

By Senator Smith

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1                   A bill to be entitled  
2       An act relating to controlled substances; amending s.  
3       893.03, F.S.; adding to the list of Schedule III  
4       controlled substances certain specified materials,  
5       compounds, mixtures, or preparations that promote  
6       muscle growth or otherwise enhance athletic  
7       performance; reenacting s. 893.13(1)-(6), F.S.,  
8       relating to prohibited acts involving controlled  
9       substances, to incorporate the amendments made to s.  
10      893.03, F.S., in references thereto; reenacting s.  
11      921.0022(3)(b)-(e), F.S., relating to the Criminal  
12      Punishment Code offense severity ranking chart, to  
13      incorporate the amendments made to s. 893.03, F.S., in  
14      references thereto; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18       Section 1. Paragraph (d) of subsection (3) of section  
19      893.03, Florida Statutes, is amended to read:

20       893.03 Standards and schedules.—The substances enumerated  
21      in this section are controlled by this chapter. The controlled  
22      substances listed or to be listed in Schedules I, II, III, IV,  
23      and V are included by whatever official, common, usual,  
24      chemical, or trade name designated. The provisions of this  
25      section shall not be construed to include within any of the  
26      schedules contained in this section any excluded drugs listed  
27      within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
28      Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
29      Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted

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30 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
31 Anabolic Steroid Products."

32 (3) SCHEDULE III.—A substance in Schedule III has a  
33 potential for abuse less than the substances contained in  
34 Schedules I and II and has a currently accepted medical use in  
35 treatment in the United States, and abuse of the substance may  
36 lead to moderate or low physical dependence or high  
37 psychological dependence or, in the case of anabolic steroids,  
38 may lead to physical damage. The following substances are  
39 controlled in Schedule III:

40 (d) Anabolic steroids.

41 1. The term "anabolic steroid" means any drug or hormonal  
42 substance, chemically and pharmacologically related to  
43 testosterone, other than estrogens, progestins, and  
44 corticosteroids, that promotes muscle growth and includes:

45 a. Androsterone.

46 b. Androsterone acetate.

47 c. Boldenone.

48 d. Boldenone acetate.

49 e. Boldenone benzoate.

50 f. Boldenone undecylenate.

51 g. Chlorotestosterone (4-chlortestosterone).

52 h. Chorionic Gonadotropin, Human (hCG).

53 ~~i.h.~~ Clostebol.

54 j. CJC-1295.

55 ~~k.i.~~ Dehydrochlormethyltestosterone.

56 ~~l.j.~~ Dihydrotestosterone (4-dihydrotestosterone).

57 ~~m.k.~~ Drostanolone.

58 ~~n.l.~~ Ethylestrenol.

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59       ~~o.m.~~ Fluoxymesterone.  
 60       ~~p.n.~~ Formebolone (formebolone).  
 61       q. Growth-hormone-releasing factor (GRF, GHRF).  
 62       r. Growth-hormone-releasing hormone (GHRH).  
 63       s. Growth-hormone-releasing peptide 6 (GHRP-6).  
 64       t. Human Growth Hormone (HGH).  
 65       ~~u.o.~~ Mesterolone.  
 66       ~~v.p.~~ Methandienone.  
 67       ~~w.q.~~ Methandranone.  
 68       ~~x.r.~~ Methandriol.  
 69       ~~y.s.~~ Methandrostenolone.  
 70       ~~z.t.~~ Methenolone.  
 71       ~~aa.u.~~ Methyltestosterone.  
 72       ~~bb.v.~~ Mibolerone.  
 73       ~~cc.w.~~ Nandrolone.  
 74       ~~dd.x.~~ Norethandrolone.  
 75       ~~ee.y.~~ Nortestosterone.  
 76       ~~ff.z.~~ Nortestosterone decanoate.  
 77       ~~gg.aa.~~ Nortestosterone phenylpropionate.  
 78       ~~hh.bb.~~ Nortestosterone propionate.  
 79       ~~ii.cc.~~ Oxandrolone.  
 80       ~~jj.dd.~~ Oxymesterone.  
 81       ~~kk.ee.~~ Oxymetholone.  
 82       ll. Sermorelin.  
 83       mm. Somatropin.  
 84       ~~nn.ff.~~ Stanolone.  
 85       ~~oo.gg.~~ Stanozolol.  
 86       pp. Tesamorelin.  
 87       ~~qq.hh.~~ Testolactone.

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88        rr.~~ii.~~ Testosterone.

89        ss.~~jj.~~ Testosterone acetate.

90        tt.~~kk.~~ Testosterone benzoate.

91        uu.~~ll.~~ Testosterone cypionate.

92        vv.~~mm.~~ Testosterone decanoate.

93        ww.~~nn.~~ Testosterone enanthate.

94        xx.~~oo.~~ Testosterone isocaproate.

95        yy.~~pp.~~ Testosterone oleate.

96        zz.~~qq.~~ Testosterone phenylpropionate.

97        aaa.~~rr.~~ Testosterone propionate.

98        bbb.~~ss.~~ Testosterone undecanoate.

99        ccc.~~tt.~~ Trenbolone.

100       ddd.~~uu.~~ Trenbolone acetate.

101       eee.~~vv.~~ Any salt, ester, or isomer of a drug or substance

102 described or listed in this subparagraph if that salt, ester, or

103 isomer promotes muscle growth.

104        2. The term does not include an anabolic steroid that is

105 expressly intended for administration through implants to cattle

106 or other nonhuman species and that has been approved by the

107 United States Secretary of Health and Human Services for such

108 administration. However, any person who prescribes, dispenses,

109 or distributes such a steroid for human use is considered to

110 have prescribed, dispensed, or distributed an anabolic steroid

111 within the meaning of this paragraph.

112        Section 2. For the purpose of incorporating the amendment

113 made by this act to section 893.03, Florida Statutes, in a

114 reference thereto, subsections (1) through (6) of section

115 893.13, Florida Statutes, are reenacted to read:

116        893.13 Prohibited acts; penalties.—

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117 (1) (a) Except as authorized by this chapter and chapter  
118 499, it is unlawful for any person to sell, manufacture, or  
119 deliver, or possess with intent to sell, manufacture, or  
120 deliver, a controlled substance. Any person who violates this  
121 provision with respect to:

122 1. A controlled substance named or described in s.  
123 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.,  
124 commits a felony of the second degree, punishable as provided in  
125 s. 775.082, s. 775.083, or s. 775.084.

126 2. A controlled substance named or described in s.  
127 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,  
128 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of  
129 the third degree, punishable as provided in s. 775.082, s.  
130 775.083, or s. 775.084.

131 3. A controlled substance named or described in s.  
132 893.03(5) commits a misdemeanor of the first degree, punishable  
133 as provided in s. 775.082 or s. 775.083.

134 (b) Except as provided in this chapter, it is unlawful to  
135 sell or deliver in excess of 10 grams of any substance named or  
136 described in s. 893.03(1) (a) or (1) (b), or any combination  
137 thereof, or any mixture containing any such substance. Any  
138 person who violates this paragraph commits a felony of the first  
139 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
140 775.084.

141 (c) Except as authorized by this chapter, it is unlawful  
142 for any person to sell, manufacture, or deliver, or possess with  
143 intent to sell, manufacture, or deliver, a controlled substance  
144 in, on, or within 1,000 feet of the real property comprising a  
145 child care facility as defined in s. 402.302 or a public or

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146 private elementary, middle, or secondary school between the  
147 hours of 6 a.m. and 12 midnight, or at any time in, on, or  
148 within 1,000 feet of real property comprising a state, county,  
149 or municipal park, a community center, or a publicly owned  
150 recreational facility. For the purposes of this paragraph, the  
151 term "community center" means a facility operated by a nonprofit  
152 community-based organization for the provision of recreational,  
153 social, or educational services to the public. Any person who  
154 violates this paragraph with respect to:

155 1. A controlled substance named or described in s.  
156 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
157 commits a felony of the first degree, punishable as provided in  
158 s. 775.082, s. 775.083, or s. 775.084. The defendant must be  
159 sentenced to a minimum term of imprisonment of 3 calendar years  
160 unless the offense was committed within 1,000 feet of the real  
161 property comprising a child care facility as defined in s.  
162 402.302.

163 2. A controlled substance named or described in s.  
164 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
165 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
166 the second degree, punishable as provided in s. 775.082, s.  
167 775.083, or s. 775.084.

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

172  
173 This paragraph does not apply to a child care facility unless  
174 the owner or operator of the facility posts a sign that is not

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175 less than 2 square feet in size with a word legend identifying  
176 the facility as a licensed child care facility and that is  
177 posted on the property of the child care facility in a  
178 conspicuous place where the sign is reasonably visible to the  
179 public.

180 (d) Except as authorized by this chapter, it is unlawful  
181 for any person to sell, manufacture, or deliver, or possess with  
182 intent to sell, manufacture, or deliver, a controlled substance  
183 in, on, or within 1,000 feet of the real property comprising a  
184 public or private college, university, or other postsecondary  
185 educational institution. Any person who violates this paragraph  
186 with respect to:

187 1. A controlled substance named or described in s.  
188 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
189 commits a felony of the first degree, punishable as provided in  
190 s. 775.082, s. 775.083, or s. 775.084.

191 2. A controlled substance named or described in s.  
192 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
193 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
194 the second degree, punishable as provided in s. 775.082, s.  
195 775.083, or s. 775.084.

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

200 (e) Except as authorized by this chapter, it is unlawful  
201 for any person to sell, manufacture, or deliver, or possess with  
202 intent to sell, manufacture, or deliver, a controlled substance  
203 not authorized by law in, on, or within 1,000 feet of a physical

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204 place for worship at which a church or religious organization  
205 regularly conducts religious services or within 1,000 feet of a  
206 convenience business as defined in s. 812.171. Any person who  
207 violates this paragraph with respect to:

208 1. A controlled substance named or described in s.  
209 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
210 commits a felony of the first degree, punishable as provided in  
211 s. 775.082, s. 775.083, or s. 775.084.

212 2. A controlled substance named or described in s.  
213 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
214 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
215 the second degree, punishable as provided in s. 775.082, s.  
216 775.083, or s. 775.084.

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

221 (f) Except as authorized by this chapter, it is unlawful  
222 for any person to sell, manufacture, or deliver, or possess with  
223 intent to sell, manufacture, or deliver, a controlled substance  
224 in, on, or within 1,000 feet of the real property comprising a  
225 public housing facility at any time. For purposes of this  
226 section, the term "real property comprising a public housing  
227 facility" means real property, as defined in s. 421.03(12), of a  
228 public corporation created as a housing authority pursuant to  
229 part I of chapter 421. Any person who violates this paragraph  
230 with respect to:

231 1. A controlled substance named or described in s.  
232 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,

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233 commits a felony of the first degree, punishable as provided in  
234 s. 775.082, s. 775.083, or s. 775.084.

235 2. A controlled substance named or described in s.  
236 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
237 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
238 the second degree, punishable as provided in s. 775.082, s.  
239 775.083, or s. 775.084.

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

244 (g) Except as authorized by this chapter, it is unlawful  
245 for any person to manufacture methamphetamine or phencyclidine,  
246 or possess any listed chemical as defined in s. 893.033 in  
247 violation of s. 893.149 and with intent to manufacture  
248 methamphetamine or phencyclidine. If any person violates this  
249 paragraph and:

250 1. The commission or attempted commission of the crime  
251 occurs in a structure or conveyance where any child under 16  
252 years of age is present, the person commits a felony of the  
253 first degree, punishable as provided in s. 775.082, s. 775.083,  
254 or s. 775.084. In addition, the defendant must be sentenced to a  
255 minimum term of imprisonment of 5 calendar years.

256 2. The commission of the crime causes any child under 16  
257 years of age to suffer great bodily harm, the person commits a  
258 felony of the first degree, punishable as provided in s.  
259 775.082, s. 775.083, or s. 775.084. In addition, the defendant  
260 must be sentenced to a minimum term of imprisonment of 10  
261 calendar years.

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262 (h) Except as authorized by this chapter, it is unlawful  
263 for any person to sell, manufacture, or deliver, or possess with  
264 intent to sell, manufacture, or deliver, a controlled substance  
265 in, on, or within 1,000 feet of the real property comprising an  
266 assisted living facility, as that term is used in chapter 429.  
267 Any person who violates this paragraph with respect to:

268 1. A controlled substance named or described in s.  
269 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
270 commits a felony of the first degree, punishable as provided in  
271 s. 775.082, s. 775.083, or s. 775.084.

272 2. A controlled substance named or described in s.  
273 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
274 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
275 the second degree, punishable as provided in s. 775.082, s.  
276 775.083, or s. 775.084.

277 (2)(a) Except as authorized by this chapter and chapter  
278 499, it is unlawful for any person to purchase, or possess with  
279 intent to purchase, a controlled substance. Any person who  
280 violates this provision with respect to:

281 1. A controlled substance named or described in s.  
282 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
283 commits a felony of the second degree, punishable as provided in  
284 s. 775.082, s. 775.083, or s. 775.084.

285 2. A controlled substance named or described in s.  
286 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
287 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
288 the third degree, punishable as provided in s. 775.082, s.  
289 775.083, or s. 775.084.

290 3. A controlled substance named or described in s.

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291 893.03(5) commits a misdemeanor of the first degree, punishable  
292 as provided in s. 775.082 or s. 775.083.

293 (b) Except as provided in this chapter, it is unlawful to  
294 purchase in excess of 10 grams of any substance named or  
295 described in s. 893.03(1)(a) or (1)(b), or any combination  
296 thereof, or any mixture containing any such substance. Any  
297 person who violates this paragraph commits a felony of the first  
298 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
299 775.084.

300 (3) Any person who delivers, without consideration, not  
301 more than 20 grams of cannabis, as defined in this chapter,  
302 commits a misdemeanor of the first degree, punishable as  
303 provided in s. 775.082 or s. 775.083. For the purposes of this  
304 paragraph, "cannabis" does not include the resin extracted from  
305 the plants of the genus *Cannabis* or any compound manufacture,  
306 salt, derivative, mixture, or preparation of such resin.

307 (4) Except as authorized by this chapter, it is unlawful  
308 for any person 18 years of age or older to deliver any  
309 controlled substance to a person under the age of 18 years, or  
310 to use or hire a person under the age of 18 years as an agent or  
311 employee in the sale or delivery of such a substance, or to use  
312 such person to assist in avoiding detection or apprehension for  
313 a violation of this chapter. Any person who violates this  
314 provision with respect to:

315 (a) A controlled substance named or described in s.  
316 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
317 commits a felony of the first degree, punishable as provided in  
318 s. 775.082, s. 775.083, or s. 775.084.

319 (b) A controlled substance named or described in s.

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320 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
321 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
322 the second degree, punishable as provided in s. 775.082, s.  
323 775.083, or s. 775.084.

324  
325 Imposition of sentence may not be suspended or deferred, nor  
326 shall the person so convicted be placed on probation.

327 (5) It is unlawful for any person to bring into this state  
328 any controlled substance unless the possession of such  
329 controlled substance is authorized by this chapter or unless  
330 such person is licensed to do so by the appropriate federal  
331 agency. Any person who violates this provision with respect to:

332 (a) A controlled substance named or described in s.  
333 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
334 commits a felony of the second degree, punishable as provided in  
335 s. 775.082, s. 775.083, or s. 775.084.

336 (b) A controlled substance named or described in s.  
337 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
338 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
339 the third degree, punishable as provided in s. 775.082, s.  
340 775.083, or s. 775.084.

341 (c) A controlled substance named or described in s.  
342 893.03(5) commits a misdemeanor of the first degree, punishable  
343 as provided in s. 775.082 or s. 775.083.

344 (6)(a) It is unlawful for any person to be in actual or  
345 constructive possession of a controlled substance unless such  
346 controlled substance was lawfully obtained from a practitioner  
347 or pursuant to a valid prescription or order of a practitioner  
348 while acting in the course of his or her professional practice

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349 or to be in actual or constructive possession of a controlled  
350 substance except as otherwise authorized by this chapter. Any  
351 person who violates this provision commits a felony of the third  
352 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
353 775.084.

354 (b) If the offense is the possession of not more than 20  
355 grams of cannabis, as defined in this chapter, or 3 grams or  
356 less of a controlled substance described in s. 893.03(1)(c)46.-  
357 50. and 114.-142., the person commits a misdemeanor of the first  
358 degree, punishable as provided in s. 775.082 or s. 775.083. For  
359 the purposes of this subsection, "cannabis" does not include the  
360 resin extracted from the plants of the genus *Cannabis*, or any  
361 compound manufacture, salt, derivative, mixture, or preparation  
362 of such resin, and a controlled substance described in s.  
363 893.03(1)(c)46.-50. and 114.-142. does not include the substance  
364 in a powdered form.

365 (c) Except as provided in this chapter, it is unlawful to  
366 possess in excess of 10 grams of any substance named or  
367 described in s. 893.03(1)(a) or (1)(b), or any combination  
368 thereof, or any mixture containing any such substance. Any  
369 person who violates this paragraph commits a felony of the first  
370 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
371 775.084.

372 (d) Notwithstanding any provision to the contrary of the  
373 laws of this state relating to arrest, a law enforcement officer  
374 may arrest without warrant any person who the officer has  
375 probable cause to believe is violating the provisions of this  
376 chapter relating to possession of cannabis.

377 Section 3. For the purpose of incorporating the amendment

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378 made by this act to section 893.03, Florida Statutes, in a  
 379 reference thereto, paragraphs (b) through (e) of subsection (3)  
 380 of section 921.0022, Florida Statutes, are reenacted to read:

381 921.0022 Criminal Punishment Code; offense severity ranking  
 382 chart.—

383 (3) OFFENSE SEVERITY RANKING CHART

384 (b) LEVEL 2

385

Florida Statute	Felony Degree	Description
379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413(5)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
517.07(2)	3rd	Failure to furnish a prospectus meeting requirements.
590.28(1)	3rd	Intentional burning of lands.

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- 392 784.05(3) 3rd Storing or leaving a loaded firearm  
within reach of minor who uses it to  
inflict injury or death.
- 393 787.04(1) 3rd In violation of court order, take,  
entice, etc., minor beyond state limits.
- 394 806.13(1)(b)3. 3rd Criminal mischief; damage \$1,000 or more  
to public communication or any other  
public service.
- 395 810.061(2) 3rd Impairing or impeding telephone or power  
to a dwelling; facilitating or  
furthering burglary.
- 396 810.09(2)(e) 3rd Trespassing on posted commercial  
horticulture property.
- 397 812.014(2)(c)1. 3rd Grand theft, 3rd degree; \$300 or more  
but less than \$5,000.
- 398 812.014(2)(d) 3rd Grand theft, 3rd degree; \$100 or more  
but less than \$300, taken from  
unenclosed curtilage of dwelling.
- 399 812.015(7) 3rd Possession, use, or attempted use of an  
antishoplifting or inventory control  
device countermeasure.

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400	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
401	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
402	817.52(3)	3rd	Failure to redeliver hired vehicle.
403	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
404	817.60(5)	3rd	Dealing in credit cards of another.
405	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
406	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
407	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
408	831.01	3rd	Forgery.
409	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.

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410 831.07 3rd Forging bank bills, checks, drafts, or  
promissory notes.

411 831.08 3rd Possessing 10 or more forged notes,  
bills, checks, or drafts.

412 831.09 3rd Uttering forged notes, bills, checks,  
drafts, or promissory notes.

413 831.11 3rd Bringing into the state forged bank  
bills, checks, drafts, or notes.

414 832.05(3)(a) 3rd Cashing or depositing item with intent  
to defraud.

415 843.08 3rd Falsely impersonating an officer.

416 893.13(2)(a)2. 3rd Purchase of any s. 893.03(1)(c),  
(2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5.,  
(2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9.,  
(3), or (4) drugs other than cannabis.

417 893.147(2) 3rd Manufacture or delivery of drug  
paraphernalia.

418 (c) LEVEL 3

419 Florida Felony  
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420

119.10(2)(b) 3rd Unlawful use of confidential information  
from police reports.

421

316.066 3rd Unlawfully obtaining or using  
(3)(b)-(d) confidential crash reports.

422

316.193(2)(b) 3rd Felony DUI, 3rd conviction.

423

316.1935(2) 3rd Fleeing or attempting to elude law  
enforcement officer in patrol vehicle  
with siren and lights activated.

424

319.30(4) 3rd Possession by junkyard of motor vehicle  
with identification number plate  
removed.

425

319.33(1)(a) 3rd Alter or forge any certificate of title  
to a motor vehicle or mobile home.

426

319.33(1)(c) 3rd Procure or pass title on stolen vehicle.

427

319.33(4) 3rd With intent to defraud, possess, sell,  
etc., a blank, forged, or unlawfully  
obtained title or registration.

428

327.35(2)(b) 3rd Felony BUI.

429

328.05(2) 3rd Possess, sell, or counterfeit

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fictitious, stolen, or fraudulent titles  
or bills of sale of vessels.

430

328.07(4) 3rd Manufacture, exchange, or possess vessel  
with counterfeit or wrong ID number.

431

376.302(5) 3rd Fraud related to reimbursement for  
cleanup expenses under the Inland  
Protection Trust Fund.

432

379.2431 3rd Taking, disturbing, mutilating,  
(1)(e)5. destroying, causing to be destroyed,  
transferring, selling, offering to sell,  
molesting, or harassing marine turtles,  
marine turtle eggs, or marine turtle  
nests in violation of the Marine Turtle  
Protection Act.

433

379.2431 3rd Soliciting to commit or conspiring to  
(1)(e)6. commit a violation of the Marine Turtle  
Protection Act.

434

400.9935(4) 3rd Operating a clinic without a license or  
filing false license application or  
other required information.

435

440.1051(3) 3rd False report of workers' compensation  
fraud or retaliation for making such a  
report.

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436  
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445

501.001 (2) (b)      2nd      Tampers with a consumer product or the container using materially false/misleading information.

624.401 (4) (a)      3rd      Transacting insurance without a certificate of authority.

624.401 (4) (b) 1.      3rd      Transacting insurance without a certificate of authority; premium collected less than \$20,000.

626.902 (1) (a) & (b)      3rd      Representing an unauthorized insurer.

697.08      3rd      Equity skimming.

790.15 (3)      3rd      Person directs another to discharge firearm from a vehicle.

796.05 (1)      3rd      Live on earnings of a prostitute.

806.10 (1)      3rd      Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.

806.10 (2)      3rd      Interferes with or assaults firefighter in performance of duty.

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446	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
447	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
448	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
449	815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
450	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
451	817.233	3rd	Burning to defraud insurer.
452	817.234 (8)(b)-(c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
453	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
454	817.236	3rd	Filing a false motor vehicle insurance application.

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455	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
456	817.413(2)	3rd	Sale of used goods as new.
457	817.505(4)	3rd	Patient brokering.
458	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
459	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
460	831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
461	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
462	843.19	3rd	Injure, disable, or kill police dog or horse.
463	860.15(3)	3rd	Overcharging for repairs and parts.
	870.01(2)	3rd	Riot; inciting or encouraging.

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464

893.13(1)(a)2. 3rd Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

465

893.13(1)(d)2. 2nd Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of university.

466

893.13(1)(f)2. 2nd Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.

467

893.13(6)(a) 3rd Possession of any controlled substance other than felony possession of cannabis.

468

893.13(7)(a)8. 3rd Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

469

893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled

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substance by fraud, forgery,  
misrepresentation, etc.

470

893.13(7)(a)10. 3rd Affix false or forged label to package  
of controlled substance.

471

893.13(7)(a)11. 3rd Furnish false or fraudulent material  
information on any document or record  
required by chapter 893.

472

893.13(8)(a)1. 3rd Knowingly assist a patient, other  
person, or owner of an animal in  
obtaining a controlled substance through  
deceptive, untrue, or fraudulent  
representations in or related to the  
practitioner's practice.

473

893.13(8)(a)2. 3rd Employ a trick or scheme in the  
practitioner's practice to assist a  
patient, other person, or owner of an  
animal in obtaining a controlled  
substance.

474

893.13(8)(a)3. 3rd Knowingly write a prescription for a  
controlled substance for a fictitious  
person.

475

893.13(8)(a)4. 3rd Write a prescription for a controlled  
substance for a patient, other person,

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or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

476

918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.

477

944.47 3rd Introduce contraband to correctional facility.  
(1)(a)1.-2.

478

944.47(1)(c) 2nd Possess contraband while upon the grounds of a correctional institution.

479

985.721 3rd Escapes from a juvenile facility (secure detention or residential commitment facility).

480

(d) LEVEL 4

481

482

Florida	Felony	
Statute	Degree	Description

483

316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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484

499.0051(1)	3rd	Failure to maintain or deliver pedigree
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495	784.081(3)	3rd	Battery on specified official or employee.
496	784.082(3)	3rd	Battery by detained person on visitor or other detainee.
497	784.083(3)	3rd	Battery on code inspector.
498	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
499	787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
500	787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
501	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
502	787.07	3rd	Human smuggling.
503	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.

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504	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
505	790.115(2)(c)	3rd	Possessing firearm on school property.
506	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
507	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
508	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
509	810.06	3rd	Burglary; possession of tools.
510	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
511	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
512	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
	812.0195(2)	3rd	Dealing in stolen property by use of the

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Internet; property stolen \$300 or more.

513

817.563 (1) 3rd Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.

514

817.568 (2) (a) 3rd Fraudulent use of personal identification information.

515

817.625 (2) (a) 3rd Fraudulent use of scanning device or reencoder.

516

828.125 (1) 2nd Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

517

837.02 (1) 3rd Perjury in official proceedings.

518

837.021 (1) 3rd Make contradictory statements in official proceedings.

519

838.022 3rd Official misconduct.

520

839.13 (2) (a) 3rd Falsifying records of an individual in the care and custody of a state agency.

521

839.13 (2) (c) 3rd Falsifying records of the Department of Children and Family Services.

522

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523	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
524	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
525	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
526	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
527	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
528	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
529	914.14(2)	3rd	Witnesses accepting bribes.
530	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
531	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.

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532 918.12 3rd Tampering with jurors.

533 934.215 3rd Use of two-way communications device to  
facilitate commission of a crime.

534 (e) LEVEL 5

535

Florida Statute	Felony Degree	Description
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536 316.027(1) (a) 3rd Accidents involving personal injuries,  
failure to stop; leaving scene.

537 316.1935(4) (a) 2nd Aggravated fleeing or eluding.

538 322.34(6) 3rd Careless operation of motor vehicle  
with suspended license, resulting in  
death or serious bodily injury.

539 327.30(5) 3rd Vessel accidents involving personal  
injury; leaving scene.

540 379.367(4) 3rd Willful molestation of a commercial  
harvester's spiny lobster trap, line,  
or buoy.

541 379.3671(2) (c) 3. 3rd Willful molestation, possession, or  
removal of a commercial harvester's  
trap contents or trap gear by another

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harvester.

542

381.0041 (11) (b) 3rd Donate blood, plasma, or organs knowing HIV positive.

543

440.10 (1) (g) 2nd Failure to obtain workers' compensation coverage.

544

440.105 (5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

545

440.381 (2) 2nd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

546

624.401 (4) (b) 2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

547

626.902 (1) (c) 2nd Representing an unauthorized insurer; repeat offender.

548

790.01 (2) 3rd Carrying a concealed firearm.

549

790.162 2nd Threat to throw or discharge destructive device.

550

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551	790.163(1)	2nd	False report of deadly explosive or weapon of mass destruction.
552	790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
553	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
554	800.04(6)(c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
555	800.04(7)(b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
556	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
557	812.0145(2)(b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
558	812.015(8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
558	812.019(1)	2nd	Stolen property; dealing in or

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trafficking in.

559

812.131 (2) (b) 3rd Robbery by sudden snatching.

560

812.16 (2) 3rd Owning, operating, or conducting a chop shop.

561

817.034 (4) (a) 2. 2nd Communications fraud, value \$20,000 to \$50,000.

562

817.234 (11) (b) 2nd Insurance fraud; property value \$20,000 or more but less than \$100,000.

563

817.2341 (1), 3rd Filing false financial statements,  
(2) (a) & (3) (a) making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.

564

817.568 (2) (b) 2nd Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.

565

817.625 (2) (b) 2nd Second or subsequent fraudulent use of scanning device or reencoder.

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566

825.1025 (4) 3rd Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

567

827.071 (4) 2nd Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

568

827.071 (5) 3rd Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.

569

839.13 (2) (b) 2nd Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

570

843.01 3rd Resist officer with violence to person; resist arrest with violence.

571

847.0135 (5) (b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

572

847.0137 3rd Transmission of pornography by (2) & (3) electronic device or equipment.

573

847.0138 3rd Transmission of material harmful to

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(2) & (3)

minors to a minor by electronic device or equipment.

574

874.05(2)

2nd

Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

575

893.13(1)(a)1.

2nd

Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

576

893.13(1)(c)2.

2nd

Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

577

893.13(1)(d)1.

1st

Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of university.

578

893.13(1)(e)2.

2nd

Sell, manufacture, or deliver cannabis or other drug prohibited under s.

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893.03(1)(c), (2)(c)1., (2)(c)2.,  
 (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7.,  
 (2)(c)8., (2)(c)9., (3), or (4) within  
 1,000 feet of property used for  
 religious services or a specified  
 business site.

579

893.13(1)(f)1.      1st      Sell, manufacture, or deliver cocaine  
 (or other s. 893.03(1)(a), (1)(b),  
 (1)(d), or (2)(a), (2)(b), or (2)(c)4.  
 drugs) within 1,000 feet of public  
 housing facility.

580

893.13(4)(b)      2nd      Deliver to minor cannabis (or other s.  
 893.03(1)(c), (2)(c)1., (2)(c)2.,  
 (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7.,  
 (2)(c)8., (2)(c)9., (3), or (4) drugs).

581

893.1351(1)      3rd      Ownership, lease, or rental for  
 trafficking in or manufacturing of  
 controlled substance.

582

583      Section 4. This act shall take effect October 1, 2013.