

By Senator Bradley

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1
2 A bill to be entitled
3 An act relating to controlled substances; amending s.
4 893.03, F.S.; adding to the list of Schedule I
5 controlled substances certain specified materials,
6 compounds, mixtures, or preparations that contain
7 hallucinogenic substances, or any of their salts,
8 isomers, and salts of isomers, if the existence of
9 such salts, isomers, and salts of isomers is possible
10 within the specific chemical designation; amending s.
11 893.13, F.S.; providing reduced penalties for
12 possession of 3 grams or less of specified controlled
13 substances; amending s. 893.135, F.S.; providing
14 criminal penalties for a person who knowingly sells,
15 purchases, manufactures, delivers, or brings into this
16 state, or who is knowingly in actual or constructive
17 possession of, a specified quantity of specified
18 controlled substances; reenacting ss. 893.13(1)-(6)
19 and 921.0022(3)(b)-(e), F.S., relating to prohibited
20 acts involving controlled substances and the Criminal
21 Punishment Code, respectively, to incorporate the
22 amendments made to s. 893.03, F.S., in references
23 thereto; providing an effective date.
24

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

26
27 Section 1. Paragraphs (a) and (c) of subsection (1) of
28 section 893.03, Florida Statutes, are amended to read:

29 893.03 Standards and schedules.—The substances enumerated

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30 in this section are controlled by this chapter. The controlled
31 substances listed or to be listed in Schedules I, II, III, IV,
32 and V are included by whatever official, common, usual,
33 chemical, or trade name designated. The provisions of this
34 section shall not be construed to include within any of the
35 schedules contained in this section any excluded drugs listed
36 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
37 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
38 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
39 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
40 Anabolic Steroid Products."

41 (1) SCHEDULE I.—A substance in Schedule I has a high
42 potential for abuse and has no currently accepted medical use in
43 treatment in the United States and in its use under medical
44 supervision does not meet accepted safety standards. The
45 following substances are controlled in Schedule I:

46 (a) Unless specifically excepted or unless listed in
47 another schedule, any of the following substances, including
48 their isomers, esters, ethers, salts, and salts of isomers,
49 esters, and ethers, whenever the existence of such isomers,
50 esters, ethers, and salts is possible within the specific
51 chemical designation:

- 52 1. Acetyl-alpha-methylfentanyl.
- 53 2. Acetylmethadol.
- 54 3. Allylprodine.
- 55 4. Alphacetylmethadol (except levo-alphacetylmethadol, also
56 known as levo-alpha-acetylmethadol, levomethadyl acetate, or
57 LAAM).
- 58 5. Alphamethadol.

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- 59 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)
60 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
61 (N-propanilido) piperidine).
- 62 7. Alpha-methylthiofentanyl.
- 63 8. Alphameprodine.
- 64 9. Benzethidine.
- 65 10. Benzylfentanyl.
- 66 11. Betacetylmethadol.
- 67 12. Beta-hydroxyfentanyl.
- 68 13. Beta-hydroxy-3-methylfentanyl.
- 69 14. Betameprodine.
- 70 15. Betamethadol.
- 71 16. Betaprodine.
- 72 17. Clonitazene.
- 73 18. Dextromoramide.
- 74 19. Diampromide.
- 75 20. Diethylthiambutene.
- 76 21. Difeno~~xin~~.
- 77 22. Dimenoxadol.
- 78 23. Dimepheptanol.
- 79 24. Dimethylthiambutene.
- 80 25. Dioxaphetyl butyrate.
- 81 26. Dipipanone.
- 82 27. Ethylmethylthiambutene.
- 83 28. Etonitazene.
- 84 29. Eto~~xeridine~~.
- 85 30. Flunitrazepam.
- 86 31. Furethidine.
- 87 32. Hydroxypethidine.

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- 88 33. Ketobemidone.
- 89 34. Levomoramide.
- 90 35. Levophenacylmorphan.
- 91 36. 1-Methyl-4-Phenyl-4-Propionoxypiperidine (MPPP).
- 92 37. 3-Methylfentanyl (N-
- 93 [3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).
- 94 38. 3-Methylthiofentanyl.
- 95 ~~39. 3, 4-Methylenedioxymethamphetamine~~
- 96 ~~(MDMA).~~
- 97 39.40. Morpheridine.
- 98 40.41. Noracymethadol.
- 99 41.42. Norlevorphanol.
- 100 42.43. Normethadone.
- 101 43.44. Norpipanone.
- 102 44.45. Para-Fluorofentanyl.
- 103 45.46. Phenadoxone.
- 104 46.47. Phenampromide.
- 105 47.48. Phenomorphan.
- 106 48.49. Phenoperidine.
- 107 49.50. 1-(2-Phenylethyl)-4-Phenyl-4-Acetyloxypiperidine
- 108 (PEPAP).
- 109 50.51. Piritramide.
- 110 51.52. Proheptazine.
- 111 52.53. Properidine.
- 112 53.54. Propiram.
- 113 54.55. Racemoramide.
- 114 55.56. Thenylfentanyl.
- 115 56.57. Thiofentanyl.
- 116 57.58. Tilidine.

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117 58.59. Trimeperidine.

118 (c) Unless specifically excepted or unless listed in
119 another schedule, any material, compound, mixture, or
120 preparation that contains any quantity of the following
121 hallucinogenic substances or that contains any of their salts,
122 isomers, including optical, positional, or geometric isomers,
123 and salts of isomers, if the existence of such salts, isomers,
124 and salts of isomers is possible within the specific chemical
125 designation:

- 126 1. Alpha-ethyltryptamine.
- 127 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
128 methylaminorex).
- 129 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 130 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 131 5. 4-Bromo-2,5-dimethoxyphenethylamine.
- 132 6. Bufotenine.
- 133 7. Cannabis.
- 134 8. Cathinone.
- 135 9. Diethyltryptamine.
- 136 10. 2,5-Dimethoxyamphetamine.
- 137 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 138 12. Dimethyltryptamine.
- 139 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
140 analog of phencyclidine).
- 141 14. N-Ethyl-3-piperidyl benzilate.
- 142 15. N-ethylamphetamine.
- 143 16. Fenethylamine.
- 144 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 145 18. Ibogaine.

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- 146 19. Lysergic acid diethylamide (LSD).
147 20. Mescaline.
148 21. Methcathinone.
149 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
150 23. 4-methoxyamphetamine.
151 24. 4-methoxymethamphetamine.
152 25. 4-Methyl-2,5-dimethoxyamphetamine.
153 26. 3,4-Methylenedioxy-N-ethylamphetamine.
154 27. 3,4-Methylenedioxyamphetamine.
155 28. N-Methyl-3-piperidyl benzilate.
156 29. N,N-dimethylamphetamine.
157 30. Parahexyl.
158 31. Peyote.
159 32. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine
160 analog of phencyclidine).
161 33. Psilocybin.
162 34. Psilocyn.
163 35. *Salvia divinorum*, except for any drug product approved
164 by the United States Food and Drug Administration which contains
165 *Salvia divinorum* or its isomers, esters, ethers, salts, and
166 salts of isomers, esters, and ethers, if the existence of such
167 isomers, esters, ethers, and salts is possible within the
168 specific chemical designation.
169 36. Salvinorin A, except for any drug product approved by
170 the United States Food and Drug Administration which contains
171 Salvinorin A or its isomers, esters, ethers, salts, and salts of
172 isomers, esters, and ethers, if the existence of such isomers,
173 esters, ethers, and salts is possible within the specific
174 chemical designation.

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- 175 37. Tetrahydrocannabinols.
- 176 38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
- 177 (Thiophene analog of phencyclidine).
- 178 39. 3,4,5-Trimethoxyamphetamine.
- 179 40. 3,4-Methylenedioxy methcathinone.
- 180 41. 3,4-Methylenedioxypropylvalerone (MDPV).
- 181 42. Methylmethcathinone.
- 182 43. Methoxymethcathinone.
- 183 44. Fluoromethcathinone.
- 184 45. Methylethcathinone.
- 185 46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
- 186 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
- 187 homologue.
- 188 47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
- 189 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
- 190 also known as HU-210.
- 191 48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.
- 192 49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.
- 193 50. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole, also
- 194 known as JWH-200.
- 195 51. BZP (Benzylpiperazine).
- 196 52. Fluorophenylpiperazine.
- 197 53. Methylphenylpiperazine.
- 198 54. Chlorophenylpiperazine.
- 199 55. Methoxyphenylpiperazine.
- 200 56. DBZP (1,4-dibenzylpiperazine).
- 201 57. TFMPP (3-Trifluoromethylphenylpiperazine).
- 202 58. MBDB (Methylbenzodioxolylbutanamine).
- 203 59. 5-Hydroxy-alpha-methyltryptamine.

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- 204 60. 5-Hydroxy-N-methyltryptamine.
- 205 61. 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 206 62. 5-Methoxy-alpha-methyltryptamine.
- 207 63. Methyltryptamine.
- 208 64. 5-Methoxy-N,N-dimethyltryptamine.
- 209 65. 5-Methyl-N,N-dimethyltryptamine.
- 210 66. Tyramine (4-Hydroxyphenethylamine).
- 211 67. 5-Methoxy-N,N-Diisopropyltryptamine.
- 212 68. DiPT (N,N-Diisopropyltryptamine).
- 213 69. DPT (N,N-Dipropyltryptamine).
- 214 70. 4-Hydroxy-N,N-diisopropyltryptamine.
- 215 71. N,N-Diallyl-5-Methoxytryptamine.
- 216 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 217 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 218 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 219 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
- 220 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 221 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
- 222 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
- 223 79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).
- 224 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 225 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).
- 226 82. Ethcathinone.
- 227 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
- 228 84. Naphyrone (naphthylpyrovalerone).
- 229 85. N-N-Dimethyl-3,4-methylenedioxycathinone.
- 230 86. N-N-Diethyl-3,4-methylenedioxycathinone.
- 231 87. 3,4-methylenedioxy-propiofenone.
- 232 88. 2-Bromo-3,4-Methylenedioxypropiofenone.

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- 233 89. 3,4-methylenedioxy-propiofenone-2-oxime.
- 234 90. N-Acetyl-3,4-methylenedioxcathinone.
- 235 91. N-Acetyl-N-Methyl-3,4-Methylenedioxcathinone.
- 236 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxcathinone.
- 237 93. Bromomethcathinone.
- 238 94. Buphedrone (alpha-methylamino-butyrophenone).
- 239 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 240 96. Dimethylcathinone.
- 241 97. Dimethylmethcathinone.
- 242 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
- 243 99. (MDPPP) 3,4-Methylenedioxy-alpha-
- 244 pyrrolidinopropiophenone.
- 245 100. (MDPBP) 3,4-Methylenedioxy-alpha-
- 246 pyrrolidinobutiophenone.
- 247 101. Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).
- 248 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 249 103. Benocyclidine (BCP) or
- 250 benzothiophenylcyclohexylpiperidine (BTCP).
- 251 104. Fluoromethylaminobutyrophenone (F-MABP).
- 252 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 253 106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 254 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
- 255 108. Methylethylaminobutyrophenone (Me-EABP).
- 256 109. Methylamino-butyrophenone (MABP).
- 257 110. Pyrrolidinopropiophenone (PPP).
- 258 111. Pyrrolidinobutiophenone (PBP).
- 259 112. Pyrrolidinovalerophenone (PVP).
- 260 113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
- 261 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).

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- 262 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
263 naphthalenylmethanone).
- 264 116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
265 yl)methanone).
- 266 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
- 267 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
268 yl)methanone).
- 269 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-
270 yl)methanone).
- 271 120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
- 272 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-
273 tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
- 274 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
275 indole).
- 276 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).
- 277 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-
278 yl)ethanone).
- 279 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
280 yl)methanone).
- 281 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
282 yl)ethanone).
- 283 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-
284 yl)ethanone).
- 285 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).
- 286 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
- 287 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
288 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
289 ol).
- 290 131. HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-

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- 291 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
292 methanol).
- 293 132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
294 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
295 1,4-dione).
- 296 133. CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
297 yl)methanone).
- 298 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
299 undecanamide).
- 300 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
301 undecanamide).
- 302 136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
303 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).
- 304 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-2-
305 iodophenyl)methanone).
- 306 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
307 (naphthalen-1-yl)methanone).
- 308 139. RCS-4 ((4-methoxyphenyl)(1-pentyl-1H-indol-3-
309 yl)methanone).
- 310 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-
311 methoxyphenylethanone).
- 312 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
313 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
314 naphthalenylmethanone).
- 315 142. WIN55,212-3 ([3S)-2,3-Dihydro-5-methyl-3-(4-
316 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
317 naphthalenylmethanone).
- 318 143. Pentedrone (2-(methylamino)-1-phenyl-1-pentanone).
- 319 144. Fluoroamphetamine.

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- 320 145. Fluoromethamphetamine.
- 321 146. Methoxetamine.
- 322 147. Methiopropamine.
- 323 148. 4-Methylbuphedrone (2-Methylamino-1-(4-
- 324 methylphenyl)butan-1-one).
- 325 149. APB ((2-aminopropyl)benzofuran).
- 326 150. APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).
- 327 151. UR-144 ((1-pentyl-1H-indol-3-yl) (2,2,3,3-
- 328 tetramethylcyclopropyl)methanone).
- 329 152. XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl) (2,2,3,3-
- 330 tetramethylcyclopropyl)methanone).
- 331 153. (1-(5-chloropentyl)-1H-indol-3-yl) (2,2,3,3-
- 332 tetramethylcyclopropyl)methanone.
- 333 154. AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-
- 334 indazole-3-carboxamide).
- 335 155. AM-2233 ((2-iodophenyl) [1-[(1-methyl-2-
- 336 piperidinyl)methyl]-1H-indol-3-yl]-methanone).
- 337 156. STS-135 (1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-
- 338 1-yl-1H-indole-3-carboxamide).
- 339 157. URB-597 ((3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-
- 340 cyclohexylcarbamate).
- 341 158. URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
- 342 cyclohexyl ester).
- 343 159. URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-
- 344 benzoxazin-4-one).
- 345 160. 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).
- 346 161. 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).
- 347 162. 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).
- 348 163. 2C-P (2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).

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349 164. 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-
350 methoxyphenyl)methyl]-benzeneethanamine).

351 165. 3,4-Methylenedioxymethamphetamine (MDMA).

352 Section 2. Paragraph (b) of subsection (6) of section
353 893.13, Florida Statutes, is amended to read:

354 893.13 Prohibited acts; penalties.—

355 (6)

356 (b) If the offense is the possession of not more than 20
357 grams of cannabis, as defined in this chapter, or 3 grams or
358 less of a controlled substance described in s. 893.03(1)(c)46.-
359 50., ~~and 114.-142.,~~ or 151.-159., the person commits a
360 misdemeanor of the first degree, punishable as provided in s.
361 775.082 or s. 775.083. For the purposes of this subsection,
362 "cannabis" does not include the resin extracted from the plants
363 of the genus *Cannabis*, or any compound manufacture, salt,
364 derivative, mixture, or preparation of such resin, and a
365 controlled substance described in s. 893.03(1)(c)46.-50., ~~and~~
366 114.-142., or 151.-159., does not include the substance in a
367 powdered form.

368 Section 3. Paragraph (k) of subsection (1) of section
369 893.135, Florida Statutes, is amended to read:

370 893.135 Trafficking; mandatory sentences; suspension or
371 reduction of sentences; conspiracy to engage in trafficking.—

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

374 (k)1. Any person who knowingly sells, purchases,
375 manufactures, delivers, or brings into this state, or who is
376 knowingly in actual or constructive possession of, 10 grams or
377 more of any of the following substances described in s.

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- 378 893.03(1)(c) ~~s. 893.03(1)(a) or (e)~~:
- 379 a. 3,4-Methylenedioxymethamphetamine (MDMA);
- 380 b. 4-Bromo-2,5-dimethoxyamphetamine;
- 381 c. 4-Bromo-2,5-dimethoxyphenethylamine;
- 382 d. 2,5-Dimethoxyamphetamine;
- 383 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 384 f. N-ethylamphetamine;
- 385 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 386 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 387 i. 4-methoxyamphetamine;
- 388 j. 4-methoxymethamphetamine;
- 389 k. 4-Methyl-2,5-dimethoxyamphetamine;
- 390 l. 3,4-Methylenedioxy-N-ethylamphetamine;
- 391 m. 3,4-Methylenedioxyamphetamine;
- 392 n. N,N-dimethylamphetamine; or
- 393 o. 3,4,5-Trimethoxyamphetamine,

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395 individually or in any combination of or any mixture containing

396 any substance listed in sub-subparagraphs a.-o., commits a

397 felony of the first degree, which felony shall be known as

398 "trafficking in Phenethylamines," punishable as provided in s.

399 775.082, s. 775.083, or s. 775.084.

400 2. If the quantity involved:

401 a. Is 10 grams or more but less than 200 grams, such person

402 shall be sentenced to a mandatory minimum term of imprisonment

403 of 3 years, and the defendant shall be ordered to pay a fine of

404 \$50,000.

405 b. Is 200 grams or more, but less than 400 grams, such

406 person shall be sentenced to a mandatory minimum term of

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407 imprisonment of 7 years, and the defendant shall be ordered to
408 pay a fine of \$100,000.

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

412 3. Any person who knowingly manufactures or brings into
413 this state 30 kilograms or more of any of the following
414 substances described in s. 893.03(1)(c) ~~s. 893.03(1)(a) or (e)~~:

- 415 a. 3,4-Methylenedioxymethamphetamine (MDMA);
- 416 b. 4-Bromo-2,5-dimethoxyamphetamine;
- 417 c. 4-Bromo-2,5-dimethoxyphenethylamine;
- 418 d. 2,5-Dimethoxyamphetamine;
- 419 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 420 f. N-ethylamphetamine;
- 421 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 422 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 423 i. 4-methoxyamphetamine;
- 424 j. 4-methoxymethamphetamine;
- 425 k. 4-Methyl-2,5-dimethoxyamphetamine;
- 426 l. 3,4-Methylenedioxy-N-ethylamphetamine;
- 427 m. 3,4-Methylenedioxyamphetamine;
- 428 n. N,N-dimethylamphetamine; or
- 429 o. 3,4,5-Trimethoxyamphetamine,

430
431 individually or in any combination of or any mixture containing
432 any substance listed in sub-subparagraphs a.-o., and who knows
433 that the probable result of such manufacture or importation
434 would be the death of any person commits capital manufacture or
435 importation of Phenethylamines, a capital felony punishable as

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436 provided in ss. 775.082 and 921.142. Any person sentenced for a
437 capital felony under this paragraph shall also be sentenced to
438 pay the maximum fine provided under subparagraph 1.

439 Section 4. For the purpose of incorporating the amendment
440 made by this act to section 893.03, Florida Statutes, in a
441 reference thereto, subsections (1) through (6) of section
442 893.13, Florida Statutes, are reenacted to read:

443 893.13 Prohibited acts; penalties.—

444 (1) (a) Except as authorized by this chapter and chapter
445 499, it is unlawful for any person to sell, manufacture, or
446 deliver, or possess with intent to sell, manufacture, or
447 deliver, a controlled substance. Any person who violates this
448 provision with respect to:

449 1. A controlled substance named or described in s.
450 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.,
451 commits a felony of the second degree, punishable as provided in
452 s. 775.082, s. 775.083, or s. 775.084.

453 2. A controlled substance named or described in s.
454 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
455 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
456 the third degree, punishable as provided in s. 775.082, s.
457 775.083, or s. 775.084.

458 3. A controlled substance named or described in s.
459 893.03(5) commits a misdemeanor of the first degree, punishable
460 as provided in s. 775.082 or s. 775.083.

461 (b) Except as provided in this chapter, it is unlawful to
462 sell or deliver in excess of 10 grams of any substance named or
463 described in s. 893.03(1) (a) or (1) (b), or any combination
464 thereof, or any mixture containing any such substance. Any

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465 person who violates this paragraph commits a felony of the first
466 degree, punishable as provided in s. 775.082, s. 775.083, or s.
467 775.084.

468 (c) Except as authorized by this chapter, it is unlawful
469 for any person to sell, manufacture, or deliver, or possess with
470 intent to sell, manufacture, or deliver, a controlled substance
471 in, on, or within 1,000 feet of the real property comprising a
472 child care facility as defined in s. 402.302 or a public or
473 private elementary, middle, or secondary school between the
474 hours of 6 a.m. and 12 midnight, or at any time in, on, or
475 within 1,000 feet of real property comprising a state, county,
476 or municipal park, a community center, or a publicly owned
477 recreational facility. For the purposes of this paragraph, the
478 term "community center" means a facility operated by a nonprofit
479 community-based organization for the provision of recreational,
480 social, or educational services to the public. Any person who
481 violates this paragraph with respect to:

482 1. A controlled substance named or described in s.
483 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
484 commits a felony of the first degree, punishable as provided in
485 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
486 sentenced to a minimum term of imprisonment of 3 calendar years
487 unless the offense was committed within 1,000 feet of the real
488 property comprising a child care facility as defined in s.
489 402.302.

490 2. A controlled substance named or described in s.
491 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
492 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
493 the second degree, punishable as provided in s. 775.082, s.

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494 775.083, or s. 775.084.

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

499

500 This paragraph does not apply to a child care facility unless
501 the owner or operator of the facility posts a sign that is not
502 less than 2 square feet in size with a word legend identifying
503 the facility as a licensed child care facility and that is
504 posted on the property of the child care facility in a
505 conspicuous place where the sign is reasonably visible to the
506 public.

507 (d) Except as authorized by this chapter, it is unlawful
508 for any person to sell, manufacture, or deliver, or possess with
509 intent to sell, manufacture, or deliver, a controlled substance
510 in, on, or within 1,000 feet of the real property comprising a
511 public or private college, university, or other postsecondary
512 educational institution. Any person who violates this paragraph
513 with respect to:

514 1. A controlled substance named or described in s.
515 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
516 commits a felony of the first degree, punishable as provided in
517 s. 775.082, s. 775.083, or s. 775.084.

518 2. A controlled substance named or described in s.
519 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
520 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
521 the second degree, punishable as provided in s. 775.082, s.
522 775.083, or s. 775.084.

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

527 (e) Except as authorized by this chapter, it is unlawful
528 for any person to sell, manufacture, or deliver, or possess with
529 intent to sell, manufacture, or deliver, a controlled substance
530 not authorized by law in, on, or within 1,000 feet of a physical
531 place for worship at which a church or religious organization
532 regularly conducts religious services or within 1,000 feet of a
533 convenience business as defined in s. 812.171. Any person who
534 violates this paragraph with respect to:

535 1. A controlled substance named or described in s.
536 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
537 commits a felony of the first degree, punishable as provided in
538 s. 775.082, s. 775.083, or s. 775.084.

539 2. A controlled substance named or described in s.
540 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
541 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
542 the second degree, punishable as provided in s. 775.082, s.
543 775.083, or s. 775.084.

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

548 (f) Except as authorized by this chapter, it is unlawful
549 for any person to sell, manufacture, or deliver, or possess with
550 intent to sell, manufacture, or deliver, a controlled substance
551 in, on, or within 1,000 feet of the real property comprising a

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552 public housing facility at any time. For purposes of this
553 section, the term "real property comprising a public housing
554 facility" means real property, as defined in s. 421.03(12), of a
555 public corporation created as a housing authority pursuant to
556 part I of chapter 421. Any person who violates this paragraph
557 with respect to:

558 1. A controlled substance named or described in s.
559 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
560 commits a felony of the first degree, punishable as provided in
561 s. 775.082, s. 775.083, or s. 775.084.

562 2. A controlled substance named or described in s.
563 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
564 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
565 the second degree, punishable as provided in s. 775.082, s.
566 775.083, or s. 775.084.

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

571 (g) Except as authorized by this chapter, it is unlawful
572 for any person to manufacture methamphetamine or phencyclidine,
573 or possess any listed chemical as defined in s. 893.033 in
574 violation of s. 893.149 and with intent to manufacture
575 methamphetamine or phencyclidine. If any person violates this
576 paragraph and:

577 1. The commission or attempted commission of the crime
578 occurs in a structure or conveyance where any child under 16
579 years of age is present, the person commits a felony of the
580 first degree, punishable as provided in s. 775.082, s. 775.083,

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581 or s. 775.084. In addition, the defendant must be sentenced to a
582 minimum term of imprisonment of 5 calendar years.

583 2. The commission of the crime causes any child under 16
584 years of age to suffer great bodily harm, the person commits a
585 felony of the first degree, punishable as provided in s.
586 775.082, s. 775.083, or s. 775.084. In addition, the defendant
587 must be sentenced to a minimum term of imprisonment of 10
588 calendar years.

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

595 1. A controlled substance named or described in s.
596 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
597 commits a felony of the first degree, punishable as provided in
598 s. 775.082, s. 775.083, or s. 775.084.

599 2. A controlled substance named or described in s.
600 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
601 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
602 the second degree, punishable as provided in s. 775.082, s.
603 775.083, or s. 775.084.

604 (2)(a) Except as authorized by this chapter and chapter
605 499, it is unlawful for any person to purchase, or possess with
606 intent to purchase, a controlled substance. Any person who
607 violates this provision with respect to:

608 1. A controlled substance named or described in s.
609 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,

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610 commits a felony of the second degree, punishable as provided in
611 s. 775.082, s. 775.083, or s. 775.084.

612 2. A controlled substance named or described in s.
613 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
614 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
615 the third degree, punishable as provided in s. 775.082, s.
616 775.083, or s. 775.084.

617 3. A controlled substance named or described in s.
618 893.03(5) commits a misdemeanor of the first degree, punishable
619 as provided in s. 775.082 or s. 775.083.

620 (b) Except as provided in this chapter, it is unlawful to
621 purchase in excess of 10 grams of any substance named or
622 described in s. 893.03(1)(a) or (1)(b), or any combination
623 thereof, or any mixture containing any such substance. Any
624 person who violates this paragraph commits a felony of the first
625 degree, punishable as provided in s. 775.082, s. 775.083, or s.
626 775.084.

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

634 (4) Except as authorized by this chapter, it is unlawful
635 for any person 18 years of age or older to deliver any
636 controlled substance to a person under the age of 18 years, or
637 to use or hire a person under the age of 18 years as an agent or
638 employee in the sale or delivery of such a substance, or to use

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639 such person to assist in avoiding detection or apprehension for
640 a violation of this chapter. Any person who violates this
641 provision with respect to:

642 (a) A controlled substance named or described in s.
643 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
644 commits a felony of the first degree, punishable as provided in
645 s. 775.082, s. 775.083, or s. 775.084.

646 (b) A controlled substance named or described in s.
647 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
648 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
649 the second degree, punishable as provided in s. 775.082, s.
650 775.083, or s. 775.084.

651
652 Imposition of sentence may not be suspended or deferred, nor
653 shall the person so convicted be placed on probation.

654 (5) It is unlawful for any person to bring into this state
655 any controlled substance unless the possession of such
656 controlled substance is authorized by this chapter or unless
657 such person is licensed to do so by the appropriate federal
658 agency. Any person who violates this provision with respect to:

659 (a) A controlled substance named or described in s.
660 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
661 commits a felony of the second degree, punishable as provided in
662 s. 775.082, s. 775.083, or s. 775.084.

663 (b) A controlled substance named or described in s.
664 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
665 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
666 the third degree, punishable as provided in s. 775.082, s.
667 775.083, or s. 775.084.

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668 (c) A controlled substance named or described in s.
669 893.03(5) commits a misdemeanor of the first degree, punishable
670 as provided in s. 775.082 or s. 775.083.

671 (6) (a) It is unlawful for any person to be in actual or
672 constructive possession of a controlled substance unless such
673 controlled substance was lawfully obtained from a practitioner
674 or pursuant to a valid prescription or order of a practitioner
675 while acting in the course of his or her professional practice
676 or to be in actual or constructive possession of a controlled
677 substance except as otherwise authorized by this chapter. Any
678 person who violates this provision commits a felony of the third
679 degree, punishable as provided in s. 775.082, s. 775.083, or s.
680 775.084.

681 (b) If the offense is the possession of not more than 20
682 grams of cannabis, as defined in this chapter, or 3 grams or
683 less of a controlled substance described in s. 893.03(1)(c)46.-
684 50. and 114.-142., the person commits a misdemeanor of the first
685 degree, punishable as provided in s. 775.082 or s. 775.083. For
686 the purposes of this subsection, "cannabis" does not include the
687 resin extracted from the plants of the genus *Cannabis*, or any
688 compound manufacture, salt, derivative, mixture, or preparation
689 of such resin, and a controlled substance described in s.
690 893.03(1)(c)46.-50. and 114.-142. does not include the substance
691 in a powdered form.

692 (c) Except as provided in this chapter, it is unlawful to
693 possess in excess of 10 grams of any substance named or
694 described in s. 893.03(1)(a) or (1)(b), or any combination
695 thereof, or any mixture containing any such substance. Any
696 person who violates this paragraph commits a felony of the first

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697 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 698 775.084.

699 (d) Notwithstanding any provision to the contrary of the
 700 laws of this state relating to arrest, a law enforcement officer
 701 may arrest without warrant any person who the officer has
 702 probable cause to believe is violating the provisions of this
 703 chapter relating to possession of cannabis.

704 Section 5. For the purpose of incorporating the amendment
 705 made by this act to section 893.03, Florida Statutes, in a
 706 reference thereto, paragraphs (b), (c), (d), and (e) of
 707 subsection (3) of section 921.0022, Florida Statutes, are
 708 reenacted to read:

709 921.0022 Criminal Punishment Code; offense severity ranking
 710 chart.—

711 (3) OFFENSE SEVERITY RANKING CHART

712 (b) LEVEL 2

713

Florida	Felony	
Statute	Degree	Description

714

379.2431	3rd	Possession of 11 or fewer marine turtle
(1) (e) 3.		eggs in violation of the Marine Turtle
		Protection Act.

715

379.2431	3rd	Possession of more than 11 marine turtle
(1) (e) 4.		eggs in violation of the Marine Turtle
		Protection Act.

716

403.413 (5) (c)	3rd	Dumps waste litter exceeding 500 lbs. in
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weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.

717

517.07(2) 3rd Failure to furnish a prospectus meeting requirements.

718

590.28(1) 3rd Intentional burning of lands.

719

784.05(3) 3rd Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

720

787.04(1) 3rd In violation of court order, take, entice, etc., minor beyond state limits.

721

806.13(1)(b)3. 3rd Criminal mischief; damage \$1,000 or more to public communication or any other public service.

722

810.061(2) 3rd Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

723

810.09(2)(e) 3rd Trespassing on posted commercial horticulture property.

724

812.014(2)(c)1. 3rd Grand theft, 3rd degree; \$300 or more but less than \$5,000.

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- 812.014 (2) (d) 3rd Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
- 812.015 (7) 3rd Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
- 817.234 (1) (a) 2. 3rd False statement in support of insurance claim.
- 817.481 (3) (a) 3rd Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
- 817.52 (3) 3rd Failure to redeliver hired vehicle.
- 817.54 3rd With intent to defraud, obtain mortgage note, etc., by false representation.
- 817.60 (5) 3rd Dealing in credit cards of another.
- 817.60 (6) (a) 3rd Forgery; purchase goods, services with false card.
- 817.61 3rd Fraudulent use of credit cards over \$100 or more within 6 months.

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735	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
736	831.01	3rd	Forgery.
737	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
738	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
739	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
740	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
741	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
742	832.05(3)(a)	3rd	Cashing or depositing item with intent to defraud.
743	843.08	3rd	Falsely impersonating an officer.
	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.,

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(3), or (4) drugs other than cannabis.

744

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

745

746 (c) LEVEL 3

747

Florida	Felony	
Statute	Degree	Description

748

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

749

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

750

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

751

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

752

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

753

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

754

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755	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
756	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
757	327.35(2)(b)	3rd	Felony BUI.
758	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
759	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
760	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
761	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, 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.
	379.2431 (1)(e)6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle

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Protection Act.

762

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

763

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

764

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

765

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

766

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

767

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

768

697.08 3rd Equity skimming.

769

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

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771	796.05(1)	3rd	Live on earnings of a prostitute.
772	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
773	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
774	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
775	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
776	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
777	815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
778	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
779	817.233	3rd	Burning to defraud insurer.

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780	817.234 (8) (b) - (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
781	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
782	817.236	3rd	Filing a false motor vehicle insurance application.
783	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
784	817.413 (2)	3rd	Sale of used goods as new.
785	817.505 (4)	3rd	Patient brokering.
786	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
787	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
788	831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.

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838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
843.19	3rd	Injure, disable, or kill police dog or horse.
860.15(3)	3rd	Overcharging for repairs and parts.
870.01(2)	3rd	Riot; inciting or encouraging.
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).
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.
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.

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796

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

797

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

798

893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

799

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

800

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

801

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.

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

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animal in obtaining a controlled substance.

802

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

803

893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

804

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

805

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

806

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

807

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

808

809

(d) LEVEL 4

810

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	Florida Statute	Felony Degree	Description
811	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.
812	499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
813	499.0051(2)	3rd	Failure to authenticate pedigree papers.
814	499.0051(6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
815	517.07(1)	3rd	Failure to register securities.
816	517.12(1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
817	784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, etc.
818	784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
819			

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820	784.075	3rd	Battery on detention or commitment facility staff.
821	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
822	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
823	784.081 (3)	3rd	Battery on specified official or employee.
824	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
825	784.083 (3)	3rd	Battery on code inspector.
826	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
827	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
828	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

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829	787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
830	787.07	3rd	Human smuggling.
831	790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
832	790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
833	790.115(2)(c)	3rd	Possessing firearm on school property.
834	800.04(7)(c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
835	810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
836	810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
837	810.06	3rd	Burglary; possession of tools.

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838	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
839	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
840	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
841	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
842	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
843	817.568(2)(a)	3rd	Fraudulent use of personal identification information.
844	817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
845	828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
846	837.02(1)	3rd	Perjury in official proceedings.
	837.021(1)	3rd	Make contradictory statements in

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			official proceedings.
847			
	838.022	3rd	Official misconduct.
848			
	839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
849			
	839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
850			
	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
851			
	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
852			
	843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
853			
	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
854			
	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
855			
	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a),

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(2) (b), or (2) (c)4. drugs).

856

914.14 (2) 3rd Witnesses accepting bribes.

857

914.22 (1) 3rd Force, threaten, etc., witness, victim, or informant.

858

914.23 (2) 3rd Retaliation against a witness, victim, or informant, no bodily injury.

859

918.12 3rd Tampering with jurors.

860

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

861

862 (e) LEVEL 5

863

Florida	Felony	
Statute	Degree	Description

864

316.027 (1) (a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
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865

316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
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866

322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
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868

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

869

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

870

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

871

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

872

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

873

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

874

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

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

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\$100,000.

875

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

876

790.01 (2) 3rd Carrying a concealed firearm.

877

790.162 2nd Threat to throw or discharge
destructive device.

878

790.163 (1) 2nd False report of deadly explosive or
weapon of mass destruction.

879

790.221 (1) 2nd Possession of short-barreled shotgun or
machine gun.

880

790.23 2nd Felons in possession of firearms,
ammunition, or electronic weapons or
devices.

881

800.04 (6) (c) 3rd Lewd or lascivious conduct; offender
less than 18 years.

882

800.04 (7) (b) 2nd Lewd or lascivious exhibition; offender
18 years or older.

883

806.111 (1) 3rd Possess, manufacture, or dispense fire
bomb with intent to damage any
structure or property.

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- 812.0145(2)(b) 2nd Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
- 812.015(8) 3rd Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
- 812.019(1) 2nd Stolen property; dealing in or trafficking in.
- 812.131(2)(b) 3rd Robbery by sudden snatching.
- 812.16(2) 3rd Owning, operating, or conducting a chop shop.
- 817.034(4)(a)2. 2nd Communications fraud, value \$20,000 to \$50,000.
- 817.234(11)(b) 2nd Insurance fraud; property value \$20,000 or more but less than \$100,000.
- 817.2341(1),
 (2)(a) & (3)(a) 3rd Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.

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- 893
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.
- 894
817.625 (2) (b)
2nd

 Second or subsequent fraudulent use of
 scanning device or reencoder.
- 895
825.1025 (4)
3rd

 Lewd or lascivious exhibition in the
 presence of an elderly person or
 disabled adult.
- 896
827.071 (4)
2nd

 Possess with intent to promote any
 photographic material, motion picture,
 etc., which includes sexual conduct by
 a child.
- 897
827.071 (5)
3rd

 Possess, control, or intentionally view
 any photographic material, motion
 picture, etc., which includes sexual
 conduct by a child.
- 898
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.

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899

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

900

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

901

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

902

847.0138 3rd Transmission of material harmful to
(2) & (3) minors to a minor by electronic device
or equipment.

903

874.05(2) 2nd Encouraging or recruiting another to
join a criminal gang; second or
subsequent offense.

904

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).

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

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owned recreational facility or
community center.

905

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.

906

893.13(1)(e)2. 2nd Sell, manufacture, or deliver cannabis
or other drug prohibited under 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) within
1,000 feet of property used for
religious services or a specified
business site.

907

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.

908

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).

909

893.1351(1) 3rd Ownership, lease, or rental for

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trafficking in or manufacturing of
controlled substance.

910

911

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