

1 A bill to be entitled
2 An act relating to controlled substances;
3 authorizing the creation of a pilot program in
4 Orange County to intercept illegal drug
5 shipments through package delivery services;
6 amending ss. 823.10, 823.01, F.S.; providing
7 that a person who willfully keeps or maintains
8 or aids or abets another in keeping or
9 maintaining certain types of places where
10 controlled substances are unlawfully used,
11 kept, sold, or delivered commits the offense of
12 keeping or maintaining a public nuisance;
13 providing a penalty; amending s. 877.111, F.S.,
14 relating to inhalation, ingestion, sale,
15 purchase, or transfer of certain harmful
16 chemical substances; providing exceptions to
17 applications of offenses relating to unlawful
18 distribution, sale, purchase, transfer, or
19 possession of nitrous oxide; amending s.
20 893.03, F.S., relating to controlled substance
21 standards and schedules; adding
22 4-methoxymethamphetamine, 1, 4-Butanediol,
23 Gamma-butyrolactone (GBL), Gamma-hydroxybutyric
24 acid (GBH), methaqualone, and mecloqualone to
25 Schedule I; deleting 1, 4-Butanediol and
26 Gamma-hydroxybutyric acid from Schedule II;
27 adding drug products containing
28 Gamma-hydroxybutyric acid which are approved
29 under the Federal Food, Drug, and Cosmetic Act
30 to Schedule III; amending s. 893.033, F.S.,
31 relating to listed chemicals; adding

1 chloroephedrine and chloropseudoephedrine to
2 the list of precursor chemicals; amending s.
3 893.135, F.S., relating to drug trafficking;
4 creating offenses for trafficking in
5 Gamma-butyrolactone (GBL) and lysergic acid
6 diethylamide (LSD); providing penalties;
7 amending scheduling references for trafficking
8 in Gamma-hydroxybutyric acid (GHB) and 1,
9 4-Butanediol; providing effective dates.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. The Legislature finds that drug traffickers
14 are increasingly employing package-delivery services to
15 illegally transport narcotics into the state. In accordance
16 with this finding, the Legislature authorizes the creation of
17 a 3-year pilot program in Orange County, Florida to target and
18 intercept the illegal shipment of narcotics via
19 package-delivery services. This pilot program shall be created
20 and supervised by the Orange County Sheriff's Office. The
21 Orange County Sheriff's Office shall make a formal report of
22 its findings to the Legislature by May 1, 2004.

23 Section 2. Subsection (1) of section 823.10, Florida
24 Statutes, is amended to read:

25 823.10 Place where controlled substances are illegally
26 kept, sold, or used declared a public nuisance.--

27 (1) Any store, shop, warehouse, dwelling house,
28 building, structure, vehicle, ship, boat, vessel, or aircraft,
29 or any place whatever, which is visited by persons for the
30 purpose of unlawfully using any substance controlled under
31 chapter 893 or any drugs as described in chapter 499, or which

1 is used for the illegal keeping, selling, or delivering of the
2 same, shall be deemed a public nuisance. No person shall keep
3 or maintain such public nuisance or aid and abet another in
4 keeping or maintaining such public nuisance. Any person who
5 willfully keeps or maintains a public nuisance or willfully
6 aids or abets another in keeping or maintaining a public
7 nuisance, and such public nuisance is a warehouse, structure,
8 or building, commits a felony of the third degree, punishable
9 as provided in s. 775.082, s. 775.083, or s. 775.084.

10 Section 3. Section 823.01, Florida Statutes, is
11 amended to read:

12 823.01 Nuisances; penalty.--All nuisances that ~~which~~
13 tend to annoy the community, or injure the health of the
14 citizens in general, or ~~to~~ corrupt the public morals, ~~are~~
15 misdemeanors of the second degree, punishable as provided in
16 s. 775.083, except that a violation of s. 823.10 is a felony
17 of the third degree.

18 Section 4. Subsection (4) of section 877.111, Florida
19 Statutes, is amended to read:

20 877.111 Inhalation, ingestion, possession, sale,
21 purchase, or transfer of harmful chemical substances;
22 penalties.--

23 (4) Any person who knowingly distributes, sells,
24 purchases, transfers, or possesses more than 16 grams of
25 nitrous oxide ~~for any use other than:~~

26 ~~(a) As part of the care or treatment of a disease or~~
27 ~~injury by a practitioner licensed under chapter 458, chapter~~
28 ~~459, chapter 464, chapter 466, or chapter 474;~~

29 ~~(b) As a food processing propellant;~~

30 ~~(c) As a semiconductor oxidizer;~~

31

1 ~~(d) As an analytical chemistry oxidizer in atomic~~
2 ~~absorption spectrometry;~~

3 ~~(e) In the production of chemicals used to inflate~~
4 ~~airbags;~~

5 ~~(f) As an oxidizer for chemical production,~~
6 ~~combustion, or jet propulsion; or~~

7 ~~(g) When mixed with not less than 100 parts per~~
8 ~~million of sulfur dioxide~~

9
10 commits a felony of the third degree which shall be known as
11 unlawful distribution of nitrous oxide, punishable as provided
12 in s. 775.082, s. 775.083, or s. 775.084. For purposes of this
13 subsection, in addition to proving by any other means that
14 nitrous oxide was knowingly possessed, distributed, sold,
15 purchased, or transferred ~~for any purpose not specified in~~
16 ~~paragraphs (a)-(g)~~, proof that any person discharged, or aided
17 another in discharging, nitrous oxide to inflate a balloon or
18 any other object suitable for subsequent inhalation creates an
19 inference of the person's knowledge that the nitrous oxide's
20 use was for an unlawful a purpose other than those provided in
21 paragraphs (a)-(g). This subsection does not apply to the
22 possession and use of nitrous oxide as part of the care and
23 treatment of a disease or injury by a practitioner licensed
24 under chapter 458, chapter 459, chapter 464, chapter 466, or
25 chapter 474; as a food-processing propellant; as a
26 semiconductor oxidizer; as an analytical chemistry oxidizer in
27 atomic absorption spectrometry; in the production of chemicals
28 used to inflate airbags; as an oxidizer for chemical
29 production, combustion, or jet propulsion; or as a motor
30 vehicle induction additive when mixed with sulphur dioxide.
31

1 Section 5. Paragraphs (c) and (d) of subsection (1)
2 and paragraph (b) of subsection (2) of section 893.03, Florida
3 Statutes, are amended and paragraph (g) is added to subsection
4 (3) of that section, to read:

5 893.03 Standards and schedules.--The substances
6 enumerated in this section are controlled by this chapter.
7 The controlled substances listed or to be listed in Schedules
8 I, II, III, IV, and V are included by whatever official,
9 common, usual, chemical, or trade name designated. The
10 provisions of this section shall not be construed to include
11 within any of the schedules contained in this section any
12 excluded drugs listed within the purview of 21 C.F.R. s.
13 1308.22, styled "Excluded Substances"; 21 C.F.R. s. 1308.24,
14 styled "Exempt Chemical Preparations"; 21 C.F.R. s. 1308.32,
15 styled "Exempted Prescription Products"; or 21 C.F.R. s.
16 1308.34, styled "Exempt Anabolic Steroid Products."

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

22 (c) Unless specifically excepted or unless listed in
23 another schedule, any material, compound, mixture, or
24 preparation which contains any quantity of the following
25 hallucinogenic substances or which contains any of their
26 salts, isomers, and salts of isomers, whenever the existence
27 of such salts, isomers, and salts of isomers is possible
28 within the specific chemical designation:

- 29 1. Alpha-ethyltryptamine.
- 30 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline
- 31 (4-methylaminorex).

- 1 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 2 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 3 5. 4-Bromo-2, 5-dimethoxyphenethylamine.
- 4 6. Bufotenine.
- 5 7. Cannabis.
- 6 8. Cathinone.
- 7 9. Diethyltryptamine.
- 8 10. 2,5-Dimethoxyamphetamine.
- 9 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 10 12. Dimethyltryptamine.
- 11 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
- 12 analog of phencyclidine).
- 13 14. N-Ethyl-3-piperidyl benzilate.
- 14 15. N-ethylamphetamine.
- 15 16. Fenethylamine.
- 16 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 17 18. Ibogaine.
- 18 19. Lysergic acid diethylamide (LSD).
- 19 20. Mescaline.
- 20 21. Methcathinone.
- 21 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 22 23. 4-methoxyamphetamine.
- 23 24. 4-methoxymethamphetamine.
- 24 25.~~24.~~ 4-Methyl-2,5-dimethoxyamphetamine.
- 25 26.~~25.~~ 3,4-Methylenedioxy-N-ethylamphetamine.
- 26 27.~~26.~~ 3,4-Methylenedioxyamphetamine.
- 27 28.~~27.~~ N-Methyl-3-piperidyl benzilate.
- 28 29.~~28.~~ N,N-dimethylamphetamine.
- 29 30.~~29.~~ Parahexyl.
- 30 31.~~30.~~ Peyote.
- 31

1 ~~32.31.~~ N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY)
2 (Pyrrolidine analog of phencyclidine).

3 ~~33.32.~~ Psilocybin.

4 ~~34.33.~~ Psilocyn.

5 ~~35.34.~~ Tetrahydrocannabinols.

6 ~~36.35.~~ 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
7 (Thiophene analog of phencyclidine).

8 ~~37.36.~~ 3,4,5-Trimethoxyamphetamine.

9 (d) Unless specifically excepted or unless listed in
10 another schedule, any material, compound, mixture, or
11 preparation which contains any quantity of the following
12 substances ~~methaqualone or mecloqualone~~, including any of its
13 salts, isomers, optical isomers, salts of their isomers, and
14 salts of these optical isomers whenever the existence of such
15 isomers and salts is possible within the specific chemical
16 designation:-

17 1. 1,4-Butanediol.

18 2. Gamma-butyrolactone (GBL).

19 3. Gamma-hydroxybutyric acid (GHB).

20 4. Methaqualone.

21 5. Mecloqualone.

22 (2) SCHEDULE II.--A substance in Schedule II has a
23 high potential for abuse and has a currently accepted but
24 severely restricted medical use in treatment in the United
25 States, and abuse of the substance may lead to severe
26 psychological or physical dependence. The following substances
27 are controlled in Schedule II:

28 (b) Unless specifically excepted or unless listed in
29 another schedule, any of the following substances, including
30 their isomers, esters, ethers, salts, and salts of isomers,
31 esters, and ethers, whenever the existence of such isomers,

1 esters, ethers, and salts is possible within the specific
2 chemical designation:

- 3 1. Alfentanil.
- 4 2. Alphaprodine.
- 5 3. Anileridine.
- 6 4. Bezitramide.
- 7 5. Bulk propoxyphene (nondosage forms).
- 8 ~~6. 1,4-Butanediol.~~
- 9 6.7. Carfentanil.
- 10 7.8. Dihydrocodeine.
- 11 8.9. Diphenoxylate.
- 12 9.10. Fentanyl.
- 13 ~~11. Gamma-hydroxybutyric acid (GHB).~~
- 14 10.12. Isomethadone.
- 15 11.13. Levomethorphan.
- 16 12.14. Levorphanol.
- 17 13.15. Metazocine.
- 18 14.16. Methadone.
- 19 15.17. Methadone-Intermediate, 4-cyano-2-
- 20 dimethylamino-4,4-diphenylbutane.
- 21 16.18. Moramide-Intermediate, 2-methyl-
- 22 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 23 17.19. Nabilone.
- 24 18.20. Pethidine (meperidine).
- 25 19.21. Pethidine-Intermediate-A, 4-cyano-1-
- 26 methyl-4-phenylpiperidine.
- 27 20.22. Pethidine-Intermediate-B, ethyl-4-
- 28 phenylpiperidine-4-carboxylate.
- 29 21.23. Pethidine-Intermediate-C, 1-methyl-4-
- 30 phenylpiperidine-4-carboxylic acid.
- 31 22.24. Phenazocine.

- 1 ~~23.25.~~ Phencyclidine.
2 ~~24.26.~~ 1-Phenylcyclohexylamine.
3 ~~25.27.~~ Piminodine.
4 ~~26.28.~~ 1-Piperidinocyclohexanecarbonitrile.
5 ~~27.29.~~ Racemethorphan.
6 ~~28.30.~~ Racemorphan.
7 ~~29.31.~~ Sufentanil.

8 (3) SCHEDULE III.--A substance in Schedule III has a
9 potential for abuse less than the substances contained in
10 Schedules I and II and has a currently accepted medical use in
11 treatment in the United States, and abuse of the substance may
12 lead to moderate or low physical dependence or high
13 psychological dependence or, in the case of anabolic steroids,
14 may lead to physical damage. The following substances are
15 controlled in Schedule III:

16 (g) Any drug product containing gamma-hydroxybutyric
17 acid, including its salts, isomers, and salts of isomers, for
18 which an application is approved under s. 505 of the Federal
19 Food, Drug, and Cosmetic Act.

20 Section 6. Subsection (1) of section 893.033, Florida
21 Statutes, is amended to read:

22 893.033 Listed chemicals.--The chemicals listed in
23 this section are included by whatever official, common, usual,
24 chemical, or trade name designated.

25 (1) PRECURSOR CHEMICALS.--The term "listed precursor
26 chemical" means a chemical that may be used in manufacturing a
27 controlled substance in violation of this chapter and is
28 critical to the creation of the controlled substance, and such
29 term includes any salt, optical isomer, or salt of an optical
30 isomer, whenever the existence of such salt, optical isomer,
31 or salt of optical isomer is possible within the specific

1 chemical designation. The following are "listed precursor
2 chemicals":

- 3 (a) Anthranilic acid.
4 (b) Benzyl chloride.
5 (c) Benzyl cyanide.
6 (d) Chloroephedrine.
7 (e) Chloropseudoephedrine.
8 (f)~~(d)~~ Ephedrine.
9 (g)~~(e)~~ Ergonovine.
10 (h)~~(f)~~ Ergotamine.
11 (i)~~(g)~~ Ethylamine.
12 (j)~~(h)~~ Isosafrole.
13 (k)~~(i)~~ Methylamine.
14 (l)~~(j)~~ 3, 4-Methylenedioxyphenyl-2-propanone.
15 (m)~~(k)~~ N-acetylanthranilic acid.
16 (n)~~(l)~~ N-ethylephedrine.
17 (o)~~(m)~~ N-ethylpseudoephedrine.
18 (p)~~(n)~~ N-methylephedrine.
19 (q)~~(o)~~ N-methylpseudoephedrine.
20 (r)~~(p)~~ Norpseudoephedrine.
21 (s)~~(q)~~ Phenylacetic acid.
22 (t)~~(r)~~ Phenylpropanolamine.
23 (u)~~(s)~~ Piperidine.
24 (v)~~(t)~~ Piperonal.
25 (w)~~(u)~~ Propionic anhydride.
26 (x)~~(v)~~ Pseudoephedrine.
27 (y)~~(w)~~ Safrole.

28 Section 7. Paragraph (h) of subsection (1) of section
29 893.135, Florida Statutes, is amended, present paragraphs (i)
30 and (j) of that subsection are redesignated as paragraphs (j)
31

1 and (k), respectively, and amended, and new paragraphs (i) and
2 (l) are added to that subsection, to read:

3 893.135 Trafficking; mandatory sentences; suspension
4 or reduction of sentences; conspiracy to engage in
5 trafficking.--

6 (1) Except as authorized in this chapter or in chapter
7 499 and notwithstanding the provisions of s. 893.13:

8 (h)1. Any person who knowingly sells, purchases,
9 manufactures, delivers, or brings into this state, or who is
10 knowingly in actual or constructive possession of, 1 kilogram
11 or more of gamma-hydroxybutyric acid (GHB), as described in s.
12 893.03(1)(d)~~s. 893.03(2)(b)~~, or any mixture containing
13 gamma-hydroxybutyric acid (GHB), commits a felony of the first
14 degree, which felony shall be known as "trafficking in
15 gamma-hydroxybutyric acid (GHB)," punishable as provided in s.
16 775.082, s. 775.083, or s. 775.084. If the quantity involved:

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

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

25 c. Is 10 kilograms or more, such person shall be
26 sentenced to a mandatory minimum term of imprisonment of 15
27 calendar years and pay a fine of \$250,000.

28 2. Any person who knowingly manufactures or brings
29 into this state 150 kilograms or more of gamma-hydroxybutyric
30 acid (GHB), as described in s. 893.03(1)(d)~~s. 893.03(2)(b)~~,
31 or any mixture containing gamma-hydroxybutyric acid (GHB), and

1 who knows that the probable result of such manufacture or
2 importation would be the death of any person commits capital
3 manufacture or importation of gamma-hydroxybutyric acid (GHB),
4 a capital felony punishable as provided in ss. 775.082 and
5 921.142. Any person sentenced for a capital felony under this
6 paragraph shall also be sentenced to pay the maximum fine
7 provided under subparagraph 1.

8 (i)1. Any person who knowingly sells, purchases,
9 manufactures, delivers, or brings into this state, or who is
10 knowingly in actual or constructive possession of, 1 kilogram
11 or more of gamma-butyrolactone (GBL), as described in s.
12 893.03(1)(d), or any mixture containing gamma-butyrolactone
13 (GBL), commits a felony of the first degree, which felony
14 shall be known as "trafficking in gamma-butyrolactone (GBL),"
15 punishable as provided in s. 775.082, s. 775.083, or s.
16 775.084. If the quantity involved:

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

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

25 c. Is 10 kilograms or more, such person shall be
26 sentenced to a mandatory minimum term of imprisonment of 15
27 calendar years and pay a fine of \$250,000.

28 2. Any person who knowingly manufactures or brings
29 into the state 150 kilograms or more of gamma-butyrolactone
30 (GBL), as described in s. 893.03(1)(d), or any mixture
31 containing gamma-butyrolactone (GBL), and who knows that the

1 probably result of such manufacture or importation would be
2 the death of any person commits capital manufacture or
3 importation of gamma-butyrolactone (GBL), a capital felony
4 punishable as provided in ss. 775.082 and 921.142. Any person
5 sentenced for a capital felony under this paragraph shall also
6 be sentenced to pay the maximum fine provided under
7 subparagraph 1.

8 (j)(i)1. Any person who knowingly sells, purchases,
9 manufactures, delivers, or brings into this state, or who is
10 knowingly in actual or constructive possession of, 1 kilogram
11 or more of 1,4-Butanediol as described in s. 893.03(1)(d) ~~s.~~
12 ~~893.03(2)(b)~~, or of any mixture containing 1,4-Butanediol,
13 commits a felony of the first degree, which felony shall be
14 known as "trafficking in 1,4-Butanediol," punishable as
15 provided in s. 775.082, s. 775.083, or s. 775.084. If the
16 quantity involved:

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

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

25 c. Is 10 kilograms or more, such person shall be
26 sentenced to a mandatory minimum term of imprisonment of 15
27 calendar years and pay a fine of \$500,000.

28 2. Any person who knowingly manufactures or brings
29 into this state 150 kilograms or more of 1,4-Butanediol as
30 described in s. 893.03(1)(d) ~~s. 893.03(2)(b)~~, or any mixture
31 containing 1,4-Butanediol, and who knows that the probable

1 result of such manufacture or importation would be the death
2 of any person commits capital manufacture or importation of
3 1,4-Butanediol, a capital felony punishable as provided in ss.
4 775.082 and 921.142. Any person sentenced for a capital felony
5 under this paragraph shall also be sentenced to pay the
6 maximum fine provided under subparagraph 1.

7 (k)~~(j)~~1. Any person who knowingly sells, purchases,
8 manufactures, delivers, or brings into this state, or who is
9 knowingly in actual or constructive possession of, 10 grams or
10 more of any of the following substances described in s.

11 893.03(1)(a) or (c):

- 12 a. 3,4-Methylenedioxyamphetamine (MDMA);
- 13 b. 4-Bromo-2,5-dimethoxyamphetamine;
- 14 c. 4-Bromo-2,5-dimethoxyphenethylamine;
- 15 d. 2,5-Dimethoxyamphetamine;
- 16 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 17 f. N-ethylamphetamine;
- 18 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 19 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 20 i. 4-methoxyamphetamine;
- 21 j. 4-methoxymethamphetamine;
- 22 ~~k.j.~~ 4-Methyl-2,5-dimethoxyamphetamine;
- 23 ~~l.k.~~ 3,4-Methylenedioxy-N-ethylamphetamine;
- 24 ~~m.i.~~ 3,4-Methylenedioxyamphetamine;
- 25 ~~n.m.~~ N,N-dimethylamphetamine; or
- 26 ~~o.n.~~ 3,4,5-Trimethoxyamphetamine,

27
28 individually or in any combination of or any mixture
29 containing any substance listed in sub-subparagraphs a.-o.
30 ~~a.-n.~~, commits a felony of the first degree, which felony
31

1 shall be known as "trafficking in Phenethylamines," punishable
2 as provided in s. 775.082, s. 775.083, or s. 775.084.

3 2. If the quantity involved:

4 a. Is 10 grams or more but less than 200 grams, such
5 person shall be sentenced to a mandatory minimum term of
6 imprisonment of 3 years, and the defendant shall be ordered to
7 pay a fine of \$50,000.

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

12 c. Is 400 grams or more, such person shall be
13 sentenced to a mandatory minimum term of imprisonment of 15
14 calendar years and pay a fine of \$250,000.

15 3. Any person who knowingly manufactures or brings
16 into this state 30 kilograms or more of any of the following
17 substances described in s. 893.03(1)(a) or (c):

18 a. 3,4-Methylenedioxyamphetamine (MDMA);

19 b. 4-Bromo-2,5-dimethoxyamphetamine;

20 c. 4-Bromo-2,5-dimethoxyphenethylamine;

21 d. 2,5-Dimethoxyamphetamine;

22 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);

23 f. N-ethylamphetamine;

24 g. N-Hydroxy-3,4-methylenedioxyamphetamine;

25 h. 5-Methoxy-3,4-methylenedioxyamphetamine;

26 i. 4-methoxyamphetamine;

27 j. 4-methoxymethamphetamine;

28 k.j. 4-Methyl-2,5-dimethoxyamphetamine;

29 l.k. 3,4-Methylenedioxy-N-ethylamphetamine;

30 m.l. 3,4-Methylenedioxyamphetamine;

31 n.m. N,N-dimethylamphetamine; or

1 ~~o.n.~~ 3,4,5-Trimethoxyamphetamine,
2
3 individually or in any combination of or any mixture
4 containing any substance listed in sub-subparagraphs a.-o.
5 ~~a.-n.~~, and who knows that the probable result of such
6 manufacture or importation would be the death of any person
7 commits capital manufacture or importation of Phenethylamines,
8 a capital felony punishable as provided in ss. 775.082 and
9 921.142. Any person sentenced for a capital felony under this
10 paragraph shall also be sentenced to pay the maximum fine
11 provided under subparagraph 1.

12 (1)1. Any person who knowingly sells, purchases,
13 manufactures, delivers, or brings into this state, or who is
14 knowingly in actual or constructive possession of, 1 gram or
15 more of lysergic acid diethylamide (LSD) as described in s.
16 893.03(1)(c), or of any mixture containing lysergic acid
17 diethylamide (LSD), commits a felony of the first degree,
18 which felony shall be known as "trafficking in lysergic acid
19 diethylamide (LSD)," punishable as provided in s. 775.082, s.
20 775.083, or s. 775.084. If the quantity involved:

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

25 b. Is 5 grams or more, but less than 7 grams, such
26 person shall be sentenced to a mandatory minimum term of
27 imprisonment of 7 years, and the defendant shall be ordered to
28 pay a fine of \$100,000.

29 c. Is 7 grams or more, such person shall be sentenced
30 to a mandatory minimum term of imprisonment of 15 calendar
31 years and pay a fine of \$500,000.

1 2. Any person who knowingly manufactures or brings
2 into this state 7 grams or more of lysergic acid diethylamide
3 (LSD) as described in s. 893.03(1)(c), or any mixture
4 containing lysergic acid diethylamide (LSD), and who knows
5 that the probable result of such manufacture or importation
6 would be the death of any person commits capital manufacture
7 or importation of lysergic acid diethylamide (LSD), a capital
8 felony punishable as provided in ss. 775.082 and 921.142. Any
9 person sentenced for a capital felony under this paragraph
10 shall also be sentenced to pay the maximum fine provided under
11 subparagraph 1.

12 Section 8. This act shall take effect July 1, 2001,
13 except that this section and section 1 of this act shall take
14 effect upon becoming a law.

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