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2 An act relating to controlled substances;
3 amending s. 893.03, F.S.; adding flunitrazepam,
4 alpha-ethyltryptamine,
5 2-amino-5-phenyl-2-oxazoline, 4-bromo-2,
6 5-dimethoxyphenethylamine, and methcathinone to
7 the list of Schedule I controlled substances;
8 adding gamma-hydroxy-butyrate to the list of
9 Schedule II controlled substances; adding
10 fenfluramine to Schedule IV; eliminating
11 flunitrazepam from the list of Schedule IV
12 controlled substances; amending s. 893.13,
13 F.S.; eliminating language with respect to
14 penalties for the use of flunitrazepam;
15 revising language with respect to combinations
16 of certain controlled substances; amending s.
17 893.135, F.S.; providing penalties for
18 trafficking in flunitrazepam; amending s.
19 921.0012, F.S.; conforming the sentencing
20 guidelines to the act; repealing s.
21 893.03(4)(w), F.S.; providing for the removal
22 of fenfluramine from the schedule of controlled
23 substances; providing a conditional effective
24 date and an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Paragraphs (a) and (c) of subsection (1),
29 paragraph (a) of subsection (2), and subsection (4) of section
30 893.03, Florida Statutes, 1996 Supplement, are amended to
31 read:

1 893.03 Standards and schedules.--The substances
2 enumerated in this section are controlled by this chapter.
3 The controlled substances listed or to be listed in Schedules
4 I, II, III, IV, and V are included by whatever official,
5 common, usual, chemical, or trade name designated. The
6 provisions of this section shall not be construed to include
7 within any of the schedules contained in this section any
8 excluded drugs listed within the purview of 21 C.F.R. s.
9 1308.22, styled "Excluded Substances"; 21 C.F.R. s. 1308.24,
10 styled "Exempt Chemical Preparations"; 21 C.F.R. s. 1308.32,
11 styled "Exempted Prescription Products"; or 21 C.F.R. s.
12 1308.34, styled "Exempt Anabolic Steroid Products."

13 (1) SCHEDULE I.--A substance in Schedule I has a high
14 potential for abuse and has no currently accepted medical use
15 in treatment in the United States and in its use under medical
16 supervision does not meet accepted safety standards. The
17 following substances are controlled in Schedule I:

18 (a) Unless specifically excepted or unless listed in
19 another schedule, any of the following substances, including
20 their isomers, esters, ethers, salts, and salts of isomers,
21 esters, and ethers, whenever the existence of such isomers,
22 esters, ethers, and salts is possible within the specific
23 chemical designation:

- 24 1. Acetyl-alpha-methylfentanyl.
- 25 2. Acetylmethadol.
- 26 3. Allylprodine.
- 27 4. Alphacetylmethadol (except levo-alphacetylmethadol,
28 also known as levo-alpha-acetylmethadol, levomethadyl acetate,
29 or LAAM).
- 30 5. Alphamethadol.

31

- 1 6. Alpha-methylfentanyl
2 (N-[1-(alpha-methyl-betaphenyl) ethyl-4-piperidyl]
3 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido)
4 piperidine).
- 5 7. Alpha-methylthiofentanyl.
6 8. Alphameprodine.
7 9. Benzethidine.
8 10. Benzylfentanyl.
9 11. Betacetylmethadol.
10 12. Beta-hydroxyfentanyl.
11 13. Beta-hydroxy-3-methylfentanyl.
12 14. Betameprodine.
13 15. Betamethadol.
14 16. Betaprodine.
15 17. Clonitazene.
16 18. Dextromoramide.
17 19. Diampromide.
18 20. Diethylthiambutene.
19 21. Difenoxyin.
20 22. Dimenoxadol.
21 23. Dimepheptanol.
22 24. Dimethylthiambutene.
23 25. Dioxaphetyl butyrate.
24 26. Dipipanone.
25 27. Ethylmethylthiambutene.
26 28. Etonitazene.
27 29. Etoxeridine.
28 30. Flunitrazepam.
29 31.~~30.~~ Furethidine.
30 32.~~31.~~ Hydroxypethidine.
31 33.~~32.~~ Ketobemidone.

- 1 ~~34.33.~~ Levomoramide.
2 ~~35.34.~~ Levophenacylmorphane.
3 ~~36.35.~~ 1-Methyl-4-Phenyl-4-Propionoxypiperidine
4 (MPPP).
5 ~~37.36.~~ 3-Methylfentanyl (N-
6 [3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).
7 ~~38.37.~~ 3-Methylthiofentanyl.
8 ~~39.38.~~ 3, 4-Methylenedioxymethamphetamine (MDMA).
9 ~~40.39.~~ Morpheridine.
10 ~~41.40.~~ Noracymethadol.
11 ~~42.41.~~ Norlevorphanol.
12 ~~43.42.~~ Normethadone.
13 ~~44.43.~~ Norpipanone.
14 ~~45.44.~~ Para-Fluorofentanyl.
15 ~~46.45.~~ Phenadoxone.
16 ~~47.46.~~ Phenampromide.
17 ~~48.47.~~ Phenomorphan.
18 ~~49.48.~~ Phenoperidine.
19 ~~50.49.~~ 1-(2-Phenylethyl)-4-Phenyl-4-Acetyloxypiperidine
20 (PEPAP).
21 ~~51.50.~~ Piritramide.
22 ~~52.51.~~ Proheptazine.
23 ~~53.52.~~ Properidine.
24 ~~54.53.~~ Propiram.
25 ~~55.54.~~ Racemoramide.
26 ~~56.55.~~ Thenylfentanyl.
27 ~~57.56.~~ Thiofentanyl.
28 ~~58.57.~~ Tilidine.
29 ~~59.58.~~ Trimeperidine.
30 (c) Unless specifically excepted or unless listed in
31 another schedule, any material, compound, mixture, or

1 preparation which contains any quantity of the following
2 hallucinogenic substances or which contains any of their
3 salts, isomers, and salts of isomers, whenever the existence
4 of such salts, isomers, and salts of isomers is possible
5 within the specific chemical designation:

- 6 1. Alpha-ethyltryptamine.
- 7 ~~2.1.~~ 2-Amino-4-methyl-5-phenyl-2-oxazoline
8 (4-methylaminorex).
- 9 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 10 ~~4.2.~~ 4-Bromo-2,5-dimethoxyamphetamine.
- 11 5. 4-Bromo-2, 5-dimethoxyphenethylamine.
- 12 ~~6.3.~~ Bufotenine.
- 13 ~~7.4.~~ Cannabis.
- 14 ~~8.5.~~ Cathinone.
- 15 ~~9.6.~~ Diethyltryptamine.
- 16 ~~10.7.~~ 2,5-Dimethoxyamphetamine.
- 17 ~~11.8.~~ 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 18 ~~12.9.~~ Dimethyltryptamine.
- 19 ~~13.10.~~ N-Ethyl-1-phenylcyclohexylamine (PCE)
20 (Ethylamine analog of phencyclidine).
- 21 ~~14.11.~~ N-Ethyl-3-piperidyl benzilate.
- 22 ~~15.12.~~ N-ethylamphetamine.
- 23 ~~16.13.~~ Fenethylamine.
- 24 ~~17.14.~~ N-Hydroxy-3,4-methylenedioxyamphetamine.
- 25 ~~18.15.~~ Ibogaine.
- 26 ~~19.16.~~ Lysergic acid diethylamide (LSD).
- 27 ~~20.17.~~ Mescaline.
- 28 21. Methcathinone.
- 29 ~~22.18.~~ 5-Methoxy-3,4-methylenedioxyamphetamine.
- 30 ~~23.19.~~ 4-methoxyamphetamine.
- 31 ~~24.20.~~ 4-Methyl-2,5-dimethoxyamphetamine.

- 1 ~~25.21.~~ 3,4-Methylenedioxy-N-ethylamphetamine.
2 ~~26.22.~~ 3,4-Methylenedioxyamphetamine.
3 ~~27.23.~~ N-Methyl-3-piperidyl benzilate.
4 ~~28.24.~~ N,N-dimethylamphetamine.
5 ~~29.25.~~ Parahexyl.
6 ~~30.26.~~ Peyote.
7 ~~31.27.~~ N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY)
8 (Pyrrolidine analog of phencyclidine).
9 ~~32.28.~~ Psilocybin.
10 ~~33.29.~~ Psilocyn.
11 ~~34.30.~~ Tetrahydrocannabinols.
12 ~~35.31.~~ 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
13 (Thiophene analog of phencyclidine).
14 ~~36.32.~~ 3,4,5-Trimethoxyamphetamine.
15 (2) SCHEDULE II.--A substance in Schedule II has a
16 high potential for abuse and has a currently accepted but
17 severely restricted medical use in treatment in the United
18 States, and abuse of the substance may lead to severe
19 psychological or physical dependence. The following
20 substances are controlled in Schedule II:
21 (a) Unless specifically excepted or unless listed in
22 another schedule, any of the following substances, whether
23 produced directly or indirectly by extraction from substances
24 of vegetable origin or independently by means of chemical
25 synthesis:
26 1. Opium and any salt, compound, derivative, or
27 preparation of opium, except nalmefene or isoquinoline
28 alkaloids of opium, including, but not limited to the
29 following:
30 a. Raw opium.
31 b. Opium extracts.

- 1 c. Opium fluid extracts.
2 d. Powdered opium.
3 e. Granulated opium.
4 f. Tincture of opium.
5 g. Codeine.
6 h. Ethylmorphine.
7 i. Etorphine hydrochloride.
8 j. Hydrocodone.
9 k. Hydromorphone.
10 l. Levo-alpha-acetylmethadol (also known as
11 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM).
12 m. Metopon (methyldihydromorphinone).
13 n. Morphine.
14 o. Oxycodone.
15 p. Oxymorphone.
16 q. Thebaine.
17 2. Any salt, compound, derivative, or preparation of a
18 substance which is chemically equivalent to or identical with
19 any of the substances referred to in subparagraph 1., except
20 that these substances shall not include the isoquinoline
21 alkaloids of opium.
22 3. Any part of the plant of the species *Papaver*
23 *somniferum*, L.
24 4. Cocaine or ecgonine, including any of their
25 stereoisomers, and any salt, compound, derivative, or
26 preparation of cocaine or ecgonine.
27 5. Dronabinol (synthetic THC) in sesame oil and
28 encapsulated in a soft gelatin capsule in a U.S. Food and Drug
29 Administration approved drug product.
30 6. Gamma-hydroxy-butyrate (GHB).
31

1 (4) SCHEDULE IV.--A substance in Schedule IV has a low
2 potential for abuse relative to the substances in Schedule III
3 and has a currently accepted medical use in treatment in the
4 United States, and abuse of the substance may lead to limited
5 physical or psychological dependence relative to the
6 substances in Schedule III. Unless specifically excepted or
7 unless listed in another schedule, any material, compound,
8 mixture, or preparation which contains any quantity of the
9 following substances, including its salts, isomers, and salts
10 of isomers whenever the existence of such salts, isomers, and
11 salts of isomers is possible within the specific chemical
12 designation, are controlled in Schedule IV:

- 13 (a) Alprazolam.
- 14 (b) Barbital.
- 15 (c) Bromazepam.
- 16 (d) Camazepam.
- 17 (e) Cathine.
- 18 (f) Chloral betaine.
- 19 (g) Chloral hydrate.
- 20 (h) Chlordiazepoxide.
- 21 (i) Clobazam.
- 22 (j) Clonazepam.
- 23 (k) Clorazepate.
- 24 (l) Clotiazepam.
- 25 (m) Cloxazolam.
- 26 (n) Delorazepam.
- 27 (o) Dextropropoxyphene (dosage forms).
- 28 (p) Diazepam.
- 29 (q) Diethylpropion.
- 30 (r) Estazolam.
- 31 (s) Ethchlorvynol.

- 1 (t) Ethinamate.
- 2 (u) Ethyl loflazepate.
- 3 (v) Fencamfamin.
- 4 (w) Fenfluramine.
- 5 (x)~~(w)~~ Fenproporex.
- 6 (y)~~(x)~~ Fludiazepam.
- 7 ~~(y) Flunitrazepam.~~
- 8 (z) Flurazepam.
- 9 (aa) Halazepam.
- 10 (bb) Haloxazolam.
- 11 (cc) Ketazolam.
- 12 (dd) Loprazolam.
- 13 (ee) Lorazepam.
- 14 (ff) Lormetazepam.
- 15 (gg) Mazindol.
- 16 (hh) Mebutamate.
- 17 (ii) Medazepam.
- 18 (jj) Mefenorex.
- 19 (kk) Meprobamate.
- 20 (ll) Methohexital.
- 21 (mm) Methylphenobarbital.
- 22 (nn) Midazolam.
- 23 (oo) Nimetazepam.
- 24 (pp) Nitrazepam.
- 25 (qq) Nordiazepam.
- 26 (rr) Oxazepam.
- 27 (ss) Oxazolam.
- 28 (tt) Paraldehyde.
- 29 (uu) Pemoline.
- 30 (vv) Pentazocine.
- 31 (ww) Phenobarbital.

1 (xx) Phentermine.

2 (yy) Pinazepam.

3 (zz) Pipradrol.

4 (aaa) Prazepam.

5 (bbb) Propylhexedrine, excluding any patent or
6 proprietary preparation containing propylhexedrine, unless
7 otherwise provided by federal law.

8 (ccc) Quazepam.

9 (ddd) Tetrazepam.

10 (eee) SPA[(-)-1 dimethylamino-1, 2 diphenylethane].

11 (fff) Temazepam.

12 (ggg) Triazolam.

13 (hhh) Not more than 1 milligram of difenoxin and not
14 less than 25 micrograms of atropine sulfate per dosage unit.

15 Section 2. Paragraph (b) of subsection (1), paragraph
16 (b) of subsection (2), paragraph (c) of subsection (6), and
17 subsection (12) of section 893.13, Florida Statutes, 1996
18 Supplement, are amended to read:

19 893.13 Prohibited acts; penalties.--

20 (1)

21 (b) Except as provided in this chapter, it is unlawful
22 to sell or deliver in excess of 10 grams of any substance
23 named or described in s. 893.03(1)(a) or (1)(b), or any
24 mixture containing any substance named or described in s.
25 893.03(1)(a) or (1)(b), or any combination thereof. Any person
26 who violates this paragraph commits a felony of the first
27 degree, punishable as provided in s. 775.082, s. 775.083, or
28 s. 775.084.

29 (2)

30 (b) Except as provided in this chapter, it is unlawful
31 to purchase in excess of 10 grams of any substance named or

1 described in s. 893.03(1)(a) or (1)(b), or any mixture
2 containing any substance named or described in s. 893.03(1)(a)
3 or (1)(b), or any combination thereof. Any person who
4 violates this paragraph commits a felony of the first degree,
5 punishable as provided in s. 775.082, s. 775.083, or s.
6 775.084.

7 (6)

8 (c) Except as provided in this chapter, it is unlawful
9 to possess in excess of 10 grams of any substance named or
10 described in s. 893.03(1)(a) or (1)(b), or any mixture
11 containing any substance named or described in s. 893.03(1)(a)
12 or (1)(b), or any combination thereof. Any person who
13 violates this paragraph commits a felony of the first degree,
14 punishable as provided in s. 775.082, s. 775.083, or s.
15 775.084.

16 ~~(12) Notwithstanding any provision of the laws of this~~
17 ~~state to the contrary, any unauthorized activity under this~~
18 ~~section which involves flunitrazepam shall be subject to the~~
19 ~~same penalties as are provided for in this section for~~
20 ~~violations involving controlled substances named or described~~
21 ~~in s. 893.03(1)(a).~~

22 Section 3. Paragraph (g) is added to subsection (1) of
23 section 893.135, Florida Statutes, 1996 Supplement, to read:

24 893.135 Trafficking; mandatory sentences; suspension
25 or reduction of sentences; conspiracy to engage in
26 trafficking.--

27 (1) Except as authorized in this chapter or in chapter
28 499 and notwithstanding the provisions of s. 893.13:

29 (g)1. Any person who knowingly sells, purchases,
30 manufactures, delivers, or brings into this state, or who is
31 knowingly in actual or constructive possession of, 4 grams or

1 more of flunitrazepam or any mixture containing flunitrazepam
2 as described in s. 893.03(1)(a) commits a felony of the first
3 degree, which felony shall be known as "trafficking in
4 flunitrazepam." If the quantity involved:
5 a. Is 4 grams or more but less than 14 grams, such
6 person shall be sentenced pursuant to the sentencing
7 guidelines and pay a fine of \$50,000.
8 b. Is 14 grams or more but less than 28 grams, such
9 person shall be sentenced pursuant to the sentencing
10 guidelines and pay a fine of \$100,000.
11 c. Is 28 grams or more but less than 30 kilograms,
12 such person shall be sentenced to a mandatory minimum term of
13 imprisonment of 25 calendar years and pay a fine of \$500,000.
14 2. Any person who knowingly sells, purchases,
15 manufactures, delivers, or brings into this state or who is
16 knowingly in actual or constructive possession of 30 kilograms
17 or more of flunitrazepam or any mixture containing
18 flunitrazepam as described in s. 893.03(1)(a) commits the
19 first-degree felony of trafficking in flunitrazepam. A person
20 who has been convicted of the first-degree felony of
21 trafficking in flunitrazepam under this subparagraph shall be
22 punished by life imprisonment and is ineligible for any form
23 of discretionary early release except pardon or executive
24 clemency or conditional medical release under s. 947.149.
25 However, if the court determines that, in addition to
26 committing any act specified in this paragraph:
27 a. The person intentionally killed an individual or
28 counseled, commanded, induced, procured, or caused the
29 intentional killing of an individual and such killing was the
30 result; or
31

1 b. The person's conduct in committing that act led to
 2 a natural, though not inevitable, lethal result,
 3
 4 such person commits the capital felony of trafficking in
 5 flunitrazepam, punishable as provided in ss. 775.082 and
 6 921.142. Any person sentenced for a capital felony under this
 7 paragraph shall also be sentenced to pay the maximum fine
 8 provided under subparagraph 1.

9 Section 4. Paragraphs (g) and (h) of subsection (3) of
 10 section 921.0012, Florida Statutes, 1996 Supplement, are
 11 amended to read:

12 921.0012 Sentencing guidelines offense levels; offense
 13 severity ranking chart.--

14 (3) OFFENSE SEVERITY RANKING CHART

15 Florida	Felony	
16 Statute	Degree	Description
		(g) LEVEL 7
19 316.193(3)(c)2.	3rd	DUI resulting in serious bodily 20 injury.
21 327.35(3)(c)2.	3rd	Vessel BUI resulting in serious 22 bodily injury.
23 409.920(2)	3rd	Medicaid provider fraud.
24 494.0018(2)	1st	Conviction of any violation of 25 ss. 494.001-494.0077 in which the 26 total money and property 27 unlawfully obtained exceeded 28 \$50,000 and there were five or 29 more victims.
30		
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1	782.07(1)	2nd	Killing of a human being by the
2			act, procurement, or culpable
3			negligence of another
4			(manslaughter).
5	782.071(1)	3rd	Killing of human being by the
6			operation of a motor vehicle in a
7			reckless manner (vehicular
8			homicide).
9	782.072(1)	3rd	Killing of a human being by the
10			operation of a vessel in a
11			reckless manner (vessel
12			homicide).
13	784.045(1)(a)1.	2nd	Aggravated battery; intentionally
14			causing great bodily harm or
15			disfigurement.
16	784.045(1)(a)2.	2nd	Aggravated battery; using deadly
17			weapon.
18	784.045(1)(b)	2nd	Aggravated battery; perpetrator
19			aware victim pregnant.
20	784.048(4)	3rd	Aggravated stalking; violation of
21			injunction or court order.
22	784.07(2)(d)	1st	Aggravated battery on law
23			enforcement officer.
24	784.08(2)(a)	1st	Aggravated battery on a person 65
25			years of age or older.
26	784.081(1)	1st	Aggravated battery on specified
27			official or employee.
28	784.082(1)	1st	Aggravated battery by detained
29			person on visitor or other
30			detainee.
31			

1	790.07(4)	1st	Specified weapons violation
2			subsequent to previous conviction
3			of s. 790.07(1) or (2).
4	790.16(1)	1st	Discharge of a machine gun under
5			specified circumstances.
6	796.03	2nd	Procuring any person under 16
7			years for prostitution.
8	800.04	2nd	Handle, fondle, or assault child
9			under 16 years in lewd,
10			lascivious, or indecent manner.
11	806.01(2)	2nd	Maliciously damage structure by
12			fire or explosive.
13	810.02(3)(a)	2nd	Burglary of occupied dwelling;
14			unarmed; no assault or battery.
15	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
16			unarmed; no assault or battery.
17	810.02(3)(d)	2nd	Burglary of occupied conveyance;
18			unarmed; no assault or battery.
19	812.014(2)(a)	1st	Property stolen, valued at
20			\$100,000 or more; property stolen
21			while causing other property
22			damage; 1st degree grand theft.
23	812.019(2)	1st	Stolen property; initiates,
24			organizes, plans, etc., the theft
25			of property and traffics in
26			stolen property.
27	812.133(2)(b)	1st	Carjacking; no firearm, deadly
28			weapon, or other weapon.
29			
30			
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1	825.102(3)(b)	2nd	Neglecting an elderly person or
2			disabled adult causing great
3			bodily harm, disability, or
4			disfigurement.
5	825.1025(2)	2nd	Lewd or lascivious battery upon
6			an elderly person or disabled
7			adult.
8	825.103(2)(b)	2nd	Exploiting an elderly person or
9			disabled adult and property is
10			valued at \$20,000 or more, but
11			less than \$100,000.
12	827.03(3)(b)	2nd	Neglect of a child causing great
13			bodily harm, disability, or
14			disfigurement.
15	827.04(4)	3rd	Impregnation of a child under 16
16			years of age by person 21 years
17			of age or older.
18	872.06	2nd	Abuse of a dead human body.
19	893.13(1)(c)1.	1st	Sell, manufacture, or deliver
20			cocaine (or other s.
21			893.03(1)(a), (1)(b), (1)(d),
22			(2)(a), or (2)(b) drugs) within
23			1,000 feet of a school.
24	893.13(4)(a)	1st	Deliver to minor cocaine (or
25			other s. 893.03(1)(a), (1)(b),
26			(1)(d), (2)(a), or (2)(b) drugs).
27	893.135(1)(a)1.	1st	Trafficking in cannabis, more
28			than 50 lbs., less than 2,000
29			lbs.
30			
31			

1	893.135		
2	(1)(b)1.a.	1st	Trafficking in cocaine, more than
3			28 grams, less than 200 grams.
4	893.135		
5	(1)(c)1.a.	1st	Trafficking in illegal drugs,
6			more than 4 grams, less than 14
7			grams.
8	893.135		
9	(1)(d)1.	1st	Trafficking in phencyclidine,
10			more than 28 grams, less than 200
11			grams.
12	893.135(1)(e)1.	1st	Trafficking in methaqualone, more
13			than 200 grams, less than 5
14			kilograms.
15	893.135(1)(f)1.	1st	Trafficking in amphetamine, more
16			than 14 grams, less than 28
17			grams.
18	<u>893.135(1)(g)1.a.</u>	<u>1st</u>	<u>Trafficking in flunitrazepam, 4</u>
19			<u>grams or more, less than 14</u>
20			<u>grams.</u>
21			
22			(h) LEVEL 8
23	316.193		
24	(3)(c)3.a.	2nd	DUI manslaughter.
25	327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
26	777.03(2)(a)	1st	Accessory after the fact, capital
27			felony.
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1	782.04(4)	2nd	Killing of human without design
2			when engaged in act or attempt of
3			any felony other than arson,
4			sexual battery, robbery,
5			burglary, kidnapping, aircraft
6			piracy, or unlawfully discharging
7			bomb.
8	782.071(2)	2nd	Committing vehicular homicide and
9			failing to render aid or give
10			information.
11	782.072(2)	2nd	Committing vessel homicide and
12			failing to render aid or give
13			information.
14	790.161(3)	1st	Discharging a destructive device
15			which results in bodily harm or
16			property damage.
17	794.011(5)	2nd	Sexual battery, victim 12 years
18			or over, offender does not use
19			physical force likely to cause
20			serious injury.
21	806.01(1)	1st	Maliciously damage dwelling or
22			structure by fire or explosive,
23			believing person in structure.
24	810.02(2)(a)	1st,PBL	Burglary with assault or battery.
25	810.02(2)(b)	1st,PBL	Burglary; armed with explosives
26			or dangerous weapon.
27	810.02(2)(c)	1st	Burglary of a dwelling or
28			structure causing structural
29			damage or \$1,000 or more property
30			damage.
31	812.13(2)(b)	1st	Robbery with a weapon.

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1	812.135(2)	1st	Home-invasion robbery.
2	825.102(2)	2nd	Aggravated abuse of an elderly
3			person or disabled adult.
4	825.103(2)(a)	1st	Exploiting an elderly person or
5			disabled adult and property is
6			valued at \$100,000 or more.
7	827.03(2)	2nd	Aggravated child abuse.
8	860.121(2)(c)	1st	Shooting at or throwing any
9			object in path of railroad
10			vehicle resulting in great bodily
11			harm.
12	860.16	1st	Aircraft piracy.
13	893.13(1)(b)	1st	Sell or deliver in excess of 10
14			grams of any substance specified
15			in s. 893.03(1)(a) or (b).
16	893.13(2)(b)	1st	Purchase in excess of 10 grams of
17			any substance specified in s.
18			893.03(1)(a) or (b).
19	893.13(6)(c)	1st	Possess in excess of 10 grams of
20			any substance specified in s.
21			893.03(1)(a) or (b).
22	893.135(1)(a)2.	1st	Trafficking in cannabis, more
23			than 2,000 lbs., less than 10,000
24			lbs.
25	893.135		
26	(1)(b)1.b.	1st	Trafficking in cocaine, more than
27			200 grams, less than 400 grams.
28	893.135		
29	(1)(c)1.b.	1st	Trafficking in illegal drugs,
30			more than 14 grams, less than 28
31			grams.

1	893.135(1)(d)2.	1st	Trafficking in phencyclidine,
2			more than 200 grams, less than
3			400 grams.
4	893.135(1)(e)2.	1st	Trafficking in methaqualone, more
5			than 5 kilograms, less than 25
6			kilograms.
7	893.135(1)(f)2.	1st	Trafficking in amphetamine, more
8			than 28 grams, less than 200
9			grams.
10	<u>893.135 (1)(g)1.b.1st</u>		<u>Trafficking in flunitrazepam, 14</u>
11			<u>grams or more, less than 28</u>
12			<u>grams.</u>
13	895.03(1)	1st	Use or invest proceeds derived
14			from pattern of racketeering
15			activity.
16	895.03(2)	1st	Acquire or maintain through
17			racketeering activity any
18			interest in or control of any
19			enterprise or real property.
20	895.03(3)	1st	Conduct or participate in any
21			enterprise through pattern of
22			racketeering activity.

23 Section 5. (1) Paragraph (w) of subsection (4) of
24 section 893.03, Florida Statutes, 1996 Supplement, as amended
25 by this act, is repealed.

26 (2) Subsection (1) shall not take effect unless the
27 substance known as fenfluramine is removed from the schedules
28 of controlled substances in 21 C.F.R. s. 1308. If the
29 substance known as fenfluramine is removed from the schedules
30 of controlled substances in 21 C.F.R. s. 1308, subsection (1)
31 shall take effect on the day that such removal takes effect.

1 Section 6. This act shall take effect upon becoming a
2 law.
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