

By Senator Diaz de la Portilla

36-01069-11

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1 A bill to be entitled
2 An act relating to drug abuse prevention and control;
3 amending s. 893.13, F.S.; adding transactions of a
4 controlled substance near a homeless shelter to the
5 list of prohibited acts; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
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9 Section 1. Paragraph (e) of subsection (1) of section
10 893.13, Florida Statutes, is amended to read:

11 893.13 Prohibited acts; penalties.—

12 (1)

13 (e) Except as authorized by this chapter, it is unlawful
14 for any person to sell, manufacture, or deliver, or possess with
15 intent to sell, manufacture, or deliver, a controlled substance
16 not authorized by law in, on, or within 1,000 feet of a physical
17 place for worship at which a church or religious organization
18 regularly conducts religious services, ~~or~~ within 1,000 feet of a
19 convenience business as defined in s. 812.171, or within 1,000
20 feet of a shelter for the homeless as defined in s. 414.0252.

21 Any person who violates this paragraph with respect to:

22 1. A controlled substance named or described in s.
23 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
24 commits a felony of the first degree, punishable as provided in
25 s. 775.082, s. 775.083, or s. 775.084.

26 2. A controlled substance named or described in s.
27 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
28 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
29 the second degree, punishable as provided in s. 775.082, s.

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30 775.083, or s. 775.084.

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

35 Section 2. This act shall take effect July 1, 2011.