Florida Senate - 2004

 \mathbf{By} the Committee on Health, Aging, and Long-Term Care; and Senator Peaden

	317-2418-04
1	A bill to be entitled
2	An act relating to controlled substances;
3	amending s. 893.033, F.S.; revising the
4	chemicals defined as "listed precursor
5	chemicals" to include benzaldehyde, hydriodic
6	acid, and nitroethane, and to remove anhydrous
7	ammonia and benzyl chloride; adding anhydrous
8	ammonia, benzyl chloride, hydrochloric gas, and
9	iodine to the chemicals defined as "listed
10	essential chemicals"; providing for the use of
11	anhydrous ammonia for agricultural purposes;
12	amending s. 893.13, F.S.; prohibiting a person
13	from manufacturing methamphetamine or
14	phencyclidine, or possessing listed chemicals
15	with the intent to manufacture such chemicals;
16	providing for minimum terms of imprisonment if
17	a person commits or attempts to commit such
18	crime in a structure or conveyance where a
19	child is present or suffers great bodily harm;
20	providing that it is a third-degree felony to
21	improperly store anhydrous ammonia in a
22	container that does not meet certain standards;
23	providing that a violation of ch. 893, F.S.,
24	resulting in serious injury to a state, local,
25	or federal law enforcement officer is a
26	third-degree felony and such a violation
27	resulting in death or great bodily harm is a
28	<pre>second-degree felony; amending s. 893.135,</pre>
29	F.S.; including offenses involving
30	pseudoephedrine or ephedrine within the offense
31	of trafficking in amphetamine; providing
	1

1	penalties; providing that it is a capital
2	offense to manufacture or import
3	pseudoephedrine or ephedrine knowing that the
4	probable result will be death; amending s.
5	893.149, F.S., relating to the prohibition
6	against possessing listed chemicals; providing
7	an exception to such prohibition for a person
8	authorized to clean up or dispose of hazardous
9	waste or toxic substance pursuant to ch. 893,
10	F.S.; providing that damages arising out of the
11	unlawful possession of, storage of, or
12	tampering with a listed chemical is the sole
13	responsibility of the person unlawfully
14	possessing, storing, or tampering with the
15	chemical; providing that the lawful owner,
16	installer, maintainer, designer, manufacturer,
17	possessor, or seller is immune from liability
18	in the absence of negligent misconduct or
19	failure to abide by laws governing possession
20	or storage; reenacting s. 921.0022(3)(g), (h),
21	and (i), F.S., relating to the offense severity
22	ranking chart of the Criminal Punishment Code,
23	to incorporate the amendments to s. 893.135,
24	F.S., in references thereto; providing an
25	effective date.
26	
27	Be It Enacted by the Legislature of the State of Florida:
28	
29	Section 1. Section 893.033, Florida Statutes, is
30	amended to read:
31	
	2

<pre>this section are included by whatever official, common, usual, chemical, or trade name designated. (1) PRECURSOR CHEMICALSThe term "listed precursor chemical" means a chemical that may be used in manufacturing a controlled substance in violation of this chapter and is ritical to the creation of the controlled substance, and such term includes any salt, optical isomer, or salt of an optical isomer, whenever the existence of such salt, optical isomer, or salt of optical isomer is possible within the specific chemicals": (a) Anhydrous ammonia. (a) Chemicals: (b) Benzaldehyde. (c) Benzyl chloride: (c) Benzyl chloride: (c) Benzyl chloride. (c) Benzyl chloride. (c) Benzyl chloride. (c) Chloropseudoephedrine. (f)(ty) Ephedrine. (j) (ty) Ethylamine. (j) Hydriodic acid. (k) Isosafrole. (h) Methylamine. (j) Methylamine. (j) Methylamine. (j) N-ethylephedrine. (j) N-ethylephedrine. (j) N-ethylephedrine. (j) N-ethylephedrine. (j) N-ethylephedrine.</pre>	1	893.033 Listed chemicalsThe chemicals listed in					
4 (1) PRECURSOR CHEMICLSThe term "listed precursor 5 chemical" means a chemical that may be used in manufacturing a 6 controlled substance in violation of this chapter and is 7 critical to the creation of the controlled substance, and such 8 term includes any salt, optical isomer, or salt of an optical 9 isomer, whenever the existence of such salt, optical isomer, 10 or salt of optical isomer is possible within the specific 11 chemical designation. The following are "listed precursor 12 chemicals": 13 (a) Anhydrous ammonia. 14 (a)(tb) Anthranilic acid. 15 (b) Benzaldehyde. 16 (c) Benzyl chloride. 17 (c)(td) Benzyl cyanide. 18 (d)(te) Chloropseudoephedrine. 19 (e)(ff) Chloropseudoephedrine. 20 (f)(ty) Ergotamine. 21 (g)(th) Ergotamine. 22 (h)(ti) Ergotamine. 23 (i)(tj) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (1) Methylamine. 27 (m) 3, 4-Methy	2	this section are included by whatever official, common, usual,					
chemical" means a chemical that may be used in manufacturing a controlled substance in violation of this chapter and is ritical to the creation of the controlled substance, and such term includes any salt, optical isomer, or salt of an optical isomer, whenever the existence of such salt, optical isomer, or salt of optical isomer is possible within the specific chemical designation. The following are "listed precursor chemicals": (a) Anhydrous ammonia. (a)(b) Anthranilic acid. (b) Benzaldehyde. (c)(td) Benzyl cynnide. (d)(te) Chloroephedrine. (e)(tf) Chloroephedrine. (i)(tf) Ephedrine. (i)(tf) Ephedrine. (i)(tf) Ephedrine. (i)(tf) Ergonovine. (i)(tf) Ergonovine. (i)(tf)) Ethylamine. (i)(tf)) Ethylamine. (i)(tf)) Ethylamine. (i)(th) Isosafrole. (i) Methylamine. (i) Methylamine. (i) N-acetylanthranilic acid. (j) N-ethylephedrine. (j) N-ethylephedrine.	3	chemical, or trade name designated.					
6controlled substance in violation of this chapter and is7critical to the creation of the controlled substance, and such8term includes any salt, optical isomer, or salt of an optical9isomer, whenever the existence of such salt, optical isomer,10or salt of optical isomer is possible within the specific11chemical designation. The following are "listed precursor12chemicals":13(a) Anhydrous ammonia.14(a)(b) Anthranilic acid.15(b) Benzaldehyde.16(c) Benzyl chloride.17(c)(d) Benzyl cyanide.18(d)(te) Chloropseudoephedrine.19(e)(f) Chloropseudoephedrine.20(f)(g) Ephedrine.21(g)(th) Ergonovine.22(h)(ti) Ergotamine.23(i)(j) Hydriodic acid.24(j) Hydriodic acid.25(k) Isosafrole.26(l) Methylamine.27(m) 3, 4-Methylenedioxyphenyl-2-propanone.28(o) N-ethylephedrine.29(o) N-ethylephedrine.30(p) N-ethylpseudoephedrine.	4	(1) PRECURSOR CHEMICALSThe term "listed precursor					
<pre>7 critical to the creation of the controlled substance, and such 8 term includes any salt, optical isomer, or salt of an optical 9 isomer, whenever the existence of such salt, optical isomer, 10 or salt of optical isomer is possible within the specific 11 chemical designation. The following are "listed precursor 12 chemicals": 13 (a) Anhydrous ammonia. 14 (a)(b) Anthranilic acid. 15 (b) Benzaldehyde. 16 (c) Benzyl chloride. 17 (c)(d) Benzyl cyanide. 18 (d)(e) Chloropehdrine. 19 (e)(f) Chloropseudoephedrine. 20 (f)(g) Ephedrine. 21 (g)(h) Ergonovine. 22 (h)(i) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	5	chemical" means a chemical that may be used in manufacturing a					
k term includes any salt, optical isomer, or salt of an optical isomer, whenever the existence of such salt, optical isomer, or salt of optical isomer is possible within the specific chemical designation. The following are "listed precursor chemicals": (a) Anhydrous ammonia. (a) Anhydrous ammonia. (a) Anhydrous ammonia. (a) Anhydrous ammonia. (a) (a) Anhydrous ammonia. (b) Benzaldehyde. (c) Benzyl chloride. (c) (d) Benzyl cyanide. (d) (e) (f) Chloropseudoephedrine. (e) (f) Chloropseudoephedrine. (j) Hydriodic acid. (j) Hydriodic acid. (j) Hydriodic acid. (j) Hydriodic acid. (k) Isosafrole. (h) Methylamine. (h) N-acetylanthranilic acid. (o) N-ethylephedrine. (p) N-ethylpseudoephedrine.	6	controlled substance in violation of this chapter and is					
9 isomer, whenever the existence of such salt, optical isomer, or salt of optical isomer is possible within the specific chemical designation. The following are "listed precursor chemicals": (a) Anhydrous ammonia. (a) Anhydrous ammonia. (a) (b) Anthranilic acid. (b) Benzaldehyde. (c) Benzyl chloride. (c) Benzyl chloride. (c) Benzyl chloride. (c) Benzyl chloride. (c) Genzyl chloride. (c) Genzyl chloride. (c) Genzyl chloride. (c) (c) (d) Benzyl cyanide. (c) (f) Benzyl cyanide. (c) (f) Chloropseudoephedrine. (c) (f) Chloropseudoephedrine. (c) (f) (g) Ephedrine. (c) (f) Hydriodic acid. (c) (h) (f) Ethylamine. (c) (h) Hydriodic acid. (c) (h) Methylamine. (c) (h) A-Methylenedioxyphenyl-2-propanone. (c) N-ethylephedrine. (c) N-ethylephedrine. (c) N-ethylephedrine.	7	critical to the creation of the controlled substance, and such					
<pre>10 or salt of optical isomer is possible within the specific 11 chemical designation. The following are "listed precursor 12 chemicals": 13 (a) Anhydrous ammonia. 14 (a)(b) Anthranilic acid. 15 (b) Benzaldehyde. 16 (c) Benzyl chloride. 17 (c)(d) Benzyl cyanide. 18 (d)(e) Chloroephedrine. 19 (e)(f) Chloropseudoephedrine. 20 (f)(g) Ephedrine. 21 (g)(h) Ergonovine. 22 (h)(t) Ergotamine. 23 (i)(f) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	8	term includes any salt, optical isomer, or salt of an optical					
<pre>chemical designation. The following are "listed precursor chemicals":</pre>	9	isomer, whenever the existence of such salt, optical isomer,					
<pre>chemicals": (a) Anhydrous ammonia. (a) (b) Anthranilic acid. (b) Benzaldehyde. (c) Benzyl chloride. (c) Benzyl chloride. (c) Genzyl chloride. (c) (f) Benzyl cyanide. (c) (f) Benzyl cyanide. (d) (f) Chloropseudoephedrine. (e) (f) Chloropseudoephedrine. (f) (g) Ephedrine. (g) (h) Ergonovine. (g) (h) Ergonovine. (h) (i) Ergotamine. (i) (j) Ethylamine. (i) (j) Hydriodic acid. (k) Isosafrole. (k) Isosafrole. (l) Methylamine. (n) N-acetylanthranilic acid. (n) N-acetylanthranilic acid. (p) N-ethylpseudoephedrine. (n) N-acetylanthranilic acid. (p) N-ethylpseudoephedrine.</pre>	10	or salt of optical isomer is possible within the specific					
 (a) Anhydrous ammonia. (a) (b) Anthranilic acid. (b) Benzaldehyde. (c) Benzyl chloride. (c) (d) Benzyl cyanide. (d) (e) Chloroephedrine. (e) (f) Chloropseudoephedrine. (f) (g) Ephedrine. (g) (h) Ergonovine. (i) (f) Ethylamine. (j) Hydriodic acid. (k) Isosafrole. (l) Methylamine. (n) N-acetylanthranilic acid. (o) N-ethylephedrine. (p) N-ethylpseudoephedrine. 	11	chemical designation. The following are "listed precursor					
14(a)(b) Anthranilic acid.15(b) Benzaldehyde.16(c) Benzyl chloride.17(c)(d) Benzyl cyanide.18(d)(e) Chloropehedrine.19(e)(f) Chloropseudoephedrine.20(f)(g) Ephedrine.21(g)(h) Ergonovine.22(h)(i) Ergotamine.23(i)(j) Ethylamine.24(j) Hydriodic acid.25(k) Isosafrole.26(l) Methylamine.27(m) 3, 4-Methylenedioxyphenyl-2-propanone.28(n) N-acetylanthranilic acid.29(o) N-ethylephedrine.30(p) N-ethylpseudoephedrine.	12	chemicals":					
15(b) Benzaldehyde.16(c) Benzyl chloride.17(c)(d) Benzyl cyanide.18(d)(e) Chlorophedrine.19(e)(f) Chloropseudoephedrine.20(f)(g) Ephedrine.21(g)(h) Ergonovine.22(h)(i) Ergotamine.23(i)(j) Ethylamine.24(j) Hydriodic acid.25(k) Isosafrole.26(l) Methylamine.27(m) 3, 4-Methylenedioxyphenyl-2-propanone.28(n) N-acetylanthranilic acid.29(o) N-ethylephedrine.30(p) N-ethylpseudoephedrine.	13	(a) Anhydrous ammonia.					
16(c) Benzyl chloride.17(c)(d) Benzyl cyanide.18(d)(e) Chloropphedrine.19(e)(f) Chloropseudoephedrine.20(f)(g) Ephedrine.21(g)(h) Ergonovine.22(h)(i) Ergotamine.23(i)(j) Ethylamine.24(j) Hydriodic acid.25(k) Isosafrole.26(1) Methylamine.27(m) 3, 4-Methylenedioxyphenyl-2-propanone.28(n) N-acetylanthranilic acid.29(o) N-ethylephedrine.30(p) N-ethylpseudoephedrine.	14	<u>(a)</u> Anthranilic acid.					
<pre>17 (c)(d) Benzyl cyanide. 18 (d)(e) Chloroephedrine. 19 (e)(f) Chloropseudoephedrine. 20 (f)(g) Ephedrine. 21 (g)(h) Ergonovine. 22 (h)(i) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	15	(b) Benzaldehyde.					
<pre>18 (d)(e) Chloroephedrine. 19 (e)(f) Chloropseudoephedrine. 20 (f)(g) Ephedrine. 21 (g)(h) Ergonovine. 22 (h)(i) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	16	(c) Benzyl chloride.					
<pre>19 (e)(f) Chloropseudoephedrine. 20 (f)(g) Ephedrine. 21 (g)(h) Ergonovine. 22 (h)(i) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	17	<u>(c)</u> Benzyl cyanide.					
<pre>20 (f)(g) Ephedrine. 21 (g)(h) Ergonovine. 22 (h)(i) Ergonovine. 23 (i)(j) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	18	(d) (e) Chloroephedrine.					
<pre>21 (g)(h) Ergonovine. 22 (h)(i) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	19	<u>(e)</u> Chloropseudoephedrine.					
<pre>22 (h)(i) Ergotamine. 23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	20	(f)(g) Ephedrine.					
<pre>23 (i)(j) Ethylamine. 24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	21	<u>(g)</u> (h) Ergonovine.					
24 (j) Hydriodic acid. 25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.	22	<u>(h)</u> Ergotamine.					
<pre>25 (k) Isosafrole. 26 (l) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine.</pre>	23	<u>(i)</u> Ethylamine.					
 26 (1) Methylamine. 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine. 	24	(j) Hydriodic acid.					
 27 (m) 3, 4-Methylenedioxyphenyl-2-propanone. 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine. 	25	(k) Isosafrole.					
 28 (n) N-acetylanthranilic acid. 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine. 	26	(1) Methylamine.					
 29 (o) N-ethylephedrine. 30 (p) N-ethylpseudoephedrine. 	27	(m) 3, 4-Methylenedioxyphenyl-2-propanone.					
30 (p) N-ethylpseudoephedrine.	28	(n) N-acetylanthranilic acid.					
	29	(o) N-ethylephedrine.					
31 (q) N-methylephedrine.	30	(p) N-ethylpseudoephedrine.					
	31	(q) N-methylephedrine.					

1	(r) N-methylpseudoephedrine.					
2	(s) Nitroethane.					
3	(t)(s) Norpseudoephedrine.					
4	<u>(u)</u> (t) Phenylacetic acid.					
5	(v) (u) Phenylpropanolamine.					
6	(w)(v) Piperidine.					
7	(x) (w) Piperonal.					
8	(y)(x) Propionic anhydride.					
9	(z)(y) Pseudoephedrine.					
10	<u>(aa)(z)</u> Safrole.					
11	(2) ESSENTIAL CHEMICALSThe term "listed essential					
12	chemical" means a chemical that may be used as a solvent,					
13	reagent, or catalyst in manufacturing a controlled substance					
14	in violation of this chapter. The following are "listed					
15	essential chemicals":					
16	(a) Acetic anhydride.					
17	(b) Acetone.					
18	(c) Anhydrous ammonia.					
19	(d) Benzyl chloride.					
20	<u>(e)</u> 2-Butanone.					
21	<u>(f)</u> (d) Ethyl ether.					
22	(g) Hydrochloric gas.					
23	(h) Iodine.					
24	<u>(i)</u> (e) Hydriodic acid.					
25	<u>(j)</u> Potassium permanganate.					
26	<u>(k)</u> Toluene.					
27	Section 2. Paragraph (g) is added to subsection (1) of					
28	section 893.13, Florida Statutes, paragraphs (a) and (c) of					
29	subsection (7) of that section is amended, and subsection (12)					
30	is added to that section, to read:					
31	893.13 Prohibited acts; penalties					
	4					

1	(1)			
2	(g) Except as authorized by this chapter, it is			
3	unlawful for any person to manufacture methamphetamine or			
4	phencyclidine or possess any listed chemical as defined in s.			
5	893.033 in violation of s. 893.149 and with intent to			
6	manufacture methamphetamine or phencyclidine. If any person			
7	violates this paragraph and:			
8	1. The commission or attempted commission of the crime			
9	occurs in a structure or conveyance where any child under 16			
10	years of age is present, the person commits a felony of the			
11	first degree, punishable as provided in s. 775.082, s.			
12	775.083, or s. 775.084. In addition, the defendant must be			
13	sentenced to a minimum term of imprisonment of 5 calendar			
14	years.			
15	2. The commission of the crime causes any child under			
16	16 years of age to suffer great bodily harm, the person			
17	commits a felony of the first degree, punishable as provided			
18	in s. 775.082, s. 775.083, or s. 775.084. In addition, the			
19	defendant must be sentenced to a minimum term of imprisonment			
20	<u>of 10 calendar years.</u>			
21	(7)(a) It is unlawful for any person:			
22	1. To distribute or dispense a controlled substance in			
23	violation of this chapter.			
24	2. To refuse or fail to make, keep, or furnish any			
25	record, notification, order form, statement, invoice, or			
26	information required under this chapter.			
27	3. To refuse an entry into any premises for any			
28	inspection or to refuse to allow any inspection authorized by			
29	this chapter.			
30				
31				
	5			

1 4. To distribute a controlled substance named or 2 described in s. 893.03(1) or (2) except pursuant to an order 3 form as required by s. 893.06. To keep or maintain any store, shop, warehouse, 4 5. 5 dwelling, building, vehicle, boat, aircraft, or other б structure or place which is resorted to by persons using 7 controlled substances in violation of this chapter for the 8 purpose of using these substances, or which is used for 9 keeping or selling them in violation of this chapter. 10 6. To use to his or her own personal advantage, or to 11 reveal, any information obtained in enforcement of this chapter except in a prosecution or administrative hearing for 12 13 a violation of this chapter. 7. To possess a prescription form which has not been 14 15 completed and signed by the practitioner whose name appears printed thereon, unless the person is that practitioner, is an 16 17 agent or employee of that practitioner, is a pharmacist, or is 18 a supplier of prescription forms who is authorized by that 19 practitioner to possess those forms. To withhold information from a practitioner from 20 8. 21 whom the person seeks to obtain a controlled substance or a 22 prescription for a controlled substance that the person making the request has received a controlled substance or a 23 24 prescription for a controlled substance of like therapeutic 25 use from another practitioner within the previous 30 days. To acquire or obtain, or attempt to acquire or 26 9. 27 obtain, possession of a controlled substance by 28 misrepresentation, fraud, forgery, deception, or subterfuge. 29 10. To affix any false or forged label to a package or 30 receptacle containing a controlled substance. 31 6

1	11. To furnish false or fraudulent material
2	information in, or omit any material information from, any
3	report or other document required to be kept or filed under
4	this chapter or any record required to be kept by this
5	chapter.
б	12. To store anhydrous ammonia in a container that is
7	not approved by the United States Department of Transportation
8	to hold anhydrous ammonia or is not constructed in accordance
9	with sound engineering, agricultural, or commercial practices.
10	(c) Any person who violates the provisions of
11	subparagraphs(a)812.(a)811.commits a felony of the
12	third degree, punishable as provided in s. 775.082, s.
13	775.083, or s. 775.084.
14	(12) If a person violates any provision of this
15	chapter and such violation results in a serious injury to a
16	state, local, or federal law enforcement officer, the person
17	commits a felony of the third degree, punishable as provided
18	<u>in s. 775.082, s. 775.083, or s. 775.084. If the injury</u>
19	sustained results in death or great bodily harm, the person
20	commits a felony of the second degree, punishable as provided
21	in s. 775.082, s. 775.083, or 775.084.
22	Section 3. Paragraph (f) of subsection (1) of section
23	893.135, Florida Statutes, is amended 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	(f)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, 14 grams or
	7
~ ~ ~	

1 more of amphetamine, as described in s. 893.03(2)(c)2., or 2 methamphetamine, as described in s. 893.03(2)(c)4., or of any 3 mixture containing amphetamine or methamphetamine, or 4 phenylacetone, phenylacetic acid, or pseudoephedrine or 5 ephedrine in conjunction with other chemicals and equipment 6 utilized in the manufacture of amphetamine or methamphetamine, 7 commits a felony of the first degree, which felony shall be 8 known as "trafficking in amphetamine," punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the quantity 9 10 involved: 11 Is 14 grams or more, but less than 28 grams, such а. person shall be sentenced to a mandatory minimum term of 12 imprisonment of 3 years, and the defendant shall be ordered to 13 14 pay a fine of \$50,000. 15 b. Is 28 grams or more, but less than 200 grams, such person shall be sentenced to a mandatory minimum term of 16 17 imprisonment of 7 years, and the defendant shall be ordered to 18 pay a fine of \$100,000. 19 c. Is 200 grams or more, such person shall be 20 sentenced to a mandatory minimum term of imprisonment of 15 21 calendar years and pay a fine of \$250,000. Any person who knowingly manufactures or brings 22 2. into this state 400 grams or more of amphetamine, as described 23 24 in s. 893.03(2)(c)2., or methamphetamine, as described in s. 25 893.03(2)(c)4., or of any mixture containing amphetamine or methamphetamine, or phenylacetone, phenylacetic acid, or 26 27 pseudoephedrine or ephedrine in conjunction with other 28 chemicals and equipment used in the manufacture of amphetamine 29 or methamphetamine, and who knows that the probable result of 30 such manufacture or importation would be the death of any 31 person commits capital manufacture or importation of 8

```
Florida Senate - 2004
317-2418-04
```

1 amphetamine, a capital felony punishable as provided in ss. 2 775.082 and 921.142. Any person sentenced for a capital felony 3 under this paragraph shall also be sentenced to pay the 4 maximum fine provided under subparagraph 1. 5 Section 4. Section 893.149, Florida Statutes, is б amended to read: 7 893.149 Unlawful possession of listed chemical.--8 (1) It is unlawful for any person to knowingly or 9 intentionally: 10 (a) Possess a listed chemical with the intent to 11 unlawfully manufacture a controlled substance; (b) Possess or distribute a listed chemical knowing, 12 or having reasonable cause to believe, that the listed 13 chemical will be used to unlawfully manufacture a controlled 14 15 substance. 16 (2) Any person who violates this section commits is 17 guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. 18 19 (3) This section does not apply to a public employee 20 or private contractor authorized to clean up or dispose of 21 hazardous waste or toxic substances pursuant to the provisions of this chapter. 22 (4) Any damages arising out of the unlawful possession 23 24 of, storage of, or tampering with a listed chemical, as 25 defined in s. 893.033, shall be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering 26 27 with the listed chemical. In no case shall liability for 28 damages arising out of the unlawful possession of, storage of, 29 or tampering with a listed chemical extend to the lawful owner, installer, maintainer, designer, manufacturer, 30 31 possessor, or seller of the listed chemical, unless such

9

1 damages arise out of the acts or omissions of the owner, installer, maintainer, designer, manufacturer, possessor, or 2 3 seller which constitute negligent misconduct or failure to abide by the laws regarding the possession or storage of a 4 listed chemical. 5 б Section 5. For the purpose of incorporating the 7 amendment made by this act to section 893.135, Florida 8 Statutes, in references thereto, paragraphs (g), (h), and (i) of subsection (3) of section 921.0022, Florida Statutes, are 9 10 reenacted to read: 11 921.0022 Criminal Punishment Code; offense severity 12 ranking chart.--(3) OFFENSE SEVERITY RANKING CHART 13 14 Florida 15 Felony 16 Statute Degree Description 17 18 19 (q) LEVEL 7 316.027(1)(b) 20 2nd Accident involving death, failure 21 to stop; leaving scene. 22 316.193(3)(c)2. 3rd DUI resulting in serious bodily 23 injury. 24 327.35(3)(c)2.3rd Vessel BUI resulting in serious 25 bodily injury. 26 402.319(2) Misrepresentation and negligence 2nd 27 or intentional act resulting in 28 great bodily harm, permanent 29 disfiguration, permanent 30 disability, or death. 31 409.920(2) 3rd Medicaid provider fraud. 10

1	456.065(2)	3rd	Practicing a health care
2			profession without a license.
3	456.065(2)	2nd	Practicing a health care
4			profession without a license
5			which results in serious bodily
6			injury.
7	458.327(1)	3rd	Practicing medicine without a
8			license.
9	459.013(1)	3rd	Practicing osteopathic medicine
10			without a license.
11	460.411(1)	3rd	Practicing chiropractic medicine
12			without a license.
13	461.012(1)	3rd	Practicing podiatric medicine
14			without a license.
15	462.17	3rd	Practicing naturopathy without a
16			license.
17	463.015(1)	3rd	Practicing optometry without a
18			license.
19	464.016(1)	3rd	Practicing nursing without a
20			license.
21	465.015(2)	3rd	Practicing pharmacy without a
22			license.
23	466.026(1)	3rd	Practicing dentistry or dental
24			hygiene without a license.
25	467.201	3rd	Practicing midwifery without a
26			license.
27	468.366	3rd	Delivering respiratory care
28			services without a license.
29	483.828(1)	3rd	Practicing as clinical laboratory
30			personnel without a license.
31			

1483.901(9)3rdPracticing medical physics without a license.3484.013(1)(c)3rdPreparing or dispensing optical devices without a prescription.5484.0533rdDispensing hearing aids without a license.7494.0018(2)1stConviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded10				
3484.013(1)(c)3rdPreparing or dispensing optical devices without a prescription.5484.0533rdDispensing hearing aids without a license.7494.0018(2)1stConviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded10	1	483.901(9)	3rd	Practicing medical physics
4devices without a prescription.5484.0533rdDispensing hearing aids without a license.7494.0018(2)1stConviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded10unawfully obtained exceeded11\$50,000 and there were five or more victims.13560.123(8)(b)1.3rd14Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.17560.125(5)(a)3rd18unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.163rd17565.50(10)(b)1.3rd18Failure to report financial transactions exceeding \$300 but less than \$20,000.142153rd163rd17560.125(5)(a)18art payment instruments exceeding \$300 but less than \$20,000.193rd103rd11Failure to report financial transactions exceeding \$300 but less than \$20,000.18artificition.193rd103rd11artificition.123rd1350.50(10)(b)1.14artificition.15782.051(3)16artificition.17artificition.18artificition.19artificition.19artificition.10artificition.	2			without a license.
5484.0533rdDispensing hearing aids without a license.7494.0018(2)1stConviction of any violation of ass. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.13560.123(8)(b)1.3rdFailure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.17560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.18555.50(10)(b)1.3rdFailure to report financial transactions exceeding \$300 but less than \$20,000.14782.051(3)2ndAttempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.	3	484.013(1)(c)	3rd	Preparing or dispensing optical
6license.7494.0018(2)1stConviction of any violation of8ss. 494.001-494.0077 in which the9unlawfully obtained exceeded10s50,000 and there were five or12more victims.13560.123(8)(b)1.3rd14Failure to report currency or15gayment instruments exceeding16s300 but less than \$20,000 by17560.125(5)(a)3rd18unauthorized person, currency or19gayment instruments exceeding20\$300 but less than \$20,000.21655.50(10)(b)1.3rd22Failure to report financial23transactions exceeding \$300 but24institution.25782.051(3)2nd26person by a person other than the27perpetrator or the perpetrator of28an attempted felony.2930	4			devices without a prescription.
7494.0018(2)1stConviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.10560.123(8)(b)1.3rdFailure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.17560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.18103rdFailure to report financial transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.12555.50(10)(b)1.3rdFailure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.18782.051(3)2ndAttempted felony murder of a perpetrator or the perpetrator of an attempted felony.2930300300300	5	484.053	3rd	Dispensing hearing aids without a
8ss. 494.001-494.0077 in which the total money and property10unlawfully obtained exceeded11\$50,000 and there were five or more victims.13560.123(8)(b)1.3rd14Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.17560.125(5)(a)3rd18Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.193rd20\$300 but less than \$20,000.21655.50(10)(b)1.22Transactions exceeding \$300 but less than \$20,000 by financial institution.23782.051(3)242nd25782.051(3)262nd272nd28an attempted felony.2930	6			license.
9total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.12560.123(8)(b)1.3rdFailure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.17560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.1899199920203rd21655.50(10)(b)1.3rdFailure to report financial transactions exceeding \$300 but less than \$20,000.22112321242125782.051(3)2ndAttempted felony murder of a perpetrator or the perpetrator of an attempted felony.29301130111311113233333333343333533336344373333834439343044303430443043054315532443355345535553655	7	494.0018(2)	1st	Conviction of any violation of
10unlawfully obtained exceeded11\$50,000 and there were five or12more victims.13560.123(8)(b)1.3rdFailure to report currency or14payment instruments exceeding15\$300 but less than \$20,000 by16money transmitter.17560.125(5)(a)3rdMoney transmitter business by18unauthorized person, currency or19payment instruments exceeding20\$300 but less than \$20,000.21655.50(10)(b)1.3rd22transactions exceeding \$300 but23less than \$20,000 by financial24institution.25782.051(3)2nd26person by a person other than the27perpetrator or the perpetrator of28an attempted felony.3030	8			ss. 494.001-494.0077 in which the
11\$50,000 and there were five or more victims.12more victims.13560.123(8)(b)1.3rdFailure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.16money transmitter.17560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.189920\$300 but less than \$20,000.21655.50(10)(b)1.3rd22Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.23782.051(3)2nd24Person by a person other than the perpetrator of the perpetrator of an attempted felony.29301	9			total money and property
12more victims.13560.123(8)(b)1.3rdFailure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter.14560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.17560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.20555.50(10)(b)1.3rdFailure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.23782.051(3)2ndAttempted felony murder of a perpetrator or the perpetrator of an attempted felony.29301010	10			unlawfully obtained exceeded
560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by money transmitter. 560.125(5)(a) 3rd Money transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000. 655.50(10)(b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution. 782.051(3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.	11			\$50,000 and there were five or
14payment instruments exceeding15\$300 but less than \$20,000 by16money transmitter.17560.125(5)(a)3rd18unauthorized person, currency or19payment instruments exceeding20\$300 but less than \$20,000.21655.50(10)(b)1.23Failure to report financial24transactions exceeding \$300 but25782.051(3)262nd27Attempted felony murder of a28person by a person other than the2930	12			more victims.
15\$300 but less than \$20,000 by16money transmitter.17560.125(5)(a)3rd18unauthorized person, currency or19payment instruments exceeding20\$300 but less than \$20,000.21655.50(10)(b)1.3rd22Failure to report financial23transactions exceeding \$300 but24institution.25782.051(3)2nd26person by a person other than the27an attempted felony.2930	13	560.123(8)(b)1.	3rd	Failure to report currency or
<pre>16 17 560.125(5)(a) 3rd money transmitter. 17 560.125(5)(a) 3rd Money transmitter business by 18 unauthorized person, currency or 19 payment instruments exceeding 20 \$300 but less than \$20,000. 21 655.50(10)(b)1. 3rd Failure to report financial 22 transactions exceeding \$300 but 1ess than \$20,000 by financial 23 institution. 25 782.051(3) 2nd Attempted felony murder of a 26 person by a person other than the 27 perpetrator or the perpetrator of 28 an attempted felony. 29 30</pre>	14			payment instruments exceeding
17560.125(5)(a)3rdMoney transmitter business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.21655.50(10)(b)1.3rdFailure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.23782.051(3)2ndAttempted felony murder of a perpetrator or the perpetrator of an attempted felony.2930	15			\$300 but less than \$20,000 by
18 18 19 19 20 20 21 655.50(10)(b)1. 3rd 22 23 24 24 25 782.051(3) 20 782.051(3) 20 20 20 20 20 20 20 20 20 20 20 20 20	16			money transmitter.
19payment instruments exceeding20\$300 but less than \$20,000.21655.50(10)(b)1.3rdFailure to report financial22transactions exceeding \$300 but23less than \$20,000 by financial24institution.25782.051(3)2nd26person by a person other than the27an attempted felony.2930	17	560.125(5)(a)	3rd	Money transmitter business by
20 20 \$300 but less than \$20,000. 21 655.50(10)(b)1. 3rd Failure to report financial 22 1 transactions exceeding \$300 but 1 less than \$20,000 by financial 24 25 782.051(3) 2nd Attempted felony murder of a 26 27 28 29 30 30 20 30 30 30 30 30 30 30 30 30 3	18			unauthorized person, currency or
<pre>21 655.50(10)(b)1. 3rd Failure to report financial 22 transactions exceeding \$300 but 23 less than \$20,000 by financial 24 institution. 25 782.051(3) 2nd Attempted felony murder of a 26 person by a person other than the 27 perpetrator or the perpetrator of 28 an attempted felony. 29 30</pre>	19			payment instruments exceeding
22transactions exceeding \$300 but23less than \$20,000 by financial24institution.25782.051(3)2nd26person by a person other than the27perpetrator or the perpetrator of28an attempted felony.2930	20			\$300 but less than \$20,000.
23 23 24 24 25 782.051(3) 2nd 2nd 2nd 2nd 2nd 2nd 2nd 2nd 2nd 2nd	21	655.50(10)(b)1.	3rd	Failure to report financial
<pre>24 institution. 25 782.051(3) 2nd Attempted felony murder of a 26 person by a person other than the 27 perpetrator or the perpetrator of 28 an attempted felony. 29 30</pre>	22			transactions exceeding \$300 but
25782.051(3)2ndAttempted felony murder of a26person by a person other than the27perpetrator or the perpetrator of28an attempted felony.2930	23			less than \$20,000 by financial
26 person by a person other than the 27 perpetrator or the perpetrator of 28 an attempted felony. 29 30	24			institution.
27 perpetrator or the perpetrator of 28 an attempted felony. 29 30	25	782.051(3)	2nd	Attempted felony murder of a
28 an attempted felony. 29 30	26			person by a person other than the
29 30	27			perpetrator or the perpetrator of
30	28			an attempted felony.
	29			
31	30			
	31			

Florida Senate - 2004 317-2418-04

CS for SB 2160

1		0 1	
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	2nd	Killing of human being or viable
6			fetus by the operation of a motor
7			vehicle in a reckless manner
8			(vehicular homicide).
9	782.072	2nd	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	784.074(1)(a)	lst	Aggravated battery on sexually
25			violent predators facility staff.
26	784.08(2)(a)	lst	Aggravated battery on a person 65
27			years of age or older.
28	784.081(1)	1st	Aggravated battery on specified
29			official or employee.
30			
31			
-			

13

1	784.082(1)	lst	Aggravated battery by detained
2			person on visitor or other
3			detainee.
4	784.083(1)	lst	Aggravated battery on code
5			inspector.
б	790.07(4)	lst	Specified weapons violation
7			subsequent to previous conviction
8			of s. 790.07(1) or (2).
9	790.16(1)	lst	Discharge of a machine gun under
10			specified circumstances.
11	790.165(2)	2nd	Manufacture, sell, possess, or
12			deliver hoax bomb.
13	790.165(3)	2nd	Possessing, displaying, or
14			threatening to use any hoax bomb
15			while committing or attempting to
16			commit a felony.
17	790.166(3)	2nd	Possessing, selling, using, or
18			attempting to use a hoax weapon
19			of mass destruction.
20	790.166(4)	2nd	Possessing, displaying, or
21			threatening to use a hoax weapon
22			of mass destruction while
23			committing or attempting to
24			commit a felony.
25	796.03	2nd	Procuring any person under 16
26			years for prostitution.
27	800.04(5)(c)1.	2nd	Lewd or lascivious molestation;
28			victim less than 12 years of age;
29			offender less than 18 years.
30			
31			

Florida Senate	-	2004
317-2418-04		

i	1		
1	800.04(5)(c)2.	2nd	Lewd or lascivious molestation;
2			victim 12 years of age or older
3			but less than 16 years; offender
4			18 years or older.
5	806.01(2)	2nd	Maliciously damage structure by
6			fire or explosive.
7	810.02(3)(a)	2nd	Burglary of occupied dwelling;
8			unarmed; no assault or battery.
9	810.02(3)(b)	2nd	Burglary of unoccupied dwelling;
10			unarmed; no assault or battery.
11	810.02(3)(d)	2nd	Burglary of occupied conveyance;
12			unarmed; no assault or battery.
13	812.014(2)(a)	1st	Property stolen, valued at
14			\$100,000 or more; cargo stolen
15			valued at \$50,000 or more;
16			property stolen while causing
17			other property damage; 1st degree
18			grand theft.
19	812.014(2)(b)3.	2nd	Property stolen, emergency
20			medical equipment; 2nd degree
21			grand theft.
22	812.0145(2)(a)	1st	Theft from person 65 years of age
23			or older; \$50,000 or more.
24	812.019(2)	1st	Stolen property; initiates,
25			organizes, plans, etc., the theft
26			of property and traffics in
27			stolen property.
28	812.131(2)(a)	2nd	Robbery by sudden snatching.
29	812.133(2)(b)	1st	Carjacking; no firearm, deadly
30			weapon, or other weapon.
31			

	Florida Senate - 2 317-2418-04	2004	CS for SB 2160
1	817.234(8)(a)	2nd	Solicitation of motor vehicle
2			accident victims with intent to
3			defraud.
4	817.234(9)	2nd	Organizing, planning, or
5			participating in an intentional
6			motor vehicle collision.
7	817.234(11)(c)	1st	Insurance fraud; property value
8			\$100,000 or more.
9	817.2341(2)(b)&		
10	(3)(b)	1st	Making false entries of material
11			fact or false statements
12			regarding property values
13			relating to the solvency of an
14			insuring entity which are a
15			significant cause of the
16			insolvency of that entity.
17	825.102(3)(b)	2nd	Neglecting an elderly person or
18			disabled adult causing great
19			bodily harm, disability, or
20			disfigurement.
21	825.103(2)(b)	2nd	Exploiting an elderly person or
22			disabled adult and property is
23			valued at \$20,000 or more, but
24			less than \$100,000.
25	827.03(3)(b)	2nd	Neglect of a child causing great
26			bodily harm, disability, or
27			disfigurement.
28	827.04(3)	3rd	Impregnation of a child under 16
29			years of age by person 21 years
30			of age or older.
31			

Florida Senate	-	2004
317-2418-04		

837.05(2)	3rd	Giving false information about
		alleged capital felony to a law
		enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward
		for official behavior.
838.021(3)(a)	2nd	Unlawful harm to a public
		servant.
838.22	2nd	Bid tampering.
872.06	2nd	Abuse of a dead human body.
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)4.) within 1,000 feet of a
		child care facility, school, or
		state, county, or municipal park
		or publicly owned recreational
		facility or community center.
893.13(1)(e)1.	lst	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)4., within 1,000 feet of
		property used for religious
		services or a specified business
		site.
893.13(4)(a)	lst	Deliver to minor cocaine (or
		other s. 893.03(1)(a), (1)(b),
		(1)(d), (2)(a), (2)(b), or
		(2)(c)4. drugs).
		17
	<pre>838.015 838.016 838.021(3)(a) 838.22 872.06 893.13(1)(c)1. 893.13(1)(e)1.</pre>	838.015 2nd 838.016 2nd 838.021(3)(a) 2nd 838.22 2nd 872.06 2nd 893.13(1)(c)1. 1st

	Florida Senate - 2004 317-2418-04		CS for SB 2160
1	893.135(1)(a)1.	lst	Trafficking in cannabis, more
2			than 25 lbs., less than 2,000
3			lbs.
4	893.135		
5	(1)(b)1.a.	lst	Trafficking in cocaine, more than
6			28 grams, less than 200 grams.
7	893.135		
8	(1)(c)1.a.	lst	Trafficking in illegal drugs,
9			more than 4 grams, less than 14
10			grams.
11	893.135		
12	(1)(d)1.	1st	Trafficking in phencyclidine,
13			more than 28 grams, less than 200
14			grams.
15	893.135(1)(e)1.	lst	Trafficking in methaqualone, more
16			than 200 grams, less than 5
17			kilograms.
18	893.135(1)(f)1.	lst	Trafficking in amphetamine, more
19			than 14 grams, less than 28
20			grams.
21	893.135		
22	(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4
23			grams or more, less than 14
24			grams.
25	893.135		
26	(1)(h)1.a.	1st	Trafficking in
27			gamma-hydroxybutyric acid (GHB),
28			1 kilogram or more, less than 5
29			kilograms.
30			-
31			
•			18

```
Florida Senate - 2004 317-2418-04
```

```
893.135
1
2
                                 Trafficking in 1,4-Butanediol, 1
     (1)(j)1.a.
                        1st
3
                                 kilogram or more, less than 5
                                 kilograms.
4
5
    893.135
б
     (1)(k)2.a.
                        1st
                                 Trafficking in Phenethylamines,
                                 10 grams or more, less than 200
7
8
                                 grams.
9
                        3rd
                                 Money laundering, financial
    896.101(5)(a)
10
                                 transactions exceeding $300 but
11
                                 less than $20,000.
12
    896.104(4)(a)1.
                        3rd
                                 Structuring transactions to evade
13
                                 reporting or registration
                                 requirements, financial
14
                                 transactions exceeding $300 but
15
16
                                 less than $20,000.
17
                                 (h) LEVEL 8
    316.193
18
19
    (3)(c)3.a.
                        2nd
                                 DUI manslaughter.
                                 Vessel BUI manslaughter.
20
    327.35(3)(c)3.
                        2nd
21
    499.0051(7)
                        1st
                                 Forgery of prescription or legend
                                 drug labels.
22
23
    499.0052
                                 Trafficking in contraband legend
                        1st
24
                                 drugs.
25
    560.123(8)(b)2.
                        2nd
                                 Failure to report currency or
26
                                 payment instruments totaling or
27
                                 exceeding $20,000, but less than
                                 $100,000 by money transmitter.
28
29
30
31
```

Florida Senate - 2004 317-2418-04

_			
1	560.125(5)(b)	2nd	Money transmitter business by
2			unauthorized person, currency or
3			payment instruments totaling or
4			exceeding \$20,000, but less than
5			\$100,000.
6	655.50(10)(b)2.	2nd	Failure to report financial
7			transactions totaling or
8			exceeding \$20,000, but less than
9			\$100,000 by financial
10			institutions.
11	777.03(2)(a)	lst	Accessory after the fact, capital
12			felony.
13	782.04(4)	2nd	Killing of human without design
14			when engaged in act or attempt of
15			any felony other than arson,
16			sexual battery, robbery,
17			burglary, kidnapping, aircraft
18			piracy, or unlawfully discharging
19			bomb.
20	782.051(2)	1st	Attempted felony murder while
21			perpetrating or attempting to
22			perpetrate a felony not
23			enumerated in s. 782.04(3).
24	782.071(1)(b)	1st	Committing vehicular homicide and
25			failing to render aid or give
26			information.
27	782.072(2)	lst	Committing vessel homicide and
28			failing to render aid or give
29			information.
30			
31			

20

1	790.161(3)	1st	Discharging a destructive device
2			which results in bodily harm or
3			property damage.
4	794.011(5)	2nd	Sexual battery, victim 12 years
5			or over, offender does not use
6			physical force likely to cause
7			serious injury.
8	800.04(4)	2nd	Lewd or lascivious battery.
9	806.01(1)	1st	Maliciously damage dwelling or
10			structure by fire or explosive,
11			believing person in structure.
12	810.02(2)(a)	lst,PBL	Burglary with assault or battery.
13	810.02(2)(b)	lst,PBL	Burglary; armed with explosives
14			or dangerous weapon.
15	810.02(2)(c)	1st	Burglary of a dwelling or
16			structure causing structural
17			damage or \$1,000 or more property
18			damage.
19	812.13(2)(b)	lst	Robbery with a weapon.
20	812.135(2)	lst	Home-invasion robbery.
21	817.568(6)	2nd	Fraudulent use of personal
22			identification information of an
23			individual under the age of 18.
24	825.102(2)	2nd	Aggravated abuse of an elderly
25			person or disabled adult.
26	825.1025(2)	2nd	Lewd or lascivious battery upon
27			an elderly person or disabled
28			adult.
29	825.103(2)(a)	lst	Exploiting an elderly person or
30			disabled adult and property is
31			valued at \$100,000 or more.
			21

1	837.02(2)	2nd	Perjury in official proceedings
2			relating to prosecution of a
3			capital felony.
4	837.021(2)	2nd	Making contradictory statements
5			in official proceedings relating
6			to prosecution of a capital
7			felony.
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	lst	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.
			22

	Florida Senate - 317-2418-04	2004	CS for SB 2160
1	893.135		
2	(1)(d)1.b.	1st	Trafficking in phencyclidine,
3	(1)(0)1.0.	100	more than 200 grams, less than
4			400 grams.
5	893.135		2
6	(1)(e)1.b.	lst	Trafficking in methaqualone, more
7			than 5 kilograms, less than 25
8			kilograms.
9	893.135		
10	(1)(f)1.b.	lst	Trafficking in amphetamine, more
11			than 28 grams, less than 200
12			grams.
13	893.135		
14	(1)(g)1.b.	lst	Trafficking in flunitrazepam, 14
15			grams or more, less than 28
16			grams.
17	893.135		
18	(1)(h)1.b.	lst	Trafficking in
19			gamma-hydroxybutyric acid (GHB),
20			5 kilograms or more, less than 10
21			kilograms.
22	893.135		
23	(1)(j)1.b.	lst	Trafficking in 1,4-Butanediol, 5
24			kilograms or more, less than 10
25			kilograms.
26	893.135		
27	(1)(k)2.b.	1st	Trafficking in Phenethylamines,
28			200 grams or more, less than 400
29			grams.
30			
31			23

23

Florida Senate	-	2004
317-2418-04		

1	895.03(1)	1st	Use or invest proceeds derived
2			from pattern of racketeering
3			activity.
4	895.03(2)	1st	Acquire or maintain through
5			racketeering activity any
6			interest in or control of any
7			enterprise or real property.
8	895.03(3)	1st	Conduct or participate in any
9			enterprise through pattern of
10			racketeering activity.
11	896.101(5)(b)	2nd	Money laundering, financial
12			transactions totaling or
13			exceeding \$20,000, but less than
14			\$100,000.
15	896.104(4)(a)2.	2nd	Structuring transactions to evade
16			reporting or registration
17			requirements, financial
18			transactions totaling or
19			exceeding \$20,000 but less than
20			\$100,000.
21			(i) LEVEL 9
22	316.193		
23	(3)(c)3.b.	1st	DUI manslaughter; failing to
24			render aid or give information.
25	327.35(3)(c)3.b.	1st	BUI manslaughter; failing to
26			render aid or give information.
27	499.0053	1st	Sale or purchase of contraband
28			legend drugs resulting in great
29			bodily harm.
30			
31			

Florida Senate	-	2004
317-2418-04		

1	560.123(8)(b)3.	lst	Failure to report currency or
2			payment instruments totaling or
3			exceeding \$100,000 by money
4			transmitter.
5	560.125(5)(c)	1st	Money transmitter business by
6			unauthorized person, currency, or
7			payment instruments totaling or
8			exceeding \$100,000.
9	655.50(10)(b)3.	lst	Failure to report financial
10			transactions totaling or
11			exceeding \$100,000 by financial
12			institution.
13	775.0844	lst	Aggravated white collar crime.
14	782.04(1)	lst	Attempt, conspire, or solicit to
15			commit premeditated murder.
16	782.04(3)	lst,PBL	Accomplice to murder in
17			connection with arson, sexual
18			battery, robbery, burglary, and
19			other specified felonies.
20	782.051(1)	lst	Attempted felony murder while
21			perpetrating or attempting to
22			perpetrate a felony enumerated in
23			s. 782.04(3).
24	782.07(2)	lst	Aggravated manslaughter of an
25			elderly person or disabled adult.
26	787.01(1)(a)1.	lst,PBL	Kidnapping; hold for ransom or
27			reward or as a shield or hostage.
28	787.01(1)(a)2.	lst,PBL	Kidnapping with intent to commit
29			or facilitate commission of any
30			felony.
31			

Florida Senate - 2004 317-2418-04

CS for SB 2160

1	787.01(1)(a)4.	lst,PBL	Kidnapping with intent to
2		·	interfere with performance of any
3			governmental or political
4			function.
5	787.02(3)(a)	1st	False imprisonment; child under
6			age 13; perpetrator also commits
7			aggravated child abuse, sexual
8			battery, or lewd or lascivious
9			battery, molestation, conduct, or
10			exhibition.
11	790.161	lst	Attempted capital destructive
12			device offense.
13	790.166(2)	lst,PBL	Possessing, selling, using, or
14			attempting to use a weapon of
15			mass destruction.
16	794.011(2)	lst	Attempted sexual battery; victim
17			less than 12 years of age.
18	794.011(2)	Life	Sexual battery; offender younger
19			than 18 years and commits sexual
20			battery on a person less than 12
21			years.
22	794.011(4)	1st	Sexual battery; victim 12 years
23			or older, certain circumstances.
24	794.011(8)(b)	1st	Sexual battery; engage in sexual
25			conduct with minor 12 to 18 years
26			by person in familial or
27			custodial authority.
28	800.04(5)(b)	1st	Lewd or lascivious molestation;
29			victim less than 12 years;
30			offender 18 years or older.
31			

26

1	812.13(2)(a)	lst,PBL	Robbery with firearm or other
2			deadly weapon.
3	812.133(2)(a)	lst,PBL	Carjacking; firearm or other
4			deadly weapon.
5	817.568(7)	2nd,PBL	Fraudulent use of personal
6			identification information of an
7			individual under the age of 18 by
8			his or her parent, legal
9			guardian, or person exercising
10			custodial authority.
11	827.03(2)	lst	Aggravated child abuse.
12	847.0145(1)	lst	Selling, or otherwise
13			transferring custody or control,
14			of a minor.
15	847.0145(2)	1st	Purchasing, or otherwise
16			obtaining custody or control, of
17			a minor.
18	859.01	lst	Poisoning or introducing
19			bacteria, radioactive materials,
20			viruses, or chemical compounds
21			into food, drink, medicine, or
22			water with intent to kill or
23			injure another person.
24	893.135	lst	Attempted capital trafficking
25			offense.
26	893.135(1)(a)3.	lst	Trafficking in cannabis, more
27			than 10,000 lbs.
28	893.135		
29	(1)(b)1.c.	lst	Trafficking in cocaine, more than
30			400 grams, less than 150
31			kilograms.
			27

```
317-2418-04
    893.135
 1
 2
     (1)(c)1.c.
                        1st
                                 Trafficking in illegal drugs,
 3
                                 more than 28 grams, less than 30
 4
                                 kilograms.
 5
    893.135
 б
     (1)(d)1.c.
                        1st
                                 Trafficking in phencyclidine,
 7
                                 more than 400 grams.
    893.135
 8
9
     (1)(e)1.c.
                        1st
                                 Trafficking in methaqualone, more
10
                                 than 25 kilograms.
11
    893.135
12
     (1)(f)1.c.
                        1st
                                 Trafficking in amphetamine, more
13
                                 than 200 grams.
    893.135
14
15
     (1)(h)1.c.
                        1st
                                 Trafficking in
16
                                 gamma-hydroxybutyric acid (GHB),
17
                                 10 kilograms or more.
    893.135
18
19
     (1)(j)1.c.
                        1st
                                 Trafficking in 1,4-Butanediol, 10
20
                                 kilograms or more.
21
    893.135
                                 Trafficking in Phenethylamines,
22
     (1)(k)2.c.
                        1st
23
                                 400 grams or more.
24
    896.101(5)(c)
                        1st
                                 Money laundering, financial
25
                                 instruments totaling or exceeding
26
                                 $100,000.
27
    896.104(4)(a)3.
                        1st
                                 Structuring transactions to evade
28
                                 reporting or registration
29
                                 requirements, financial
30
                                 transactions totaling or
                                 exceeding $100,000.
31
                                    28
```

CS for SB 2160

Florida Senate - 2004

_	1	a	~	-1 '		,		.		-	0004	
1		Section	6.	This	act	shall	take	effect	July	1,	2004.	
2												
3												
4												
5												
6												
7												
8												
9												
10												
11												
12												
13												
14												
15												
16												
17												
18												
19												
20												
21												
22												
23												
24												
25												
26												
27												
28												
29												
30												
31												
-						29						

1 STATEMENT OF SUBSTANTIAL CLANGES CONTAINED IN COMMITTEE SUBSTITTE FOR Senate Bill 2160 2 Senate Bill 2160 3 The bill revises the listed chemicals under chapter 893, F.S., to conform to federal requirements for precursor or essential chemicals used to manufacture controlled substances. 6 With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893,033, F.S., in violation of s. 7 By and with intent to manufacture methamphetamine or phencyclidine, Section 893,144, F.S., and with intent to manufacture methamphetamine or presson so an listed demical with an intent to manufacture or or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed substance. 10 substance. 11 fany person manufactures methamphetamine or phencyclidine or possesses or distribute a listed chemical will be used to unlawfully manufacture a controlled substance. 12 If any person manufactures methamphetamine or phencyclidine or a attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony, which is punishable by imprisonment of up to 30 years and the imposition of a fine degree where any child under 16 years of a set to the antiper set to the interms a felomy of a first degree felony. 14 the bill makes it unlawful to store anhydrous ammonia in a constructed in accordance with sound engineering, agricultural, or commercial practices. 17		
 Senate Bill 2160 Senate Bill 2160 The bill revises the listed chemicals under chapter 893, F.S., to conform to federal requirements for precursor or essential chemicals used to manufacture controlled substances. With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893.033, F.S., in violation of s. 893.149, F.S., and with intern to manufacture acontrolled substance. By the exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine. Section 893.149, F.S., provides that it is a second degree felony for a person to possess a listed chemical with the Intent to unlawfully manufacture a controlled substance, or possess or distribute a listed chemical knowing, or maving example cause to believe, that the listed chaid of the same and listen and the commission or any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or at attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the importion of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this Violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of apply to a public employee or private constructed in storage of, or tampering with a listed chemical. Liability for thaperson so finages arisi	1	
The bill revises the listed chemicals under chapter 893, F.S., to conform to federal requirements for precursor or essential chemicals used to manufacture controlled substances. With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893.033, F.S., in violation of s. 893.149, F.S., and with intent to manufacture methamphetamine or phencyclidine. Section 893.149, F.S., provides that it is a second degree felony for a person to possess a listed chemical with the intent to unlawfully manufacture a controlled substance, or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed chemical will be used to unlawfully manufacture a controlled substance. If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the importion of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as felony penalties of the drug trafficking provisions under chapter 893, F.S., the approves of private contractor authorized to clean up or dispose of private contractor authorized to clean up or dispose of private contractor authorized to clean up or dispose of parafous so that a public employee or private contractor authorized to clean up or dispose of parafous w	2	
 The bill revises the listed chemicals under chapter 893, F.S., to conform to federal requirements for precursor or essential chemicals used to manufacture controlled substances. With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893.033, F.S., in violation of s. 893.149, F.S., and with intent to manufacture methamphetamine or phencyclidine. Section 893.149, F.S., provides that it is a second degree felony for a person to possess a listed chemical with the intent to unlawfully manufacture a controlled substance, or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed chemical will be used to unlawfully manufacture a controlled substance. If any person manufactures methamphetamine or phencyclidine or attemphetamine or phencyclidine and the commission or attemphetamine or phencyclidine and the commission or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The bill makes of the drug trafficking provisions under chapter 893, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. and and the comission of the grans or more of private contractor authorized to clean up or dispose of hazardous of chapter 893, F.S. and and apply to a public to the unlawful possessing for	3	
 to conform to federal requirements for precursor or essential chemicals used to manufacture controlled substances. With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 83.033, FS., in violation of s. 893.149, F.S., and with intent to manufacture methamphetamine or phencyclidine. Section 893.149, FS., provides that it is a second degree felony for a person to possess a listed chemical with the intent to unlawfully manufacture a controlled substance, or possess or distribute a listed chemical work the unlawfully manufacture a controlled substance. If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine or possesses any listed chemical by the for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous amonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S., the damages arising out of the unlawful possessing, responsions of as subject to the enhanced felony of chapter 893, F.S. Any damages arising out of the unlawful possessing, storage of, or tampering with a listed chemical, is limited to the contractor authorized to clean up or dispo	4	The bill revises the listed abomisels under abortor 802 FS
 With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893.033, F.S., in violation of s. 893.149, F.S., and with intent to manufacture methamphetamine or phencyclidine. Section 893.149, F.S., provides that it is a second degree felony for a person to possess a listed chemical with the intent to unlawfully manufacture a controlled substance, or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed chemical will be used to unlawfully manufacture a controlled substance. If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or 4 attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or 1s not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as fudafed in conjunction with other chemicals under s. 893.149, F.S. do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possessing, transportation to hear approved by the U.S. metambetar a felony for first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemic	5	to conform to federal requirements for precursor or essential
 7 methamphetamine or phencyclidine, or poseses any listed chemical as defined in s. 893.03, F.S., in violation of s. 893.149, F.S., and with intent to manufacture methamphetamine or phencyclidine. Section 893.149, F.S. provides that it is a second degree felony for a person to poseses a listed chemical with the intent to unlawfully manufacture a controlled substance, or poseses or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed chemical will be used to unlawfully manufacture a controlled substance. 12 If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or a attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this 18 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or 1s not constructed in accordance with sound engineering, agricultural, or commercial practices. 11 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony posses of the drug trafficking provisions under chapter 893, F.S. Any damages arising out of the unlawful possession of chapter 93, F.S. may damages arising out of the unlawful possession, so for a second subject to the enhanced felony possession of, storage of, or tampering with a listed chemical. Liability for damages arising out of the listed chemical is alisted to be second of the unlawful possession, so for	6	
 chemical as defined in s. 893.033, F.S., in violation of s. 8 893.149, F.S., and with intent to manufacture methamphetamine or phencyclidine. Section 893.149, F.S., provides that it is a second degree felony for a person to possess a listed chemical with the intent to unlawfully manufacture a controlled substance, or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed chemical will be used to unlawfully manufacture a controlled substance. 11 fany person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this 17 violation. 18 The bill makes it unlawful to store anhydrous ammonia in a constructed in accordance with sound engineering, agricultural, or commercial practices. 11 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony spanties of the drug trafficking provisions under chapter 893.49, F.S. 26 Criminal violations relating to listed chemicals under s. 27 83.149, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.03, S.F., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, is limit	7	With exceptions, it is unlawful for any person to manufacture methamphetamine or phencyclidine, or possess any listed
 or phencyclidine. Section 893.149, F.S., provides that it is a 9 second degree felony for a person to possess a listed chemical with the intent to unlawfully manufacture a controlled 10 substance, or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed chemical will be used to unlawfully manufacture a controlled substance. 11 fany person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine or distribute and the commission or a ttempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this 19 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 22 Ariminal violations relating to listed chemicals under s. 23 83.149, F.S. Any damages arising out of the unlawful 24 possession of, storage of, or tampering with a listed 25 893.149, F.S. Any damages arising out of the unlawful 26 mages arising out of the unlawful possession of, storage of, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with the listed chemic	8	chemical as defined in s. 893.033, F.S., in violation of s.
 10 substance, or possess or distribute a listed chemical knowing, or having reasonable cause to believe, that the listed 11 chemical will be used to unlawfully manufacture a controlled substance. 12 If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or a tampeted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. 18 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 24 Criminal violations relating to listed chemicals under s. 25 893.149, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for damages arising out of the unlawful possession of the lasted chemical, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for damages arising out of the lawful possession, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession, storing or tampering the listed chemical. Liability for damages		or phencyclidine. Section 893.149, F.S., provides that it is a second degree felony for a person to possess a listed chemical
chemical will be used to unlawfully manufacture a controlled substance. If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession, storing, or tampering with the listed chemical. Liability for damages arising out of, storage of, or tampering with a listed of the waste or towic substances for the instead chemical. Liability for damages arising out of the unlawful owner, installer, maintainer, designer, manufacturer, possession, or seller of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for	10	substance, or possess or distribute a listed chemical knowing,
12 If any person manufactures methamphetamine or phencyclidine or possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. 18 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 24 Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous 26 waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	11	chemical will be used to unlawfully manufacture a controlled
 possesses any listed chemical with an intent to manufacture methamphetamine or phencyclidine and the commission or conveyance where any child under 16 years of age is present, which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemicals under s. 893.149, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole chapter 393, respectively of the person or persons unlawfull possession of, storage of, or tampering with a listed chemical, is limited to 	12	
14 attempted commission of the crime occurs in a structure or conveyance where any child under 16 years of age is present, the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. 18 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or 1s not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 24 Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for damages arising out of the unlawful y possession, or seller of the unlawful possession, or seller of the listed chemical. Liability for damages or bot the listed chemical. Liability for	13	possesses any listed chemical with an intent to manufacture
15 the person who does so is liable for a first degree felony which is punishable by imprisonment of up to 30 years and the imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. 18 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony agris, F.S. 24 Criminal violations relating to listed chemicals under s. 25 893.149, F.S. Any damages arising out of the unlawful possession, of storage of, or tampering with a listed chemical. Lability for 26 chemical, as defined in s. 893.37, F.S., must be the sole 28 responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Lability for 29 damages arising out of the lawful possession of, storage of, or tampering with a listed chemical. Lability for 29 damages arising out of the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	14	attempted commission of the crime occurs in a structure or
16 imposition of a fine of up to \$10,000. Minimum prison terms are specified under specified circumstances for this violation. 18 The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 24 Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole 28 responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for 29 damages arising out of the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	15	the person who does so is liable for a first degree felony
 are specified under specified circumstances for this violation. The bill makes it unlawful to store anhydrous ammonia in a container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for 	16	imposition of a fine of up to \$10,000. Minimum prison terms
<pre>container that is not approved by the U.S. Department of Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices.</pre> The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S., Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical is limited to	17	are specified under specified circumstances for this
19 Transportation to hold anhydrous ammonia; or is not constructed in accordance with sound engineering, agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 24 Criminal violations relating to listed chemicals under s. 25 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering unlawfully possessing, storing, or tampering with the listed chemical. Liability for 29 damages arising out of the unlawful possession of, storage of, or tampering listed to the lawful 30 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for 30 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for 31 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for 32 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical. Liability for 33 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical is limited to	18	The bill makes it unlawful to store anhydrous ammonia in a
20 agricultural, or commercial practices. 21 The possession of 14 grams or more of pseudoephedrine such as Sudafed in conjunction with other chemicals and equipment used 22 in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. 24 24 25 26 27 27 28 29 29 20 20 20 20 20 21 22 22 23 24 24 24 25 26 27 27 28 29 29 20 20 20 20 21 22 23 24 24 24 25 26 27 27 28 29 29 20 20 20 20 21 21 22 23 24 24 24 25 26 27 28 29 20 20 21 21 22 21 22 23 24 24 24 24 25 26 27 28 29 29 20 20 20 20 21 21 21 21 22 23 24 24 24 24 25 26 27 28 29 20 20 20 20 21 21 21 22 23 24 24 24 25 26 26 27 28 28 29 29 20 20 20 20 20 20 20 20 20 21 21 21 22 23 24 24 24 24 25 26 26 27 28 27 28 28 29 20 20 20 20 20 20 20 20 20 20 20 20 20 20 20 21 21 21 21 22 21<	19	Transportation to hold anhydrous ammonia; or is not
Sudafed in conjunction with other chemicals and equipment used in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical to the lawful or tampering with a listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	20	
in the manufacture of amphetamine or methamphetamine is a felony of the first degree and subject to the enhanced felony penalties of the drug trafficking provisions under chapter 893, F.S. Criminal violations relating to listed chemicals under s. System of the drug trafficking provisions under chapter Criminal violations relating to listed chemicals under s. System of the drug trafficking provisions of private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	21	The possession of 14 grams or more of pseudoephedrine such as
23 penalties of the drug trafficking provisions under chapter 893, F.S. 24 24 Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous 26 waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful 27 possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole 28 responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for 29 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful 30 owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	22	in the manufacture of amphetamine or methamphetamine is a
24 Criminal violations relating to listed chemicals under s. 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	23	penalties of the drug trafficking provisions under chapter
25 893.149, F.S., do not apply to a public employee or private contractor authorized to clean up or dispose of hazardous waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	24	
26 waste or toxic substances pursuant to the provisions of chapter 893, F.S. Any damages arising out of the unlawful 27 possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole 28 responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for 29 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful 30 owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to	25	893.149, F.S., do not apply to a public employee or private
<pre>chapter 893, F.S. Any damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical, as defined in s. 893.033, F.S., must be the sole 28 responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for 29 damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful 30 owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to</pre>	26	waste or toxic substances pursuant to the provisions of
 chemical, as defined in s. 893.033, F.S., must be the sole responsibility of the person or persons unlawfully possessing, storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to 		chapter 893, F.S. Any damages arising out of the unlawful
<pre>storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of, or tampering with a listed chemical extend to the lawful 30 owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to</pre>		chemical, as defined in s. 893.033, F.S., must be the sole
or tampering with a listed chemical extend to the lawful 30 owner, installer, maintainer, designer, manufacturer, possessor, or seller of the listed chemical, is limited to		storing, or tampering with the listed chemical. Liability for damages arising out of the unlawful possession of, storage of,
possessor, or seller of the listed chemical, is limited to		or tampering with a listed chemical extend to the lawful
		possessor, or seller of the listed chemical, is limited to