycodone, hydrocodone, codeine,
254 hydromorphone, or any salt, derivative, isomer, or salt of an
255 isomer thereof, including heroin, as described in s.
256 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
257 more of any mixture containing any such substance, commits the
258 first degree felony of trafficking in illegal drugs. ~~A person~~
259 ~~who has been convicted of the first degree felony of trafficking~~
260 ~~in illegal drugs under this subparagraph shall be punished by~~
261 ~~life imprisonment and is ineligible for any form of~~
262 ~~discretionary early release except pardon or executive clemency~~
263 ~~or conditional medical release under s. 947.149.~~ However, if the
264 court determines that, in addition to committing any act
265 specified in this paragraph:

266 a. The person intentionally killed an individual or
267 counseled, commanded, induced, procured, or caused the
268 intentional killing of an individual and such killing was the
269 result; or

270 b. The person's conduct in committing that act led to a
271 natural, though not inevitable, lethal result,
272

273 such person commits the capital felony of trafficking in illegal
274 drugs, punishable as provided in ss. 775.082 and 921.142. A
275 ~~person sentenced for a capital felony under this paragraph shall~~

276 ~~also be sentenced to pay the maximum fine provided under~~
277 ~~subparagraph 1.~~

278 6. A person who knowingly brings into this state 60
279 kilograms or more of any morphine, opium, oxycodone,
280 hydrocodone, codeine, hydromorphone, or any salt, derivative,
281 isomer, or salt of an isomer thereof, including heroin, as
282 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
283 60 kilograms or more of any mixture containing any such
284 substance, and who knows that the probable result of such
285 importation would be the death of a person, commits capital
286 importation of illegal drugs, a capital felony punishable as
287 provided in ss. 775.082 and 921.142. ~~A person sentenced for a~~
288 ~~capital felony under this paragraph shall also be sentenced to~~
289 ~~pay the maximum fine provided under subparagraph 1.~~

290 (d)1. Any person who knowingly sells, purchases,
291 manufactures, delivers, or brings into this state, or who is
292 knowingly in actual or constructive possession of, 28 grams or
293 more of phencyclidine, as described in s. 893.03(2)(b)23., a
294 substituted phenylcyclohexylamine, as described in s.
295 893.03(1)(c)195., or a substance described in s.
296 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture
297 containing phencyclidine, as described in s. 893.03(2)(b)23., a
298 substituted phenylcyclohexylamine, as described in s.
299 893.03(1)(c)195., or a substance described in s.
300 893.03(1)(c)13., 32., 38., 103., or 146., commits a felony of

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301 the first degree, which felony shall be known as "trafficking in
302 phencyclidine," punishable as provided in s. 775.082, s.
303 775.083, or s. 775.084. ~~If the quantity involved:~~

304 ~~a. Is 28 grams or more, but less than 200 grams, such~~
305 ~~person shall be sentenced to a mandatory minimum term of~~
306 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
307 ~~pay a fine of \$50,000.~~

308 ~~b. Is 200 grams or more, but less than 400 grams, such~~
309 ~~person shall be sentenced to a mandatory minimum term of~~
310 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
311 ~~pay a fine of \$100,000.~~

312 ~~e. Is 400 grams or more, such person shall be sentenced to~~
313 ~~a mandatory minimum term of imprisonment of 15 calendar years~~
314 ~~and pay a fine of \$250,000.~~

315 2. Any person who knowingly brings into this state 800
316 grams or more of phencyclidine, as described in s.
317 893.03(2)(b)23., a substituted phenylcyclohexylamine, as
318 described in s. 893.03(1)(c)195., or a substance described in s.
319 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture
320 containing phencyclidine, as described in s. 893.03(2)(b)23., a
321 substituted phenylcyclohexylamine, as described in s.
322 893.03(1)(c)195., or a substance described in s.
323 893.03(1)(c)13., 32., 38., 103., or 146., and who knows that the
324 probable result of such importation would be the death of any
325 person commits capital importation of phencyclidine, a capital

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326 felony punishable as provided in ss. 775.082 and 921.142. ~~Any~~
327 ~~person sentenced for a capital felony under this paragraph shall~~
328 ~~also be sentenced to pay the maximum fine provided under~~
329 ~~subparagraph 1.~~

330 (e)1. Any person who knowingly sells, purchases,
331 manufactures, delivers, or brings into this state, or who is
332 knowingly in actual or constructive possession of, 200 grams or
333 more of methaqualone or of any mixture containing methaqualone,
334 as described in s. 893.03(1)(d), commits a felony of the first
335 degree, which felony shall be known as "trafficking in
336 methaqualone," punishable as provided in s. 775.082, s. 775.083,
337 or s. 775.084. ~~If the quantity involved:~~

338 ~~a. Is 200 grams or more, but less than 5 kilograms, such~~
339 ~~person shall be sentenced to a mandatory minimum term of~~
340 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
341 ~~pay a fine of \$50,000.~~

342 ~~b. Is 5 kilograms or more, but less than 25 kilograms,~~
343 ~~such person shall be sentenced to a mandatory minimum term of~~
344 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
345 ~~pay a fine of \$100,000.~~

346 ~~e. Is 25 kilograms or more, such person shall be sentenced~~
347 ~~to a mandatory minimum term of imprisonment of 15 calendar years~~
348 ~~and pay a fine of \$250,000.~~

349 2. Any person who knowingly brings into this state 50
350 kilograms or more of methaqualone or of any mixture containing

351 methaqualone, as described in s. 893.03(1)(d), and who knows
 352 that the probable result of such importation would be the death
 353 of any person commits capital importation of methaqualone, a
 354 capital felony punishable as provided in ss. 775.082 and
 355 921.142. ~~Any person sentenced for a capital felony under this~~
 356 ~~paragraph shall also be sentenced to pay the maximum fine~~
 357 ~~provided under subparagraph 1.~~

358 (f)1. Any person who knowingly sells, purchases,
 359 manufactures, delivers, or brings into this state, or who is
 360 knowingly in actual or constructive possession of, 14 grams or
 361 more of amphetamine, as described in s. 893.03(2)(c)2., or
 362 methamphetamine, as described in s. 893.03(2)(c)5., or of any
 363 mixture containing amphetamine or methamphetamine, or
 364 phenylacetone, phenylacetic acid, pseudoephedrine, or ephedrine
 365 in conjunction with other chemicals and equipment utilized in
 366 the manufacture of amphetamine or methamphetamine, commits a
 367 felony of the first degree, which felony shall be known as
 368 "trafficking in amphetamine," punishable as provided in s.
 369 775.082, s. 775.083, or s. 775.084. ~~If the quantity involved:~~

370 ~~a. Is 14 grams or more, but less than 28 grams, such~~
 371 ~~person shall be sentenced to a mandatory minimum term of~~
 372 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
 373 ~~pay a fine of \$50,000.~~

374 ~~b. Is 28 grams or more, but less than 200 grams, such~~
 375 ~~person shall be sentenced to a mandatory minimum term of~~

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376 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
377 ~~pay a fine of \$100,000.~~

378 ~~e. Is 200 grams or more, such person shall be sentenced to~~
379 ~~a mandatory minimum term of imprisonment of 15 calendar years~~
380 ~~and pay a fine of \$250,000.~~

381 2. Any person who knowingly manufactures or brings into
382 this state 400 grams or more of amphetamine, as described in s.
383 893.03(2)(c)2., or methamphetamine, as described in s.
384 893.03(2)(c)5., or of any mixture containing amphetamine or
385 methamphetamine, or phenylacetone, phenylacetic acid,
386 pseudoephedrine, or ephedrine in conjunction with other
387 chemicals and equipment used in the manufacture of amphetamine
388 or methamphetamine, and who knows that the probable result of
389 such manufacture or importation would be the death of any person
390 commits capital manufacture or importation of amphetamine, a
391 capital felony punishable as provided in ss. 775.082 and
392 921.142. ~~Any person sentenced for a capital felony under this~~
393 ~~paragraph shall also be sentenced to pay the maximum fine~~
394 ~~provided under subparagraph 1.~~

395 (g)1. Any person who knowingly sells, purchases,
396 manufactures, delivers, or brings into this state, or who is
397 knowingly in actual or constructive possession of, 4 grams or
398 more of flunitrazepam or any mixture containing flunitrazepam as
399 described in s. 893.03(1)(a) commits a felony of the first
400 degree, which felony shall be known as "trafficking in

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401 flunitrazepam," punishable as provided in s. 775.082, s.
402 775.083, or s. 775.084. ~~If the quantity involved:~~

403 ~~a. Is 4 grams or more but less than 14 grams, such person~~
404 ~~shall be sentenced to a mandatory minimum term of imprisonment~~
405 ~~of 3 years, and the defendant shall be ordered to pay a fine of~~
406 ~~\$50,000.~~

407 ~~b. Is 14 grams or more but less than 28 grams, such person~~
408 ~~shall be sentenced to a mandatory minimum term of imprisonment~~
409 ~~of 7 years, and the defendant shall be ordered to pay a fine of~~
410 ~~\$100,000.~~

411 ~~e. Is 28 grams or more but less than 30 kilograms, such~~
412 ~~person shall be sentenced to a mandatory minimum term of~~
413 ~~imprisonment of 25 calendar years and pay a fine of \$500,000.~~

414 2. Any person who knowingly sells, purchases,
415 manufactures, delivers, or brings into this state or who is
416 knowingly in actual or constructive possession of 30 kilograms
417 or more of flunitrazepam or any mixture containing flunitrazepam
418 as described in s. 893.03(1) (a) commits the first degree felony
419 of trafficking in flunitrazepam. ~~A person who has been convicted~~
420 ~~of the first degree felony of trafficking in flunitrazepam under~~
421 ~~this subparagraph shall be punished by life imprisonment and is~~
422 ~~ineligible for any form of discretionary early release except~~
423 ~~pardon or executive clemency or conditional medical release~~
424 ~~under s. 947.149.~~ However, if the court determines that, in
425 addition to committing any act specified in this paragraph:

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426 a. The person intentionally killed an individual or
427 counseled, commanded, induced, procured, or caused the
428 intentional killing of an individual and such killing was the
429 result; or

430 b. The person's conduct in committing that act led to a
431 natural, though not inevitable, lethal result,

432
433 such person commits the capital felony of trafficking in
434 flunitrazepam, punishable as provided in ss. 775.082 and
435 921.142. ~~Any person sentenced for a capital felony under this~~
436 ~~paragraph shall also be sentenced to pay the maximum fine~~
437 ~~provided under subparagraph 1.~~

438 (h)1. Any person who knowingly sells, purchases,
439 manufactures, delivers, or brings into this state, or who is
440 knowingly in actual or constructive possession of, 1 kilogram or
441 more of gamma-hydroxybutyric acid (GHB), as described in s.
442 893.03(1)(d), or any mixture containing gamma-hydroxybutyric
443 acid (GHB), commits a felony of the first degree, which felony
444 shall be known as "trafficking in gamma-hydroxybutyric acid
445 (GHB)," punishable as provided in s. 775.082, s. 775.083, or s.
446 775.084. ~~If the quantity involved:~~

447 ~~a. Is 1 kilogram or more but less than 5 kilograms, such~~
448 ~~person shall be sentenced to a mandatory minimum term of~~
449 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
450 ~~pay a fine of \$50,000.~~

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451 ~~b. Is 5 kilograms or more but less than 10 kilograms, such~~
452 ~~person shall be sentenced to a mandatory minimum term of~~
453 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
454 ~~pay a fine of \$100,000.~~

455 ~~e. Is 10 kilograms or more, such person shall be sentenced~~
456 ~~to a mandatory minimum term of imprisonment of 15 calendar years~~
457 ~~and pay a fine of \$250,000.~~

458 2. Any person who knowingly manufactures or brings into
459 this state 150 kilograms or more of gamma-hydroxybutyric acid
460 (GHB), as described in s. 893.03(1)(d), or any mixture
461 containing gamma-hydroxybutyric acid (GHB), and who knows that
462 the probable result of such manufacture or importation would be
463 the death of any person commits capital manufacture or
464 importation of gamma-hydroxybutyric acid (GHB), a capital felony
465 punishable as provided in ss. 775.082 and 921.142. ~~Any person~~
466 ~~sentenced for a capital felony under this paragraph shall also~~
467 ~~be sentenced to pay the maximum fine provided under subparagraph~~
468 ~~1.~~

469 (i)1. Any person who knowingly sells, purchases,
470 manufactures, delivers, or brings into this state, or who is
471 knowingly in actual or constructive possession of, 1 kilogram or
472 more of gamma-butyrolactone (GBL), as described in s.
473 893.03(1)(d), or any mixture containing gamma-butyrolactone
474 (GBL), commits a felony of the first degree, which felony shall
475 be known as "trafficking in gamma-butyrolactone (GBL),"

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476 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

477 ~~If the quantity involved:~~

478 ~~a. Is 1 kilogram or more but less than 5 kilograms, such~~
479 ~~person shall be sentenced to a mandatory minimum term of~~
480 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
481 ~~pay a fine of \$50,000.~~

482 ~~b. Is 5 kilograms or more but less than 10 kilograms, such~~
483 ~~person shall be sentenced to a mandatory minimum term of~~
484 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
485 ~~pay a fine of \$100,000.~~

486 ~~e. Is 10 kilograms or more, such person shall be sentenced~~
487 ~~to a mandatory minimum term of imprisonment of 15 calendar years~~
488 ~~and pay a fine of \$250,000.~~

489 2. Any person who knowingly manufactures or brings into
490 the state 150 kilograms or more of gamma-butyrolactone (GBL), as
491 described in s. 893.03(1)(d), or any mixture containing gamma-
492 butyrolactone (GBL), and who knows that the probable result of
493 such manufacture or importation would be the death of any person
494 commits capital manufacture or importation of gamma-
495 butyrolactone (GBL), a capital felony punishable as provided in
496 ss. 775.082 and 921.142. ~~Any person sentenced for a capital~~
497 ~~felony under this paragraph shall also be sentenced to pay the~~
498 ~~maximum fine provided under subparagraph 1.~~

499 (j)1. Any person who knowingly sells, purchases,
500 manufactures, delivers, or brings into this state, or who is

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501 knowingly in actual or constructive possession of, 1 kilogram or
502 more of 1,4-Butanediol as described in s. 893.03(1)(d), or of
503 any mixture containing 1,4-Butanediol, commits a felony of the
504 first degree, which felony shall be known as "trafficking in
505 1,4-Butanediol," punishable as provided in s. 775.082, s.
506 775.083, or s. 775.084. ~~If the quantity involved:~~

507 ~~a. Is 1 kilogram or more, but less than 5 kilograms, such~~
508 ~~person shall be sentenced to a mandatory minimum term of~~
509 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
510 ~~pay a fine of \$50,000.~~

511 ~~b. Is 5 kilograms or more, but less than 10 kilograms,~~
512 ~~such person shall be sentenced to a mandatory minimum term of~~
513 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
514 ~~pay a fine of \$100,000.~~

515 ~~e. Is 10 kilograms or more, such person shall be sentenced~~
516 ~~to a mandatory minimum term of imprisonment of 15 calendar years~~
517 ~~and pay a fine of \$500,000.~~

518 2. Any person who knowingly manufactures or brings into
519 this state 150 kilograms or more of 1,4-Butanediol as described
520 in s. 893.03(1)(d), or any mixture containing 1,4-Butanediol,
521 and who knows that the probable result of such manufacture or
522 importation would be the death of any person commits capital
523 manufacture or importation of 1,4-Butanediol, a capital felony
524 punishable as provided in ss. 775.082 and 921.142. ~~Any person~~
525 ~~sentenced for a capital felony under this paragraph shall also~~

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526 ~~be sentenced to pay the maximum fine provided under subparagraph~~
527 ~~1.~~

528 (k)1. A person who knowingly sells, purchases,
529 manufactures, delivers, or brings into this state, or who is
530 knowingly in actual or constructive possession of, 10 grams or
531 more of a:

532 a. Substance described in s. 893.03(1)(c)4., 5., 10., 11.,
533 15., 17., 21.-27., 29., 39., 40.-45., 58., 72.-80., 81.-86.,
534 90.-102., 104.-108., 110.-113., 143.-145., 148.-150., 160.-163.,
535 165., or 187.-189., a substituted cathinone, as described in s.
536 893.03(1)(c)191., or substituted phenethylamine, as described in
537 s. 893.03(1)(c)192.;

538 b. Mixture containing any substance described in sub-
539 subparagraph a.; or

540 c. Salt, isomer, ester, or ether or salt of an isomer,
541 ester, or ether of a substance described in sub-subparagraph a.,
542
543 commits a felony of the first degree, which felony shall be
544 known as "trafficking in phenethylamines," punishable as
545 provided in s. 775.082, s. 775.083, or s. 775.084.

546 ~~2. If the quantity involved under subparagraph 1.:~~

547 ~~a. Is 10 grams or more, but less than 200 grams, such~~
548 ~~person shall be sentenced to a mandatory minimum term of~~
549 ~~imprisonment of 3 years and shall be ordered to pay a fine of~~
550 ~~\$50,000.~~

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551 ~~b. Is 200 grams or more, but less than 400 grams, such~~
552 ~~person shall be sentenced to a mandatory minimum term of~~
553 ~~imprisonment of 7 years and shall be ordered to pay a fine of~~
554 ~~\$100,000.~~

555 ~~e. Is 400 grams or more, such person shall be sentenced to~~
556 ~~a mandatory minimum term of imprisonment of 15 years and shall~~
557 ~~be ordered to pay a fine of \$250,000.~~

558 2.3. A person who knowingly manufactures or brings into
559 this state 30 kilograms or more of a substance described in sub-
560 subparagraph 1.a., a mixture described in sub-subparagraph 1.b.,
561 or a salt, isomer, ester, or ether or a salt of an isomer,
562 ester, or ether described in sub-subparagraph 1.c., and who
563 knows that the probable result of such manufacture or
564 importation would be the death of any person commits capital
565 manufacture or importation of phenethylamines, a capital felony
566 punishable as provided in ss. 775.082 and 921.142. ~~A person~~
567 ~~sentenced for a capital felony under this paragraph shall also~~
568 ~~be sentenced to pay the maximum fine under subparagraph 2.~~

569 (1)1. Any person who knowingly sells, purchases,
570 manufactures, delivers, or brings into this state, or who is
571 knowingly in actual or constructive possession of, 1 gram or
572 more of lysergic acid diethylamide (LSD) as described in s.
573 893.03(1)(c), or of any mixture containing lysergic acid
574 diethylamide (LSD), commits a felony of the first degree, which
575 felony shall be known as "trafficking in lysergic acid

576 diethylamide (LSD)," punishable as provided in s. 775.082, s.
 577 775.083, or s. 775.084. ~~If the quantity involved:~~

578 ~~a. Is 1 gram or more, but less than 5 grams, such person~~
 579 ~~shall be sentenced to a mandatory minimum term of imprisonment~~
 580 ~~of 3 years, and the defendant shall be ordered to pay a fine of~~
 581 ~~\$50,000.~~

582 ~~b. Is 5 grams or more, but less than 7 grams, such person~~
 583 ~~shall be sentenced to a mandatory minimum term of imprisonment~~
 584 ~~of 7 years, and the defendant shall be ordered to pay a fine of~~
 585 ~~\$100,000.~~

586 ~~e. Is 7 grams or more, such person shall be sentenced to a~~
 587 ~~mandatory minimum term of imprisonment of 15 calendar years and~~
 588 ~~pay a fine of \$500,000.~~

589 2. Any person who knowingly manufactures or brings into
 590 this state 7 grams or more of lysergic acid diethylamide (LSD)
 591 as described in s. 893.03(1)(c), or any mixture containing
 592 lysergic acid diethylamide (LSD), and who knows that the
 593 probable result of such manufacture or importation would be the
 594 death of any person commits capital manufacture or importation
 595 of lysergic acid diethylamide (LSD), a capital felony punishable
 596 as provided in ss. 775.082 and 921.142. ~~Any person sentenced for~~
 597 ~~a capital felony under this paragraph shall also be sentenced to~~
 598 ~~pay the maximum fine provided under subparagraph 1.~~

599 (m)~~1.~~ A person who knowingly sells, purchases,
 600 manufactures, delivers, or brings into this state, or who is

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601 knowingly in actual or constructive possession of, 280 grams or
602 more of a:

603 ~~1.a.~~ Substance described in s. 893.03(1)(c)30., 46.-50.,
604 114.-142., 151.-156., 166.-173., or 176.-186. or a synthetic
605 cannabinoid, as described in s. 893.03(1)(c)190.; or

606 ~~2.b.~~ Mixture containing any substance described in
607 subparagraph 1. ~~sub-subparagraph a.~~,

608
609 commits a felony of the first degree, which felony shall be
610 known as "trafficking in synthetic cannabinoids," punishable as
611 provided in s. 775.082, s. 775.083, or s. 775.084.

612 ~~2. If the quantity involved under subparagraph 1.:~~

613 ~~a. Is 280 grams or more, but less than 500 grams, such~~
614 ~~person shall be sentenced to a mandatory minimum term of~~
615 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
616 ~~pay a fine of \$50,000.~~

617 ~~b. Is 500 grams or more, but less than 1,000 grams, such~~
618 ~~person shall be sentenced to a mandatory minimum term of~~
619 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
620 ~~pay a fine of \$100,000.~~

621 ~~e. Is 1,000 grams or more, but less than 30 kilograms,~~
622 ~~such person shall be sentenced to a mandatory minimum term of~~
623 ~~imprisonment of 15 years, and the defendant shall be ordered to~~
624 ~~pay a fine of \$200,000.~~

625 ~~d. Is 30 kilograms or more, such person shall be sentenced~~

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626 ~~to a mandatory minimum term of imprisonment of 25 years, and the~~
627 ~~defendant shall be ordered to pay a fine of \$750,000.~~

628 (n)1. A person who knowingly sells, purchases,
629 manufactures, delivers, or brings into this state, or who is
630 knowingly in actual or constructive possession of, 14 grams or
631 more of:

632 a. A substance described in s. 893.03(1)(c)164., 174., or
633 175., a n-benzyl phenethylamine compound, as described in s.
634 893.03(1)(c)193.; or

635 b. A mixture containing any substance described in sub-
636 subparagraph a.,

637
638 commits a felony of the first degree, which felony shall be
639 known as "trafficking in n-benzyl phenethylamines," punishable
640 as provided in s. 775.082, s. 775.083, or s. 775.084.

641 ~~2. If the quantity involved under subparagraph 1.:~~

642 ~~a. Is 14 grams or more, but less than 100 grams, such~~
643 ~~person shall be sentenced to a mandatory minimum term of~~
644 ~~imprisonment of 3 years, and the defendant shall be ordered to~~
645 ~~pay a fine of \$50,000.~~

646 ~~b. Is 100 grams or more, but less than 200 grams, such~~
647 ~~person shall be sentenced to a mandatory minimum term of~~
648 ~~imprisonment of 7 years, and the defendant shall be ordered to~~
649 ~~pay a fine of \$100,000.~~

650 ~~c. Is 200 grams or more, such person shall be sentenced to~~

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651 ~~a mandatory minimum term of imprisonment of 15 years, and the~~
652 ~~defendant shall be ordered to pay a fine of \$500,000.~~

653 2.3. A person who knowingly manufactures or brings into
654 this state 400 grams or more of a substance described in sub-
655 subparagraph 1.a. or a mixture described in sub-subparagraph
656 1.b., and who knows that the probable result of such manufacture
657 or importation would be the death of any person commits capital
658 manufacture or importation of a n-benzyl phenethylamine
659 compound, a capital felony punishable as provided in ss. 775.082
660 and 921.142. ~~A person sentenced for a capital felony under this~~
661 ~~paragraph shall also be sentenced to pay the maximum fine under~~
662 ~~subparagraph 2.~~

663 (3) Notwithstanding ~~the provisions of s. 948.01,~~ with
664 respect to any person who is found to have violated this
665 section, adjudication of guilt or imposition of sentence shall
666 not be suspended, deferred, or withheld, ~~nor shall such person~~
667 ~~be eligible for parole prior to serving the mandatory minimum~~
668 ~~term of imprisonment prescribed by this section. A person~~
669 ~~sentenced to a mandatory minimum term of imprisonment under this~~
670 ~~section is not eligible for any form of discretionary early~~
671 ~~release, except pardon or executive clemency or conditional~~
672 ~~medical release under s. 947.149, prior to serving the mandatory~~
673 ~~minimum term of imprisonment.~~

674 Section 3. Paragraphs (g), (h), and (i) of subsection (3)
675 of section 921.0022, Florida Statutes, are amended to read:

676 921.0022 Criminal Punishment Code; offense severity
 677 ranking chart.—

678 (3) OFFENSE SEVERITY RANKING CHART

679 (g) LEVEL 7

680

Florida	Felony	
Statute	Degree	Description

681

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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682

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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683

316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; 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.
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684

327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
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685	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
686	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
687	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
688	456.065 (2)	3rd	Practicing a health care profession without a license.
689	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
690	458.327 (1)	3rd	Practicing medicine without a license.
691			

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692	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
693	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
694	461.012 (1)	3rd	Practicing podiatric medicine without a license.
695	462.17	3rd	Practicing naturopathy without a license.
696	463.015 (1)	3rd	Practicing optometry without a license.
697	464.016 (1)	3rd	Practicing nursing without a license.
698	465.015 (2)	3rd	Practicing pharmacy without a license.
699	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
	467.201	3rd	Practicing midwifery without a

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license.

700

468.366 3rd Delivering respiratory care services without a license.

701

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

702

483.901 (7) 3rd Practicing medical physics without a license.

703

484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.

704

484.053 3rd Dispensing hearing aids without a license.

705

494.0018 (2) 1st Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

706

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707	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
708	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
709	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
710	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
711	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.

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712	775.21(10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
713	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
714	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
715	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel

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homicide).

716

784.045 (1) (a) 1. 2nd Aggravated battery;
intentionally causing great
bodily harm or disfigurement.

717

784.045 (1) (a) 2. 2nd Aggravated battery; using
deadly weapon.

718

784.045 (1) (b) 2nd Aggravated battery; perpetrator
aware victim pregnant.

719

784.048 (4) 3rd Aggravated stalking; violation
of injunction or court order.

720

784.048 (7) 3rd Aggravated stalking; violation
of court order.

721

784.07 (2) (d) 1st Aggravated battery on law
enforcement officer.

722

784.074 (1) (a) 1st Aggravated battery on sexually
violent predators facility
staff.

723

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724	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
725	784.081(1)	1st	Aggravated battery on specified official or employee.
726	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
727	784.083(1)	1st	Aggravated battery on code inspector.
728	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
729	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
	790.07(4)	1st	Specified weapons violation subsequent to previous

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conviction of s. 790.07(1) or
(2).

730

790.16(1) 1st Discharge of a machine gun
under specified circumstances.

731

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

732

790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

733

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

734

790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting
to commit a felony.

735

790.23 1st, PBL Possession of a firearm by a

			person who qualifies for the penalty enhancements provided for in s. 874.04.
736	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
737	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
738	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
739	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
740	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of

			age; offender 18 years of age or older.
741	800.04(5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
742	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
743	810.02(3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
744	810.02(3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
745	810.02(3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
746	810.02(3) (e)	2nd	Burglary of authorized

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emergency vehicle.

747

812.014 (2) (a) 1. 1st Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

748

812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

749

812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

750

812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

751

812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

752

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753	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
754	812.131 (2) (a)	2nd	Robbery by sudden snatching.
755	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
756	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
757	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
758	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
759	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
	817.2341	1st	Making false entries of

	(2) (b) & (3) (b)		material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
760	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
761	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
762	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
763	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
764	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or

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disfigurement.

765

825.103 (3) (b) 2nd Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.

766

827.03 (2) (b) 2nd Neglect of a child causing great bodily harm, disability, or disfigurement.

767

827.04 (3) 3rd Impregnation of a child under 16 years of age by person 21 years of age or older.

768

837.05 (2) 3rd Giving false information about alleged capital felony to a law enforcement officer.

769

838.015 2nd Bribery.

770

838.016 2nd Unlawful compensation or reward for official behavior.

771

838.021 (3) (a) 2nd Unlawful harm to a public

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			servant.
772	838.22	2nd	Bid tampering.
773	843.0855(2)	3rd	Impersonation of a public officer or employee.
774	843.0855(3)	3rd	Unlawful simulation of legal process.
775	843.0855(4)	3rd	Intimidation of a public officer or employee.
776	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
777	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
778	872.06	2nd	Abuse of a dead human body.
779	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or

subsequent offense.

780

874.10 1st, PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

781

893.13(1)(c)1. 1st Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

782

893.13(1)(e)1. 1st Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property

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used for religious services or
a specified business site.

783

893.13(4) (a) 1st Use or hire of minor; deliver
to minor other controlled
substance.

784

~~893.135(1) (a) 1.~~ 1st ~~Trafficking in cannabis, more
than 25 lbs., less than 2,000
lbs.~~

785

~~893.135~~ 1st ~~Trafficking in cocaine, more
than 28 grams, less than 200
grams.~~
~~(1) (b) 1.a.~~

786

~~893.135~~ 1st ~~Trafficking in illegal drugs,
more than 4 grams, less than 14
grams.~~
~~(1) (c) 1.a.~~

787

~~893.135~~ 1st ~~Trafficking in hydrocodone, 28
grams or more, less than 50
grams.~~
~~(1) (c) 2.a.~~

788

~~893.135~~ 1st ~~Trafficking in hydrocodone, 50
grams or more, less than 100~~
~~(1) (c) 2.b.~~

789			grams.
	893.135	1st	Trafficking in oxycodone, 7
	— (1) (c) 3.a.		grams or more, less than 14
			grams.
790			
	893.135	1st	Trafficking in oxycodone, 14
	— (1) (c) 3.b.		grams or more, less than 25
			grams.
791			
	893.135	1st	Trafficking in fentanyl, 4
	— (1) (c) 4.b. (I)		grams or more, less than 14
			grams.
792			
	893.135	1st	Trafficking in phenacyclidine,
	— (1) (d) 1.a.		28 grams or more, less than 200
			grams.
793			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone,
			200 grams or more, less than <u>50</u>
			<u>5</u> kilograms.
794			
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14
			grams or more, less than <u>400</u> 28
			grams.

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795	893.135 —(1) (g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
796	893.135 —(1) (h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
797	893.135 —(1) (j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
798	893.135 —(1) (k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
799	893.135 —(1) (m)2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
800	893.135 —(1) (m)2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.

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801	893.135	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
	(1) (n) 2. a.		
802	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
803	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
804	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
805	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
806	943.0435 (8)	2nd	Sexual offender; remains in

state after indicating intent to leave; failure to comply with reporting requirements.

807

943.0435(9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

808

943.0435(13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

809

943.0435(14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

810

944.607(9) 3rd Sexual offender; failure to comply with reporting requirements.

811

944.607(10) (a) 3rd Sexual offender; failure to submit to the taking of a

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digitized photograph.

812

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

813

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

814

985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

815

985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

816

985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address

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verification; providing false
 registration information.

817

818 (h) LEVEL 8

819

Florida	Felony	
Statute	Degree	Description

820

316.193	2nd	DUI manslaughter.
(3) (c) 3.a.		

821

316.1935(4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
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822

327.35(3) (c) 3.	2nd	Vessel BUI manslaughter.
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823

499.0051(6)	1st	Knowing trafficking in contraband prescription drugs.
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824

499.0051(7)	1st	Knowing forgery of prescription labels or prescription drug labels.
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825

560.123(8) (b) 2.	2nd	Failure to report currency or
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payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.

826

560.125 (5) (b) 2nd Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.

827

655.50 (10) (b) 2. 2nd Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.

828

777.03 (2) (a) 1st Accessory after the fact, capital felony.

829

782.04 (4) 2nd Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping,

aggravated fleeing or eluding
with serious bodily injury or
death, aircraft piracy, or
unlawfully discharging bomb.

830

782.051 (2) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony not
enumerated in s. 782.04 (3).

831

782.071 (1) (b) 1st Committing vehicular homicide
and failing to render aid or
give information.

832

782.072 (2) 1st Committing vessel homicide and
failing to render aid or give
information.

833

787.06 (3) (a) 1. 1st Human trafficking for labor and
services of a child.

834

787.06 (3) (b) 1st Human trafficking using
coercion for commercial sexual
activity of an adult.

835

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836	787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
837	787.06(3)(e)1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
838	787.06(3)(f)2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
839	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
	794.011(5)(a)	1st	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does

840	794.011 (5) (b)	2nd	<p>not use physical force likely to cause serious injury.</p> <p>Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.</p>
841	794.011 (5) (c)	2nd	<p>Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.</p>
842	794.011 (5) (d)	1st	<p>Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.</p>
843	794.08 (3)	2nd	<p>Female genital mutilation, removal of a victim younger than 18 years of age from this</p>

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state.

844

800.04(4)(b) 2nd Lewd or lascivious battery.

845

800.04(4)(c) 1st Lewd or lascivious battery;
offender 18 years of age or
older; prior conviction for
specified sex offense.

846

806.01(1) 1st Maliciously damage dwelling or
structure by fire or explosive,
believing person in structure.

847

810.02(2)(a) 1st,PBL Burglary with assault or
battery.

848

810.02(2)(b) 1st,PBL Burglary; armed with explosives
or dangerous weapon.

849

810.02(2)(c) 1st Burglary of a dwelling or
structure causing structural
damage or \$1,000 or more
property damage.

850

812.014(2)(a)2. 1st Property stolen; cargo valued

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at \$50,000 or more, grand theft
in 1st degree.

851

812.13(2)(b) 1st Robbery with a weapon.

852

812.135(2)(c) 1st Home-invasion robbery, no
firearm, deadly weapon, or
other weapon.

853

817.418(2)(b) 2nd Offering for sale or
advertising personal protective
equipment with intent to
defraud; second or subsequent
offense.

854

817.504(1)(b) 2nd Offering or advertising a
vaccine with intent to defraud;
second or subsequent offense.

855

817.505(4)(c) 1st Patient brokering; 20 or more
patients.

856

817.535(2)(b) 2nd Filing false lien or other
unauthorized document; second
or subsequent offense.

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857	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
858	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
859	817.535 (5) (a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
860	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
861	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.

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862	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
863	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
864	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
865	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
866	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
867	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

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868	860.16	1st	Aircraft piracy.
869	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
870	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
871	893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
872	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
873	893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
874	893.135	1st	Trafficking in illegal drugs,

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875	— (1) (c) 1. b.		more than 14 grams, less than 28 grams.
876	893.135 — (1) (c) 2. c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
877	893.135 — (1) (c) 3. c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
878	893.135 — (1) (c) 4. b. (II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
879	893.135 — (1) (d) 1. b.	1st	Trafficking in phenacyclidine, 200 grams or more, less than 400 grams.
880	893.135 — (1) (e) 1. b.	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
	893.135 — (1) (f) 1. b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200

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881	893.135	1st	grams.
882	893.135	1st	Trafficking in flunitrazepam,
	—(1) (g)1.b.		14 grams or more, less than 28
			grams.
883	893.135	1st	Trafficking in gamma-
	—(1) (h)1.b.		hydroxybutyric acid (GHB), 5
			kilograms or more, less than 10
			kilograms.
884	893.135	1st	Trafficking in 1,4-Butanediol,
	—(1) (j)1.b.		5 kilograms or more, less than
			10 kilograms.
885	893.135	1st	Trafficking in Phenethylamines,
	—(1) (k)2.b.		200 grams or more, less than
			400 grams.
886	893.135	1st	Trafficking in synthetic
	—(1) (m)2.c.		cannabinoids, 1,000 grams or
			more, less than 30 kilograms.
	893.135	1st	Trafficking in n-benzyl
	—(1) (n)2.b.		phenethylamines, 100 grams or

~~more, less than 200 grams.~~

887 893.1351(3) 1st Possession of a place used to
manufacture controlled
substance when minor is present
or resides there.

888 895.03(1) 1st Use or invest proceeds derived
from pattern of racketeering
activity.

889 895.03(2) 1st Acquire or maintain through
racketeering activity any
interest in or control of any
enterprise or real property.

890 895.03(3) 1st Conduct or participate in any
enterprise through pattern of
racketeering activity.

891 896.101(5)(b) 2nd Money laundering, financial
transactions totaling or
exceeding \$20,000, but less
than \$100,000.

892

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893	896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
894	(i) LEVEL 9		
895			
	Florida Statute	Felony Degree	Description
896	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
897	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
898	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
899	499.0051 (8)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
900			

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901	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
902	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
903	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
904	775.0844	1st	Aggravated white collar crime.
905	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
	782.04 (3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or

death, and other specified felonies.

906

782.051 (1) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony enumerated
in s. 782.04 (3).

907

782.07 (2) 1st Aggravated manslaughter of an
elderly person or disabled
adult.

908

787.01 (1) (a) 1. 1st, PBL Kidnapping; hold for ransom or
reward or as a shield or
hostage.

909

787.01 (1) (a) 2. 1st, PBL Kidnapping with intent to
commit or facilitate commission
of any felony.

910

787.01 (1) (a) 4. 1st, PBL Kidnapping with intent to
interfere with performance of
any governmental or political
function.

911

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912	787.02(3)(a)	1st, PBL	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
913	787.06(3)(c)1.	1st	Human trafficking for labor and services of an unauthorized alien child.
914	787.06(3)(d)	1st	Human trafficking using coercion for commercial sexual activity of an unauthorized adult alien.
915	787.06(3)(f)1.	1st, PBL	Human trafficking for commercial sexual activity by the transfer or transport of any child from outside Florida to within the state.
	790.161	1st	Attempted capital destructive device offense.

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916	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
917	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
918	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
919	794.011 (4) (a)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older.
920	794.011 (4) (b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.
921			

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922	794.011 (4) (c)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.
923	794.011 (4) (d)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
924	794.011 (8) (b)	1st, PBL	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
925	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
926	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
	812.13 (2) (a)	1st, PBL	Robbery with firearm or other

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deadly weapon.

927

812.133 (2) (a) 1st, PBL Carjacking; firearm or other
deadly weapon.

928

812.135 (2) (b) 1st Home-invasion robbery with
weapon.

929

817.535 (3) (b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; property
owner is a public officer or
employee.

930

817.535 (4) (a) 2. 1st Filing false claim or other
unauthorized document;
defendant is incarcerated or
under supervision.

931

817.535 (5) (b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; owner of
the property incurs financial
loss as a result of the false
instrument.

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932

817.568 (7) 2nd, Fraudulent use of personal
 PBL identification information of
 an individual under the age of
 18 by his or her parent, legal
 guardian, or person exercising
 custodial authority.

933

827.03 (2) (a) 1st Aggravated child abuse.

934

847.0145 (1) 1st Selling, or otherwise
 transferring custody or
 control, of a minor.

935

847.0145 (2) 1st Purchasing, or otherwise
 obtaining custody or control,
 of a minor.

936

859.01 1st Poisoning or introducing
 bacteria, radioactive
 materials, viruses, or chemical
 compounds into food, drink,
 medicine, or water with intent
 to kill or injure another
 person.

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937	893.135	1st	Attempted capital trafficking offense.
938	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
939	893.135 —(1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
940	893.135 —(1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
941	893.135 —(1)(c)2.d.	1st	Trafficking in hydrocodone, 300 grams or more, less than 30 kilograms.
942	893.135 —(1)(c)3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
943	893.135	1st	Trafficking in fentanyl, 28 grams or more.

944 ~~(1)(c)4.b.(III)~~

893.135 1st ~~Trafficking in phencyclidine,~~
~~—(1)(d)1.c. 400 grams or more.~~

945 893.135 1st ~~Trafficking in methaqualone, 25~~
~~—(1)(e)1.c. kilograms or more.~~

946 893.135 1st ~~Trafficking in amphetamine, 200~~
~~—(1)(f)1.c. grams or more.~~

947 893.135 1st ~~Trafficking in gamma-~~
~~—(1)(h)1.c. hydroxybutyric acid (GHB), 10~~
~~kilograms or more.~~

948 893.135 1st ~~Trafficking in 1,4-Butanediol,~~
~~—(1)(j)1.c. 10 kilograms or more.~~

949 893.135 1st ~~Trafficking in Phenethylamines,~~
~~—(1)(k)2.c. 400 grams or more.~~

950 893.135 1st ~~Trafficking in synthetic~~
~~—(1)(m)2.d. cannabinoids, 30 kilograms or~~
~~more.~~

951

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952	893.135 — (1) (n) 2.c.	1st	Trafficking in n-benzyl phenethylamines, 200 grams or more.
953	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
954	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
955	Section 4. This act shall take effect upon becoming a law.		