

By the Committee on Criminal Justice; and Senator Bradley

591-02084-14

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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 I
4 controlled substances specified materials, compounds,
5 mixtures, or preparations that contain hallucinogenic
6 substances, or any of their salts, isomers, and salts
7 of isomers, if the existence of such salts, isomers,
8 and salts of isomers is possible within the specific
9 chemical designation; reenacting and amending s.
10 893.13(1)-(6), F.S., relating to prohibited acts and
11 penalties involving controlled substances, to
12 incorporate the amendment made to s. 893.03, F.S., in
13 a reference thereto; providing reduced penalties for
14 possession of 3 grams or less of specified controlled
15 substances; amending s. 893.135, F.S.; providing that
16 a person who knowingly sells, purchases, manufactures,
17 delivers, or brings into this state specified
18 quantities of 3,4-Methylenedioxymethcathinone, 3,4-
19 Methylenedioxypropylvalerone (MDPV), or
20 Methylmethcathinone, or who is knowingly in actual or
21 constructive possession of specified quantities of
22 3,4-Methylenedioxymethcathinone, 3,4-
23 Methylenedioxypropylvalerone (MDPV), or
24 Methylmethcathinone, commits the offense of
25 trafficking in Phenethylamines, a felony of the first
26 degree; providing that a person who knowingly sells,
27 purchases, manufactures, delivers, or brings into this
28 state specified quantities of 3,4-
29 Methylenedioxymethcathinone, 3,4-

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30 Methylenedioxypropylamphetamine (MDPV), or
31 Methylmethcathinone, or who is knowingly in actual or
32 constructive possession of specified quantities of
33 3,4-Methylenedioxypropylamphetamine, 3,4-
34 Methylenedioxypropylamphetamine (MDPV), or
35 Methylmethcathinone, commits the offense of capital
36 manufacture or importation of Phenethylamines, a
37 capital felony; providing criminal penalties;
38 reenacting s. 921.0022(3)(b), (c), (e), and (g)-(i),
39 F.S., relating to the Criminal Punishment Code, to
40 incorporate the amendment made to ss. 893.03 and
41 893.135, F.S., in a reference thereto; providing an
42 effective date.

43

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

45

46 Section 1. Paragraph (c) of subsection (1) of section
47 893.03, Florida Statutes, is amended to read:

48 893.03 Standards and schedules.—The substances enumerated
49 in this section are controlled by this chapter. The controlled
50 substances listed or to be listed in Schedules I, II, III, IV,
51 and V are included by whatever official, common, usual,
52 chemical, or trade name designated. The provisions of this
53 section shall not be construed to include within any of the
54 schedules contained in this section any excluded drugs listed
55 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
56 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
57 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
58 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt

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59 Anabolic Steroid Products.”

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

65 (c) Unless specifically excepted or unless listed in
66 another schedule, any material, compound, mixture, or
67 preparation that contains any quantity of the following
68 hallucinogenic substances or that contains any of their salts,
69 isomers, including optical, positional, or geometric isomers,
70 and salts of isomers, if the existence of such salts, isomers,
71 and salts of isomers is possible within the specific chemical
72 designation:

- 73 1. Alpha-ethyltryptamine.
- 74 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
75 methylaminorex).
- 76 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 77 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 78 5. 4-Bromo-2,5-dimethoxyphenethylamine.
- 79 6. Bufotenine.
- 80 7. Cannabis.
- 81 8. Cathinone.
- 82 9. Diethyltryptamine.
- 83 10. 2,5-Dimethoxyamphetamine.
- 84 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 85 12. Dimethyltryptamine.
- 86 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
87 analog of phencyclidine).

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- 88 14. N-Ethyl-3-piperidyl benzilate.
89 15. N-ethylamphetamine.
90 16. Fenethylamine.
91 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
92 18. Ibogaine.
93 19. Lysergic acid diethylamide (LSD).
94 20. Mescaline.
95 21. Methcathinone.
96 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
97 23. 4-methoxyamphetamine.
98 24. 4-methoxymethamphetamine.
99 25. 4-Methyl-2,5-dimethoxyamphetamine.
100 26. 3,4-Methylenedioxy-N-ethylamphetamine.
101 27. 3,4-Methylenedioxyamphetamine.
102 28. N-Methyl-3-piperidyl benzilate.
103 29. N,N-dimethylamphetamine.
104 30. Parahexyl.
105 31. Peyote.
106 32. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine
107 analog of phencyclidine).
108 33. Psilocybin.
109 34. Psilocyn.
110 35. *Salvia divinorum*, except for any drug product approved
111 by the United States Food and Drug Administration which contains
112 *Salvia divinorum* or its isomers, esters, ethers, salts, and
113 salts of isomers, esters, and ethers, if the existence of such
114 isomers, esters, ethers, and salts is possible within the
115 specific chemical designation.
116 36. Salvinorin A, except for any drug product approved by

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117 the United States Food and Drug Administration which contains
118 Salvinorin A or its isomers, esters, ethers, salts, and salts of
119 isomers, esters, and ethers, if the existence of such isomers,
120 esters, ethers, and salts is possible within the specific
121 chemical designation.

122 37. Tetrahydrocannabinols.

123 38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
124 (Thiophene analog of phencyclidine).

125 39. 3,4,5-Trimethoxyamphetamine.

126 40. 3,4-Methylenedioxy methcathinone.

127 41. 3,4-Methylenedioxy pyrovalerone (MDPV).

128 42. Methylmethcathinone.

129 43. Methoxymethcathinone.

130 44. Fluoromethcathinone.

131 45. Methylethcathinone.

132 46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
133 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
134 homologue.

135 47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
136 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
137 also known as HU-210.

138 48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.

139 49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.

140 50. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole, also
141 known as JWH-200.

142 51. BZP (Benzylpiperazine).

143 52. Fluorophenylpiperazine.

144 53. Methylphenylpiperazine.

145 54. Chlorophenylpiperazine.

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- 146 55. Methoxyphenylpiperazine.
147 56. DBZP (1,4-dibenzylpiperazine).
148 57. TFMPP (3-Trifluoromethylphenylpiperazine).
149 58. MBDB (Methylbenzodioxolylbutanamine).
150 59. 5-Hydroxy-alpha-methyltryptamine.
151 60. 5-Hydroxy-N-methyltryptamine.
152 61. 5-Methoxy-N-methyl-N-isopropyltryptamine.
153 62. 5-Methoxy-alpha-methyltryptamine.
154 63. Methyltryptamine.
155 64. 5-Methoxy-N,N-dimethyltryptamine.
156 65. 5-Methyl-N,N-dimethyltryptamine.
157 66. Tyramine (4-Hydroxyphenethylamine).
158 67. 5-Methoxy-N,N-Diisopropyltryptamine.
159 68. DiPT (N,N-Diisopropyltryptamine).
160 69. DPT (N,N-Dipropyltryptamine).
161 70. 4-Hydroxy-N,N-diisopropyltryptamine.
162 71. N,N-Diallyl-5-Methoxytryptamine.
163 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
164 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
165 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
166 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
167 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
168 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
169 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
170 79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).
171 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
172 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).
173 82. Ethcathinone.
174 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).

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- 175 84. Naphyrone (naphthylpyrovalerone).
- 176 85. N-N-Dimethyl-3,4-methylenedioxcathinone.
- 177 86. N-N-Diethyl-3,4-methylenedioxcathinone.
- 178 87. 3,4-methylenedioxy-propiofenone.
- 179 88. 2-Bromo-3,4-Methylenedioxypropiofenone.
- 180 89. 3,4-methylenedioxy-propiofenone-2-oxime.
- 181 90. N-Acetyl-3,4-methylenedioxcathinone.
- 182 91. N-Acetyl-N-Methyl-3,4-Methylenedioxcathinone.
- 183 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxcathinone.
- 184 93. Bromomethcathinone.
- 185 94. Buphedrone (alpha-methylamino-butyrophenone).
- 186 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 187 96. Dimethylcathinone.
- 188 97. Dimethylmethcathinone.
- 189 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
- 190 99. (MDPPP) 3,4-Methylenedioxy-alpha-
- 191 pyrrolidinopropiofenone.
- 192 100. (MDPBP) 3,4-Methylenedioxy-alpha-
- 193 pyrrolidinobutiophenone.
- 194 101. Methoxy-alpha-pyrrolidinopropiofenone (MOPPP).
- 195 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 196 103. Benocyclidine (BCP) or
- 197 benzothiophenylcyclohexylpiperidine (BTCP).
- 198 104. Fluoromethylaminobutyrophenone (F-MABP).
- 199 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 200 106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 201 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
- 202 108. Methylethylaminobutyrophenone (Me-EABP).
- 203 109. Methylamino-butyrophenone (MABP).

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- 204 110. Pyrrolidinopropiophenone (PPP).
205 111. Pyrrolidinobutiophenone (PBP).
206 112. Pyrrolidinovalerophenone (PVP).
207 113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
208 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
209 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
210 naphthalenylmethanone).
211 116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
212 yl)methanone).
213 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
214 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
215 yl)methanone).
216 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-
217 yl)methanone).
218 120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
219 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-
220 tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
221 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
222 indole).
223 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).
224 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-
225 yl)ethanone).
226 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
227 yl)methanone).
228 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
229 yl)ethanone).
230 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-
231 yl)ethanone).
232 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).

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- 233 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
- 234 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 235 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 236 ol).
- 237 131. HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-
- 238 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
- 239 methanol).
- 240 132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 241 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 242 1,4-dione).
- 243 133. CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
- 244 yl)methanone).
- 245 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
- 246 undecanamide).
- 247 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
- 248 undecanamide).
- 249 136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
- 250 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).
- 251 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-2-
- 252 iodophenyl)methanone).
- 253 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
- 254 (naphthalen-1-yl)methanone).
- 255 139. RCS-4 ((4-methoxyphenyl)(1-pentyl-1H-indol-3-
- 256 yl)methanone).
- 257 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-
- 258 methoxyphenylethanone).
- 259 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
- 260 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
- 261 naphthalenyl)methanone).

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- 262 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
263 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
264 naphthalenylmethanone).
- 265 143. Pentedrone (2-(methylamino)-1-phenyl-1-pentanone).
- 266 144. Fluoroamphetamine.
- 267 145. Fluoromethamphetamine.
- 268 146. Methoxetamine.
- 269 147. Methiopropamine.
- 270 148. 4-Methylbuphedrone (2-Methylamino-1-(4-
271 methylphenyl)butan-1-one).
- 272 149. APB ((2-aminopropyl)benzofuran).
- 273 150. APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).
- 274 151. UR-144 ((1-pentyl-1H-indol-3-yl)(2,2,3,3-
275 tetramethylcyclopropyl)methanone).
- 276 152. XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-
277 tetramethylcyclopropyl)methanone).
- 278 153. (1-(5-chloropentyl)-1H-indol-3-yl)(2,2,3,3-
279 tetramethylcyclopropyl)methanone.
- 280 154. AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-
281 indazole-3-carboxamide).
- 282 155. AM-2233((2-iodophenyl)[1-[(1-methyl-2-
283 piperidinyl)methyl]-1H-indol-3-yl]-methanone).
- 284 156. STS-135 (1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-
285 1-yl-1H-indole-3-carboxamide).
- 286 157. URB-597 ((3'-(aminocarbonyl)[1,1'-biphenyl]-3-yl)-
287 cyclohexylcarbamate).
- 288 158. URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
289 cyclohexyl ester).
- 290 159. URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-

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291 benzoxazin-4-one).

292 160. 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).

293 161. 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).

294 162. 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).

295 163. 2C-P (2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).

296 164. 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-

297 methoxyphenyl)methyl]-benzeneethanamine).

298 165. 3,4-Methylenedioxymethamphetamine (MDMA).

299 166. PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-

300 carboxylic acid).

301 167. 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-fluoropentyl)-

302 1H-indole-3-carboxylic acid).

303 168. BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-1H-

304 indole-3-carboxylic acid).

305 169. 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-(5-

306 fluoropentyl)-1H-indazole-3-carboxamide).

307 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

308 pentyl-1H-indazole-3-carboxamide).

309 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

310 (4-fluorobenzyl)-1H-indazole-3-carboxamide).

311 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-

312 1-pentyl-1H-indazole-3-carboxamide).

313 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

314 yl)-1-(fluoropentyl)-1H-indole-3-carboxamide).

315 174. 25B-NBOMe (4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)

316 methyl]-benzeneethanamine).

317 175. 2C-C-NBOMe (4-chloro-2,5-dimethoxy-N-[(2-

318 methoxyphenyl)methyl]-benzeneethanamine).

319 Section 2. For the purpose of incorporating the amendment

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320 made by this act to section 893.03, Florida Statutes, in
321 reference thereto, subsections (1) through (6) of section
322 893.13, Florida Statutes, are reenacted and amended to read:

323 893.13 Prohibited acts; penalties.—

324 (1) (a) Except as authorized by this chapter and chapter
325 499, a ~~it is unlawful for any person~~ may not ~~to~~ sell,
326 manufacture, or deliver, or possess with intent to sell,
327 manufacture, or deliver, a controlled substance. A ~~Any~~ person
328 who violates this provision with respect to:

329 1. A controlled substance named or described in s.
330 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. ~~7~~
331 commits a felony of the second degree, punishable as provided in
332 s. 775.082, s. 775.083, or s. 775.084.

333 2. A controlled substance named or described in s.
334 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
335 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
336 the third degree, punishable as provided in s. 775.082, s.
337 775.083, or s. 775.084.

338 3. A controlled substance named or described in s.
339 893.03(5) commits a misdemeanor of the first degree, punishable
340 as provided in s. 775.082 or s. 775.083.

341 (b) Except as provided in this chapter, a person may not ~~it~~
342 ~~is unlawful to~~ sell or deliver in excess of 10 grams of any
343 substance named or described in s. 893.03(1) (a) or (1) (b), or
344 any combination thereof, or any mixture containing any such
345 substance. A ~~Any~~ person who violates this paragraph commits a
346 felony of the first degree, punishable as provided in s.
347 775.082, s. 775.083, or s. 775.084.

348 (c) Except as authorized by this chapter, a ~~it is unlawful~~

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349 ~~for any person~~ may not ~~to~~ sell, manufacture, or deliver, or
350 possess with intent to sell, manufacture, or deliver, a
351 controlled substance in, on, or within 1,000 feet of the real
352 property comprising a child care facility as defined in s.
353 402.302 or a public or private elementary, middle, or secondary
354 school between the hours of 6 a.m. and 12 midnight, or at any
355 time in, on, or within 1,000 feet of real property comprising a
356 state, county, or municipal park, a community center, or a
357 publicly owned recreational facility. As used in ~~For the~~
358 ~~purposes of~~ this paragraph, the term "community center" means a
359 facility operated by a nonprofit community-based organization
360 for the provision of recreational, social, or educational
361 services to the public. A ~~Any~~ person who violates this paragraph
362 with respect to:

363 1. A controlled substance named or described in s.
364 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. ~~7~~
365 commits a felony of the first degree, punishable as provided in
366 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
367 sentenced to a minimum term of imprisonment of 3 calendar years
368 unless the offense was committed within 1,000 feet of the real
369 property comprising a child care facility as defined in s.
370 402.302.

371 2. A controlled substance named or described in s.
372 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
373 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
374 the second degree, punishable as provided in s. 775.082, s.
375 775.083, or s. 775.084.

376 3. Any other controlled substance, except as lawfully sold,
377 manufactured, or delivered, must be sentenced to pay a \$500 fine

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378 and to serve 100 hours of public service in addition to any
379 other penalty prescribed by law.

380

381 This paragraph does not apply to a child care facility unless
382 the owner or operator of the facility posts a sign that is not
383 less than 2 square feet in size with a word legend identifying
384 the facility as a licensed child care facility and that is
385 posted on the property of the child care facility in a
386 conspicuous place where the sign is reasonably visible to the
387 public.

388 (d) Except as authorized by this chapter, a ~~it is unlawful~~
389 ~~for any~~ person may not ~~to~~ sell, manufacture, or deliver, or
390 possess with intent to sell, manufacture, or deliver, a
391 controlled substance in, on, or within 1,000 feet of the real
392 property comprising a public or private college, university, or
393 other postsecondary educational institution. A ~~Any~~ person who
394 violates this paragraph with respect to:

395 1. A controlled substance named or described in s.
396 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.~~7~~
397 commits a felony of the first degree, punishable as provided in
398 s. 775.082, s. 775.083, or s. 775.084.

399 2. A controlled substance named or described in s.
400 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
401 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
402 the second degree, punishable as provided in s. 775.082, s.
403 775.083, or s. 775.084.

404 3. Any other controlled substance, except as lawfully sold,
405 manufactured, or delivered, must be sentenced to pay a \$500 fine
406 and to serve 100 hours of public service in addition to any

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407 other penalty prescribed by law.

408 (e) Except as authorized by this chapter, a ~~it is unlawful~~
409 ~~for any person may not to~~ sell, manufacture, or deliver, or
410 possess with intent to sell, manufacture, or deliver, a
411 controlled substance not authorized by law in, on, or within
412 1,000 feet of a physical place for worship at which a church or
413 religious organization regularly conducts religious services or
414 within 1,000 feet of a convenience business as defined in s.
415 812.171. A ~~Any~~ person who violates this paragraph with respect
416 to:

417 1. A controlled substance named or described in s.
418 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. ~~7~~
419 commits a felony of the first degree, punishable as provided in
420 s. 775.082, s. 775.083, or s. 775.084.

421 2. A controlled substance named or described in s.
422 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
423 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
424 the second degree, punishable as provided in s. 775.082, s.
425 775.083, or s. 775.084.

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

430 (f) Except as authorized by this chapter, a ~~it is unlawful~~
431 ~~for any person may not to~~ sell, manufacture, or deliver, or
432 possess with intent to sell, manufacture, or deliver, a
433 controlled substance in, on, or within 1,000 feet of the real
434 property comprising a public housing facility at any time. As
435 used in ~~For purposes of~~ this section, the term "real property

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436 comprising a public housing facility" means real property, as
437 defined in s. 421.03(12), of a public corporation created as a
438 housing authority pursuant to part I of chapter 421. A ~~Any~~
439 person who violates this paragraph with respect to:

440 1. A controlled substance named or described in s.
441 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.~~7~~
442 commits a felony of the first degree, punishable as provided in
443 s. 775.082, s. 775.083, or s. 775.084.

444 2. A controlled substance named or described in s.
445 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
446 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
447 the second degree, punishable as provided in s. 775.082, s.
448 775.083, or s. 775.084.

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

453 (g) Except as authorized by this chapter, a ~~it is unlawful~~
454 ~~for any person~~ may not ~~to~~ manufacture methamphetamine or
455 phencyclidine, or possess any listed chemical as defined in s.
456 893.033 in violation of s. 893.149 and with intent to
457 manufacture methamphetamine or phencyclidine. If a ~~any~~ person
458 violates this paragraph and:

459 1. The commission or attempted commission of the crime
460 occurs in a structure or conveyance where any child younger than
461 ~~under~~ 16 years of age is present, the person commits a felony of
462 the first degree, punishable as provided in s. 775.082, s.
463 775.083, or s. 775.084. In addition, the defendant must be
464 sentenced to a minimum term of imprisonment of 5 calendar years.

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465 2. The commission of the crime causes any child younger
466 than ~~under~~ 16 years of age to suffer great bodily harm, the
467 person commits a felony of the first degree, punishable as
468 provided in s. 775.082, s. 775.083, or s. 775.084. In addition,
469 the defendant must be sentenced to a minimum term of
470 imprisonment of 10 calendar years.

471 (h) Except as authorized by this chapter, ~~a it is unlawful~~
472 ~~for any person~~ may not ~~to~~ sell, manufacture, or deliver, or
473 possess with intent to sell, manufacture, or deliver, a
474 controlled substance in, on, or within 1,000 feet of the real
475 property comprising an assisted living facility, as that term is
476 used in chapter 429. A ~~Any~~ person who violates this paragraph
477 with respect to:

478 1. A controlled substance named or described in s.
479 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
480 commits a felony of the first degree, punishable as provided in
481 s. 775.082, s. 775.083, or s. 775.084.

482 2. A controlled substance named or described in s.
483 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
484 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
485 the second degree, punishable as provided in s. 775.082, s.
486 775.083, or s. 775.084.

487 (2)(a) Except as authorized by this chapter and chapter
488 499, ~~a it is unlawful for any person~~ may not ~~to~~ purchase, or
489 possess with intent to purchase, a controlled substance. A ~~Any~~
490 person who violates this provision with respect to:

491 1. A controlled substance named or described in s.
492 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.~~7~~
493 commits a felony of the second degree, punishable as provided in

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494 s. 775.082, s. 775.083, or s. 775.084.

495 2. A controlled substance named or described in s.
496 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
497 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
498 the third degree, punishable as provided in s. 775.082, s.
499 775.083, or s. 775.084.

500 3. A controlled substance named or described in s.
501 893.03(5) commits a misdemeanor of the first degree, punishable
502 as provided in s. 775.082 or s. 775.083.

503 (b) Except as provided in this chapter, a person may not ~~it~~
504 ~~is unlawful to~~ purchase more than ~~in excess of~~ 10 grams of any
505 substance named or described in s. 893.03(1)(a) or (1)(b), or
506 any combination thereof, or any mixture containing any such
507 substance. A ~~Any~~ person who violates this paragraph commits a
508 felony of the first degree, punishable as provided in s.
509 775.082, s. 775.083, or s. 775.084.

510 (3) A ~~Any~~ person who delivers, without consideration, ~~not~~
511 ~~more than~~ 20 grams or less of cannabis, as defined in this
512 chapter, commits a misdemeanor of the first degree, punishable
513 as provided in s. 775.082 or s. 775.083. As used in ~~For the~~
514 ~~purposes of~~ this paragraph, the term "cannabis" does not include
515 the resin extracted from the plants of the genus *Cannabis* or any
516 compound manufacture, salt, derivative, mixture, or preparation
517 of such resin.

518 (4) Except as authorized by this chapter, a ~~it is unlawful~~
519 ~~for any~~ person 18 years of age or older may not ~~to~~ deliver any
520 controlled substance to a person younger than ~~under the age of~~
521 18 years of age, ~~or to~~ use or hire a person younger than ~~under~~
522 ~~the age of~~ 18 years of age as an agent or employee in the sale

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523 or delivery of such a substance, or ~~to~~ use such person to assist
524 in avoiding detection or apprehension for a violation of this
525 chapter. A ~~Any~~ person who violates this provision with respect
526 to:

527 (a) A controlled substance named or described in s.
528 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.~~7~~
529 commits a felony of the first degree, punishable as provided in
530 s. 775.082, s. 775.083, or s. 775.084.

531 (b) A controlled substance named or described in s.
532 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
533 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
534 the second degree, punishable as provided in s. 775.082, s.
535 775.083, or s. 775.084.

536
537 Imposition of sentence may not be suspended or deferred, and ~~nor~~
538 ~~shall~~ the person so convicted may not be placed on probation.

539 (5) ~~A It is unlawful for any person~~ may not ~~to~~ bring into
540 this state any controlled substance unless the possession of
541 such controlled substance is authorized by this chapter or
542 unless such person is licensed to do so by the appropriate
543 federal agency. A ~~Any~~ person who violates this provision with
544 respect to:

545 (a) A controlled substance named or described in s.
546 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.~~7~~
547 commits a felony of the second degree, punishable as provided in
548 s. 775.082, s. 775.083, or s. 775.084.

549 (b) A controlled substance named or described in s.
550 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
551 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of

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552 the third degree, punishable as provided in s. 775.082, s.
553 775.083, or s. 775.084.

554 (c) A controlled substance named or described in s.
555 893.03(5) commits a misdemeanor of the first degree, punishable
556 as provided in s. 775.082 or s. 775.083.

557 (6) (a) A ~~It is unlawful for any person~~ may not ~~to~~ be in
558 actual or constructive possession of a controlled substance
559 unless such controlled substance was lawfully obtained from a
560 practitioner or pursuant to a valid prescription or order of a
561 practitioner while acting in the course of his or her
562 professional practice or to be in actual or constructive
563 possession of a controlled substance except as otherwise
564 authorized by this chapter. A ~~Any~~ person who violates this
565 provision commits a felony of the third degree, punishable as
566 provided in s. 775.082, s. 775.083, or s. 775.084.

567 (b) If the offense is the possession of ~~not more than~~ 20
568 grams or less of cannabis, as defined in this chapter, or 3
569 grams or less of a controlled substance described in s.
570 893.03(1)(c)46.-50., 114.-142., 151.-159., or 166.-173. ~~166.-~~
571 ~~169.~~, the person commits a misdemeanor of the first degree,
572 punishable as provided in s. 775.082 or s. 775.083. As used in
573 ~~For the purposes of~~ this subsection, the term "cannabis" does
574 not include the resin extracted from the plants of the genus
575 *Cannabis*, or any compound manufacture, salt, derivative,
576 mixture, or preparation of such resin, and a controlled
577 substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-
578 159., or 166.-173. ~~166.-169.~~, does not include the substance in
579 a powdered form.

580 (c) Except as provided in this chapter, a person may not ~~it~~

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581 ~~is unlawful to possess more than in excess of~~ 10 grams of any
582 substance named or described in s. 893.03(1)(a) or (1)(b), or
583 any combination thereof, or any mixture containing any such
584 substance. A ~~Any~~ person who violates this paragraph commits a
585 felony of the first degree, punishable as provided in s.
586 775.082, s. 775.083, or s. 775.084.

587 (d) Notwithstanding any provision to the contrary of the
588 laws of this state relating to arrest, a law enforcement officer
589 may arrest without warrant any person who the officer has
590 probable cause to believe is violating the provisions of this
591 chapter relating to possession of cannabis.

592 Section 3. Paragraph (k) of subsection (1) of section
593 893.135, Florida Statutes, is amended to read:

594 893.135 Trafficking; mandatory sentences; suspension or
595 reduction of sentences; conspiracy to engage in trafficking.—

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

598 (k)1. A ~~Any~~ person who knowingly sells, purchases,
599 manufactures, delivers, or brings into this state, or who is
600 knowingly in actual or constructive possession of, 10 grams or
601 more of any of the following substances described in s.

602 893.03(1)(c):

- 603 a. 3,4-Methylenedioxymethamphetamine (MDMA);
604 b. 4-Bromo-2,5-dimethoxyamphetamine;
605 c. 4-Bromo-2,5-dimethoxyphenethylamine;
606 d. 2,5-Dimethoxyamphetamine;
607 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
608 f. N-ethylamphetamine;
609 g. N-Hydroxy-3,4-methylenedioxyamphetamine;

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- 610 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
 611 i. 4-methoxyamphetamine;
 612 j. 4-methoxymethamphetamine;
 613 k. 4-Methyl-2,5-dimethoxyamphetamine;
 614 l. 3,4-Methylenedioxy-N-ethylamphetamine;
 615 m. 3,4-Methylenedioxyamphetamine;
 616 n. N,N-dimethylamphetamine; ~~or~~
 617 o. 3,4,5-Trimethoxyamphetamine;~~r~~
 618 p. 3,4-Methylenedioxymethcathinone;
 619 q. 3,4-Methylenedioxypropylone (MDPV); or
 620 r. Methylnmethcathinone,

621
 622 individually or analogs thereto or isomers thereto or in any
 623 combination of or any mixture containing any substance listed in
 624 sub-subparagraphs a.-r. ~~a.-o.~~, commits a felony of the first
 625 degree, which felony shall be known as "trafficking in
 626 Phenethylamines," punishable as provided in s. 775.082, s.
 627 775.083, or s. 775.084.

628 2. If the quantity involved:

629 a. Is 10 grams or more, but less than 200 grams, such
 630 person shall be sentenced to a mandatory minimum term of
 631 imprisonment of 3 years~~r~~, and ~~the defendant~~ shall be ordered to
 632 pay a fine of \$50,000.

633 b. Is 200 grams or more, but less than 400 grams, such
 634 person shall be sentenced to a mandatory minimum term of
 635 imprisonment of 7 years~~r~~, and ~~the defendant~~ shall be ordered to
 636 pay a fine of \$100,000.

637 c. Is 400 grams or more, such person shall be sentenced to
 638 a mandatory minimum term of imprisonment of 15 ~~calendar~~ years

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639 and shall be ordered to pay a fine of \$250,000.

640 3. A ~~Any~~ person who knowingly manufactures or brings into
641 this state 30 kilograms or more of any of the following
642 substances described in s. 893.03(1)(c):

- 643 a. 3,4-Methylenedioxymethamphetamine (MDMA);
- 644 b. 4-Bromo-2,5-dimethoxyamphetamine;
- 645 c. 4-Bromo-2,5-dimethoxyphenethylamine;
- 646 d. 2,5-Dimethoxyamphetamine;
- 647 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 648 f. N-ethylamphetamine;
- 649 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 650 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 651 i. 4-methoxyamphetamine;
- 652 j. 4-methoxymethamphetamine;
- 653 k. 4-Methyl-2,5-dimethoxyamphetamine;
- 654 l. 3,4-Methylenedioxy-N-ethylamphetamine;
- 655 m. 3,4-Methylenedioxyamphetamine;
- 656 n. N,N-dimethylamphetamine; ~~or~~
- 657 o. 3,4,5-Trimethoxyamphetamine; ~~or~~
- 658 p. 3,4-Methylenedioxymethcathinone;
- 659 q. 3,4-Methylenedioxypyrovalerone (MDPV); or
- 660 r. Methylmethcathinone,

661
662 individually or analogs thereto or isomers thereto or in any
663 combination of or any mixture containing any substance listed in
664 sub-subparagraphs a.-r. ~~a.-o.~~, and who knows that the probable
665 result of such manufacture or importation would be the death of
666 any person commits capital manufacture or importation of
667 Phenethylamines, a capital felony punishable as provided in ss.

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668 775.082 and 921.142. A ~~Any~~ person sentenced for a capital felony
 669 under this paragraph shall also be sentenced to pay the maximum
 670 fine provided under subparagraph 1.

671 Section 4. For the purpose of incorporating the amendment
 672 made by this act to sections 893.03 and 893.135, Florida
 673 Statutes, in a reference thereto, paragraphs (b), (c), (e), and
 674 (g) through (i) of subsection (3) of section 921.0022, Florida
 675 Statutes, are reenacted to read:

676 921.0022 Criminal Punishment Code; offense severity ranking
 677 chart.—

678 (3) OFFENSE SEVERITY RANKING CHART

679 (b) LEVEL 2

680

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 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in

681

682

683

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weight or 100 cubic feet
in volume or any
quantity for commercial
purposes, or hazardous
waste.

684

517.07 (2)

3rd

Failure to furnish a
prospectus meeting
requirements.

685

590.28 (1)

3rd

Intentional burning of
lands.

686

784.05 (3)

3rd

Storing or leaving a
loaded firearm within
reach of minor who uses
it to inflict injury or
death.

687

787.04 (1)

3rd

In violation of court
order, take, entice,
etc., minor beyond state
limits.

688

806.13 (1) (b) 3.

3rd

Criminal mischief;
damage \$1,000 or more to
public communication or
any other public
service.

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689

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

690

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

691

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

692

812.014 (2) (d) 3rd Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.

693

812.015 (7) 3rd Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.

694

817.234 (1) (a) 2. 3rd False statement in support of insurance claim.

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695

817.481 (3) (a) 3rd Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.

696

817.52 (3) 3rd Failure to redeliver hired vehicle.

697

817.54 3rd With intent to defraud, obtain mortgage note, etc., by false representation.

698

817.60 (5) 3rd Dealing in credit cards of another.

699

817.60 (6) (a) 3rd Forgery; purchase goods, services with false card.

700

817.61 3rd Fraudulent use of credit cards over \$100 or more within 6 months.

701

826.04 3rd Knowingly marries or has sexual intercourse with person to whom related.

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702
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709

831.01	3rd	Forgery.
831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.

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710

843.08 3rd Falsely impersonating an officer.

711

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.

712

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

713

(c) LEVEL 3

714

Florida	Felony	
Statute	Degree	Description

715

119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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716

316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
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717

316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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718

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

719

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

720

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

721

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

722

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

723

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

724

328.05 (2) 3rd Possess, sell, or

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

725

328.07 (4)

3rd

Manufacture, exchange, or
 possess vessel with
 counterfeit or wrong ID
 number.

726

376.302 (5)

3rd

Fraud related to
 reimbursement for cleanup
 expenses under the Inland
 Protection Trust Fund.

727

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.

728

379.2431
 (1) (e) 6.

3rd

Soliciting to commit or
 conspiring to commit a

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violation of the Marine
Turtle Protection Act.

729

400.9935 (4)

3rd

Operating a clinic without
a license or filing false
license application or
other required information.

730

440.1051 (3)

3rd

False report of workers'
compensation fraud or
retaliation for making such
a report.

731

501.001 (2) (b)

2nd

Tampers with a consumer
product or the container
using materially
false/misleading
information.

732

624.401 (4) (a)

3rd

Transacting insurance
without a certificate of
authority.

733

624.401 (4) (b) 1.

3rd

Transacting insurance
without a certificate of
authority; premium
collected less than
\$20,000.

734

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735	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
736	697.08	3rd	Equity skimming.
737	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
738	796.05 (1)	3rd	Live on earnings of a prostitute.
739	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
740	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
741	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.

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742

812.0145 (2) (c) 3rd Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

743

815.04 (4) (b) 2nd Computer offense devised to defraud or obtain property.

744

817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

745

817.233 3rd Burning to defraud insurer.

746

817.234 (8) (b) - (c) 3rd Unlawful solicitation of persons involved in motor vehicle accidents.

747

817.234 (11) (a) 3rd Insurance fraud; property value less than \$20,000.

748

817.236 3rd Filing a false motor vehicle insurance application.

749

817.2361 3rd Creating, marketing, or presenting a false or

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fraudulent motor vehicle
insurance card.

750
751
752
753
754
755
756
757

817.413 (2)

3rd

Sale of used goods as new.

817.505 (4)

3rd

Patient brokering.

828.12 (2)

3rd

Tortures any animal with
intent to inflict intense
pain, serious physical
injury, or death.

831.28 (2) (a)

3rd

Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment
instrument.

831.29

2nd

Possession of instruments
for counterfeiting driver
~~drivers'~~ licenses or
identification cards.

838.021 (3) (b)

3rd

Threatens unlawful harm to
public servant.

843.19

3rd

Injure, disable, or kill
police dog or horse.

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758

860.15 (3) 3rd Overcharging for repairs and parts.

759

870.01 (2) 3rd Riot; inciting or encouraging.

760

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).

761

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.,

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(2) (c) 8., (2) (c) 9., (3), or
(4) drugs within 1,000 feet
of public housing facility.

762

893.13 (6) (a)

3rd

Possession of any
controlled substance other
than felony possession of
cannabis.

763

893.13 (7) (a) 8.

3rd

Withhold information from
practitioner regarding
previous receipt of or
prescription for a
controlled substance.

764

893.13 (7) (a) 9.

3rd

Obtain or attempt to obtain
controlled substance by
fraud, forgery,
misrepresentation, etc.

765

893.13 (7) (a) 10.

3rd

Affix false or forged label
to package of controlled
substance.

766

893.13 (7) (a) 11.

3rd

Furnish false or fraudulent
material information on any
document or record required
by chapter 893.

767

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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.

768

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.

769

893.13(8)(a)3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

770

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

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practitioner.

771

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

772

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

773

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

774

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

775

776 (e) LEVEL 5

777

Florida Statute	Felony Degree	Description
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778

316.027 (1) (a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
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779

316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
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780

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

781

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

782

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

783

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

784

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

785

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

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coverage.

786

440.105 (5)

2nd

Unlawful solicitation for the purpose of making workers' compensation claims.

787

440.381 (2)

2nd

Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

788

624.401 (4) (b) 2.

2nd

Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

789

626.902 (1) (c)

2nd

Representing an unauthorized insurer; repeat offender.

790

790.01 (2)

3rd

Carrying a concealed firearm.

791

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792

790.162

2nd

Threat to throw or discharge destructive device.

793

790.163 (1)

2nd

False report of deadly explosive or weapon of mass destruction.

794

790.221 (1)

2nd

Possession of short-barreled shotgun or machine gun.

795

790.23

2nd

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

796

800.04 (6) (c)

3rd

Lewd or lascivious conduct; offender less than 18 years.

797

800.04 (7) (b)

2nd

Lewd or lascivious exhibition; offender 18 years or older.

806.111 (1)

3rd

Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

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798
799
800
801
802
803
804
805

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.

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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.

806

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.

807

817.625(2)(b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

808

825.1025(4)

3rd

Lewd or lascivious exhibition in the presence of an elderly

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person or disabled
adult.

809

827.071 (4)

2nd

Possess with intent to
promote any photographic
material, motion
picture, etc., which
includes sexual conduct
by a child.

810

827.071 (5)

3rd

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

811

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.

812

843.01

3rd

Resist officer with
violence to person;
resist arrest with
violence.

813

847.0135 (5) (b)

2nd

Lewd or lascivious

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exhibition using
computer; offender 18
years or older.

814

847.0137
(2) & (3)

3rd

Transmission of
pornography by
electronic device or
equipment.

815

847.0138
(2) & (3)

3rd

Transmission of material
harmful to minors to a
minor by electronic
device or equipment.

816

874.05 (1) (b)

2nd

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

817

874.05 (2) (a)

2nd

Encouraging or
recruiting person under
13 to join a criminal
gang.

818

893.13 (1) (a) 1.

2nd

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

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

819

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.

820

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.

821

893.13(1) (e) 2.

2nd

Sell, manufacture, or deliver cannabis or

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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.

822

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.

823

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).

824

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893.1351 (1)

3rd

Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

825

826 (g) LEVEL 7

827

Florida

Felony

Statute

Degree

Description

828

316.027 (1) (b)

1st

Accident involving death, failure to stop; leaving scene.

829

316.193 (3) (c) 2.

3rd

DUI resulting in serious bodily injury.

830

316.1935 (3) (b)

1st

Causing serious bodily injury or death to another person; 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.

831

327.35 (3) (c) 2.

3rd

Vessel BUI resulting in

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serious bodily injury.

832

402.319(2)

2nd

Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

833

409.920
(2) (b) 1.a.

3rd

Medicaid provider fraud; \$10,000 or less.

834

409.920
(2) (b) 1.b.

2nd

Medicaid provider fraud; more than \$10,000, but less than \$50,000.

835

456.065(2)

3rd

Practicing a health care profession without a license.

836

456.065(2)

2nd

Practicing a health care profession without a license which results in serious bodily injury.

837

458.327(1)

3rd

Practicing medicine without a license.

838

459.013(1)

3rd

Practicing osteopathic

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medicine without a
license.

839

460.411 (1)

3rd

Practicing chiropractic
medicine without a
license.

840

461.012 (1)

3rd

Practicing podiatric
medicine without a
license.

841

462.17

3rd

Practicing naturopathy
without a license.

842

463.015 (1)

3rd

Practicing optometry
without a license.

843

464.016 (1)

3rd

Practicing nursing without
a license.

844

465.015 (2)

3rd

Practicing pharmacy
without a license.

845

466.026 (1)

3rd

Practicing dentistry or
dental hygiene without a
license.

846

467.201

3rd

Practicing midwifery
without a license.

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847

468.366 3rd Delivering respiratory care services without a license.

848

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

849

483.901 (9) 3rd Practicing medical physics without a license.

850

484.013 (1) (c) 3rd Preparing or dispensing optical devices without a prescription.

851

484.053 3rd Dispensing hearing aids without a license.

852

494.0018 (2) 1st Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

853

560.123 (8) (b) 1. 3rd Failure to report currency or payment instruments

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exceeding \$300 but less than \$20,000 by a money services business.

854

560.125 (5) (a)

3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

855

655.50 (10) (b) 1.

3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

856

775.21 (10) (a)

3rd

Sexual predator; failure to register; failure to renew driver's license or identification card; other registration violations.

857

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

858

775.21 (10) (g)

3rd

Failure to report or providing false information about a sexual

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predator; harbor or
conceal a sexual predator.

859

782.051 (3)

2nd

Attempted felony murder of
a person by a person other
than the perpetrator or
the perpetrator of an
attempted felony.

860

782.07 (1)

2nd

Killing of a human being
by the act, procurement,
or culpable negligence of
another (manslaughter).

861

782.071

2nd

Killing of a human being
or viable fetus by the
operation of a motor
vehicle in a reckless
manner (vehicular
homicide).

862

782.072

2nd

Killing of a human being
by the operation of a
vessel in a reckless
manner (vessel homicide).

863

784.045 (1) (a) 1.

2nd

Aggravated battery;
intentionally causing
great bodily harm or

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disfigurement.

864

784.045 (1) (a) 2.

2nd

Aggravated battery; using
deadly weapon.

865

784.045 (1) (b)

2nd

Aggravated battery;
perpetrator aware victim
pregnant.

866

784.048 (4)

3rd

Aggravated stalking;
violation of injunction or
court order.

867

784.048 (7)

3rd

Aggravated stalking;
violation of court order.

868

784.07 (2) (d)

1st

Aggravated battery on law
enforcement officer.

869

784.074 (1) (a)

1st

Aggravated battery on
sexually violent predators
facility staff.

870

784.08 (2) (a)

1st

Aggravated battery on a
person 65 years of age or
older.

871

784.081 (1)

1st

Aggravated battery on
specified official or

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employee.

872

784.082 (1)

1st

Aggravated battery by
detained person on visitor
or other detainee.

873

784.083 (1)

1st

Aggravated battery on code
inspector.

874

787.06 (3) (a)

1st

Human trafficking using
coercion for labor and
services.

875

787.06 (3) (e)

1st

Human trafficking using
coercion for labor and
services by the transfer
or transport of any
individual from outside
Florida to within the
state.

876

790.07 (4)

1st

Specified weapons
violation subsequent to
previous conviction of s.
790.07(1) or (2).

877

790.16 (1)

1st

Discharge of a machine gun
under specified
circumstances.

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878

790.165 (2) 2nd Manufacture, sell, possess, or deliver hoax bomb.

879

790.165 (3) 2nd Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

880

790.166 (3) 2nd Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

881

790.166 (4) 2nd Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

882

790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

883

794.08 (4) 3rd Female genital mutilation;

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consent by a parent,
guardian, or a person in
custodial authority to a
victim younger than 18
years of age.

884

796.03

2nd

Procuring any person under
16 years for prostitution.

885

800.04 (5) (c) 1.

2nd

Lewd or lascivious
molestation; victim less
than 12 years of age;
offender less than 18
years.

886

800.04 (5) (c) 2.

2nd

Lewd or lascivious
molestation; victim 12
years of age or older but
less than 16 years;
offender 18 years or
older.

887

806.01 (2)

2nd

Maliciously damage
structure by fire or
explosive.

888

810.02 (3) (a)

2nd

Burglary of occupied
dwelling; unarmed; no
assault or battery.

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889

810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

890

810.02 (3) (d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.

891

810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

892

812.014 (2) (a) 1. 1st Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

893

812.014 (2) (b) 2. 2nd Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

894

812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

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812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131 (2) (a)	2nd	Robbery by sudden snatching.
812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims

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with intent to defraud.

902

817.234 (9)

2nd

Organizing, planning, or participating in an intentional motor vehicle collision.

903

817.234 (11) (c)

1st

Insurance fraud; property value \$100,000 or more.

904

817.2341
(2) (b) & (3) (b)

1st

Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

905

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

906

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

907

825.103 (2) (b)

2nd

Exploiting an elderly

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person or disabled adult
and property is valued at
\$20,000 or more, but less
than \$100,000.

908

827.03 (2) (b)

2nd

Neglect of a child causing
great bodily harm,
disability, or
disfigurement.

909

827.04 (3)

3rd

Impregnation of a child
under 16 years of age by
person 21 years of age or
older.

910

837.05 (2)

3rd

Giving false information
about alleged capital
felony to a law
enforcement officer.

911

838.015

2nd

Bribery.

912

838.016

2nd

Unlawful compensation or
reward for official
behavior.

913

838.021 (3) (a)

2nd

Unlawful harm to a public
servant.

914

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915
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917
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922

838.22	2nd	Bid tampering.
843.0855 (2)	3rd	Impersonation of a public officer or employee.
843.0855 (3)	3rd	Unlawful simulation of legal process.
843.0855 (4)	3rd	Intimidation of a public officer or employee.
847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.
874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
874.10	1st, PBL	Knowingly initiates,

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organizes, plans,
finances, directs,
manages, or supervises
criminal gang-related
activity.

923

893.13(1)(c)1.

1st

Sell, manufacture, or
deliver cocaine (or other
drug prohibited under s.
893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4.) within 1,000
feet of a child care
facility, school, or
state, county, or
municipal park or publicly
owned recreational
facility or community
center.

924

893.13(1)(e)1.

1st

Sell, manufacture, or
deliver cocaine or other
drug prohibited under s.
893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4., within 1,000
feet of property used for
religious services or a
specified business site.

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930
931

893.13 (4) (a)	1st	Deliver to minor cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

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932
933
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937

893.135 (1) (f) 1.

1st

Trafficking in
amphetamine, more than 14
grams, less than 28 grams.

893.135
(1) (g) 1.a.

1st

Trafficking in
flunitrazepam, 4 grams or
more, less than 14 grams.

893.135
(1) (h) 1.a.

1st

Trafficking in gamma-
hydroxybutyric acid (GHB),
1 kilogram or more, less
than 5 kilograms.

893.135
(1) (j) 1.a.

1st

Trafficking in 1,4-
Butanediol, 1 kilogram or
more, less than 5
kilograms.

893.135
(1) (k) 2.a.

1st

Trafficking in
Phenethylamines, 10 grams
or more, less than 200
grams.

893.1351 (2)

2nd

Possession of place for
trafficking in or
manufacturing of
controlled substance.

896.101 (5) (a)

3rd

Money laundering,

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financial transactions
 exceeding \$300 but less
 than \$20,000.

938

896.104 (4) (a) 1.

3rd

Structuring transactions
 to evade reporting or
 registration requirements,
 financial transactions
 exceeding \$300 but less
 than \$20,000.

939

943.0435 (4) (c)

2nd

Sexual offender vacating
 permanent residence;
 failure to comply with
 reporting requirements.

940

943.0435 (8)

2nd

Sexual offender; remains
 in state after indicating
 intent to leave; failure
 to comply with reporting
 requirements.

941

943.0435 (9) (a)

3rd

Sexual offender; failure
 to comply with reporting
 requirements.

942

943.0435 (13)

3rd

Failure to report or
 providing false
 information about a sexual

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offender; harbor or
conceal a sexual offender.

943

943.0435 (14)

3rd

Sexual offender; failure
to report and reregister;
failure to respond to
address verification.

944

944.607 (9)

3rd

Sexual offender; failure
to comply with reporting
requirements.

945

944.607 (10) (a)

3rd

Sexual offender; failure
to submit to the taking of
a digitized photograph.

946

944.607 (12)

3rd

Failure to report or
providing false
information about a sexual
offender; harbor or
conceal a sexual offender.

947

944.607 (13)

3rd

Sexual offender; failure
to report and reregister;
failure to respond to
address verification.

948

985.4815 (10)

3rd

Sexual offender; failure
to submit to the taking of

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a digitized photograph.

949

985.4815 (12)

3rd

Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

950

985.4815 (13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification.

951

952

(h) LEVEL 8

953

Florida
Statute

Felony
Degree

Description

954

316.193
(3) (c) 3.a.

2nd

DUI manslaughter.

955

316.1935 (4) (b)

1st

Aggravated fleeing or attempted eluding with serious bodily injury or death.

956

327.35 (3) (c) 3.

2nd

Vessel BUI manslaughter.

957

499.0051 (7)

1st

Knowing trafficking in

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contraband prescription
drugs.

958

499.0051 (8)

1st

Knowing forgery of
prescription labels or
prescription drug labels.

959

560.123 (8) (b) 2.

2nd

Failure to report
currency or payment
instruments totaling or
exceeding \$20,000, but
less than \$100,000 by
money transmitter.

960

560.125 (5) (b)

2nd

Money transmitter
business by unauthorized
person, currency or
payment instruments
totaling or exceeding
\$20,000, but less than
\$100,000.

961

655.50 (10) (b) 2.

2nd

Failure to report
financial transactions
totaling or exceeding
\$20,000, but less than
\$100,000 by financial
institutions.

962

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963

777.03 (2) (a) 1st Accessory after the fact,
capital felony.

964

782.04 (4) 2nd Killing of human without
design when engaged in
act or attempt of any
felony other than arson,
sexual battery, robbery,
burglary, kidnapping,
aggravated fleeing or
eluding with serious
bodily injury or death,
aircraft piracy, or
unlawfully discharging
bomb.

965

782.051 (2) 1st Attempted felony murder
while perpetrating or
attempting to perpetrate
a felony not enumerated
in s. 782.04(3).

966

782.071 (1) (b) 1st Committing vehicular
homicide and failing to
render aid or give
information.

782.072 (2) 1st Committing vessel
homicide and failing to

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render aid or give
information.

967

787.06(3)(b)

1st

Human trafficking using
coercion for commercial
sexual activity.

968

787.06(3)(c)

1st

Human trafficking using
coercion for labor and
services of an
unauthorized alien.

969

787.06(3)(f)

1st

Human trafficking using
coercion for commercial
sexual activity by the
transfer or transport of
any individual from
outside Florida to within
the state.

970

790.161(3)

1st

Discharging a destructive
device which results in
bodily harm or property
damage.

971

794.011(5)

2nd

Sexual battery, victim 12
years or over, offender
does not use physical
force likely to cause

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serious injury.

972

794.08 (3)

2nd

Female genital mutilation, removal of a victim younger than 18 years of age from this state.

973

800.04 (4)

2nd

Lewd or lascivious battery.

974

806.01 (1)

1st

Maliciously damage dwelling or structure by fire or explosive, believing person in structure.

975

810.02 (2) (a)

1st, PBL

Burglary with assault or battery.

976

810.02 (2) (b)

1st, PBL

Burglary; armed with explosives or dangerous weapon.

977

810.02 (2) (c)

1st

Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.

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978
979
980
981
982
983
984

812.014 (2) (a) 2.

1st

Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.

812.13 (2) (b)

1st

Robbery with a weapon.

812.135 (2) (c)

1st

Home-invasion robbery, no firearm, deadly weapon, or other weapon.

817.535 (2) (b)

2nd

Filing false lien or other unauthorized document; second or subsequent offense.

817.535 (3) (a)

2nd

Filing false lien or other unauthorized document; property owner is a public officer or employee.

817.535 (4) (a) 1.

2nd

Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.

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985 817.535 (5) (a) 2nd Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.

986 817.568 (6) 2nd Fraudulent use of personal identification information of an individual under the age of 18.

987 825.102 (2) 1st Aggravated abuse of an elderly person or disabled adult.

988 825.1025 (2) 2nd Lewd or lascivious battery upon an elderly person or disabled adult.

989 825.103 (2) (a) 1st Exploiting an elderly person or disabled adult and property is valued at \$100,000 or more.

837.02 (2) 2nd Perjury in official proceedings relating to prosecution of a capital

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felony.

990

837.021 (2)

2nd

Making contradictory statements in official proceedings relating to prosecution of a capital felony.

991

860.121 (2) (c)

1st

Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

992

860.16

1st

Aircraft piracy.

993

893.13 (1) (b)

1st

Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).

994

893.13 (2) (b)

1st

Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).

995

893.13 (6) (c)

1st

Possess in excess of 10 grams of any substance specified in s.

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893.03(1) (a) or (b).

996

893.135(1) (a) 2.

1st

Trafficking in cannabis,
more than 2,000 lbs.,
less than 10,000 lbs.

997

893.135
(1) (b) 1.b.

1st

Trafficking in cocaine,
more than 200 grams, less
than 400 grams.

998

893.135
(1) (c) 1.b.

1st

Trafficking in illegal
drugs, more than 14
grams, less than 28
grams.

999

893.135
(1) (d) 1.b.

1st

Trafficking in
phencyclidine, more than
200 grams, less than 400
grams.

1000

893.135
(1) (e) 1.b.

1st

Trafficking in
methaqualone, more than 5
kilograms, less than 25
kilograms.

1001

893.135
(1) (f) 1.b.

1st

Trafficking in
amphetamine, more than 28
grams, less than 200
grams.

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1002

893.135 1st Trafficking in
 (1) (g) 1.b. flunitrazepam, 14 grams
 or more, less than 28
 grams.

1003

893.135 1st Trafficking in gamma-
 (1) (h) 1.b. hydroxybutyric acid
 (GHB), 5 kilograms or
 more, less than 10
 kilograms.

1004

893.135 1st Trafficking in 1,4-
 (1) (j) 1.b. Butanediol, 5 kilograms
 or more, less than 10
 kilograms.

1005

893.135 1st Trafficking in
 (1) (k) 2.b. Phenethylamines, 200
 grams or more, less than
 400 grams.

1006

893.1351 (3) 1st Possession of a place
 used to manufacture
 controlled substance when
 minor is present or
 resides there.

1007

895.03 (1) 1st Use or invest proceeds

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1008
1009
1010
1011
1012

895.03 (2)

1st

derived from pattern of racketeering activity.

Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

895.03 (3)

1st

Conduct or participate in any enterprise through pattern of racketeering activity.

896.101 (5) (b)

2nd

Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

896.104 (4) (a) 2.

2nd

Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.

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1013 (i) LEVEL 9

1014

Florida
Statute

Felony
Degree

Description

1015

316.193
(3) (c) 3.b.

1st

DUI manslaughter;
failing to render aid or
give information.

1016

327.35 (3) (c) 3.b.

1st

BUI manslaughter;
failing to render aid or
give information.

1017

409.920
(2) (b) 1.c.

1st

Medicaid provider fraud;
\$50,000 or more.

1018

499.0051 (9)

1st

Knowing sale or purchase
of contraband
prescription drugs
resulting in great
bodily harm.

1019

560.123 (8) (b) 3.

1st

Failure to report
currency or payment
instruments totaling or
exceeding \$100,000 by
money transmitter.

1020

560.125 (5) (c)

1st

Money transmitter

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1021	655.50 (10) (b) 3.	1st	business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1022	775.0844	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1023	782.04 (1)	1st	Aggravated white collar crime.
1024	782.04 (3)	1st, PBL	Attempt, conspire, or solicit to commit premeditated murder.
1025	782.051 (1)	1st	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
			Attempted felony murder

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1026	782.07(2)	1st	while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1027	787.01(1)(a)1.	1st,PBL	Aggravated manslaughter of an elderly person or disabled adult.
1028	787.01(1)(a)2.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1029	787.01(1)(a)4.	1st,PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1030	787.02(3)(a)	1st	Kidnapping with intent to interfere with performance of any governmental or political function. False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd

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			or lascivious battery, molestation, conduct, or exhibition.
1031	787.06(3)(d)	1st	Human trafficking using coercion for commercial sexual activity of an unauthorized alien.
1032	787.06(3)(g)	1st,PBL	Human trafficking for commercial sexual activity of a child under the age of 18.
1033	787.06(4)	1st	Selling or buying of minors into human trafficking.
1034	790.161	1st	Attempted capital destructive device offense.
1035	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1036	794.011(2)	1st	Attempted sexual battery; victim less

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1037			than 12 years of age.
	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1038			
	794.011 (4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
1039			
	794.011 (8) (b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1040			
	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1041			
	796.035	1st	Selling or buying of minors into prostitution.
1042			
	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less

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1043

than 12 years; offender
18 years or older.

812.13(2)(a)

1st, PBL

Robbery with firearm or
other deadly weapon.

1044

812.133(2)(a)

1st, PBL

Carjacking; firearm or
other deadly weapon.

1045

812.135(2)(b)

1st

Home-invasion robbery
with weapon.

1046

817.535(3)(b)

1st

Filing false lien or
other unauthorized
document; second or
subsequent offense;
property owner is a
public officer or
employee.

1047

817.535(4)(a)2.

1st

Filing false claim or
other unauthorized
document; defendant is
incarcerated or under
supervision.

1048

817.535(5)(b)

1st

Filing false lien or
other unauthorized
document; second or

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	591-02084-14	2014780c1	subsequent offense; owner of the property incurs financial loss as a result of the false instrument.
1049	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
1050	827.03 (2) (a)	1st	Aggravated child abuse.
1051	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1052	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1053	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into

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1054	893.135	1st	<p>food, drink, medicine, or water with intent to kill or injure another person.</p>
1055	893.135 (1) (a) 3.	1st	<p>Trafficking in cannabis, more than 10,000 lbs.</p>
1056	893.135 (1) (b) 1.c.	1st	<p>Trafficking in cocaine, more than 400 grams, less than 150 kilograms.</p>
1057	893.135 (1) (c) 1.c.	1st	<p>Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.</p>
1058	893.135 (1) (d) 1.c.	1st	<p>Trafficking in phencyclidine, more than 400 grams.</p>
1059	893.135 (1) (e) 1.c.	1st	<p>Trafficking in methaqualone, more than 25 kilograms.</p>
1060	893.135	1st	<p>Trafficking in</p>

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(1) (f) 1.c.

amphetamine, more than
200 grams.

1061

893.135

1st

Trafficking in gamma-
hydroxybutyric acid
(GHB), 10 kilograms or
more.

(1) (h) 1.c.

1062

893.135

1st

Trafficking in 1,4-
Butanediol, 10 kilograms
or more.

(1) (j) 1.c.

1063

893.135

1st

Trafficking in
Phenethylamines, 400
grams or more.

(1) (k) 2.c.

1064

896.101 (5) (c)

1st

Money laundering,
financial instruments
totaling or exceeding
\$100,000.

1065

896.104 (4) (a) 3.

1st

Structuring transactions
to evade reporting or
registration
requirements, financial
transactions totaling or
exceeding \$100,000.

1066

1067

Section 5. This act shall take effect upon becoming a law.