

1                   A bill to be entitled  
2           An act relating to illicit drugs; amending s. 561.29,  
3           F.S.; revising the circumstances under which the  
4           Division of Alcoholic Beverages and Tobacco of the  
5           Department of Business and Professional Regulation may  
6           revoke or suspend a person's license; requiring the  
7           division to suspend the license of an establishment  
8           licensed under the Beverage Law under certain  
9           circumstances; prohibiting the division from reissuing  
10          a license to such establishment for a specified length  
11          of time under certain circumstances; amending s.  
12          569.003, F.S.; requiring the division to suspend the  
13          license of an establishment licensed under the  
14          Beverage Law under certain circumstances; prohibiting  
15          the division from reissuing a license to such  
16          establishment for a specified length of time under  
17          certain circumstances; amending s. 893.02, F.S.;  
18          defining terms; deleting a definition; revising  
19          definitions; amending s. 893.03, F.S.; providing that  
20          class designation is a way to reference scheduled  
21          controlled substances; adding, deleting, and revising  
22          the list of Schedule I controlled substances; revising  
23          the list of Schedule III anabolic steroids; amending  
24          s. 893.033, F.S.; adding, deleting, and revising the  
25          list of precursor and essential chemicals; amending s.  
26          893.0356, F.S.; defining the term "substantially

27 similar"; deleting the term "potential for abuse";  
28 requiring that a controlled substance analog be  
29 treated as the highest scheduled controlled substance  
30 of which it is an analog; amending s. 893.13, F.S.;  
31 creating a noncriminal penalty for selling,  
32 manufacturing, or delivering, or possessing with  
33 intent to sell, manufacture, or deliver any unlawful  
34 controlled substance in, on, or near an assisted  
35 living facility; creating a criminal penalty for a  
36 person 18 years of age or older who delivers to a  
37 person younger than 18 years of age any illegal  
38 controlled substance, who uses or hires a person  
39 younger than 18 years of age in the sale or delivery  
40 of such substance, or who uses a person younger than  
41 18 years of age to assist in avoiding detection for  
42 specified violations; deleting a criminal penalty for  
43 possession of a certain amount of specified controlled  
44 substances; deleting certain exclusions to the  
45 definition of the term "cannabis"; creating a criminal  
46 penalty for possession of specified controlled  
47 substances; correcting a cross-reference; amending s.  
48 893.135, F.S.; revising a dosage unit to include a  
49 gelatin capsule for the purpose of clarifying  
50 legislative intent regarding the weighing of a mixture  
51 containing a controlled substance; amending s.  
52 893.138, F.S.; authorizing a place or premises that

53 has been used on two or more occasions for specified  
 54 violations within a certain time period to be declared  
 55 a public nuisance; amending s. 893.145, F.S.; revising  
 56 the definition of the term "drug paraphernalia";  
 57 amending s. 895.02, F.S.; revising the definition of  
 58 the term "racketeering activity"; amending s.  
 59 921.0022, F.S.; adding an adult delivering controlled  
 60 substances to a minor, using or hiring a minor to sell  
 61 controlled substances, or using a minor to avoid  
 62 detection or apprehension to level 3 of the offense  
 63 severity ranking chart of the Criminal Punishment  
 64 Code; making technical changes; reenacting ss.  
 65 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c),  
 66 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3),  
 67 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a),  
 68 465.0276(1)(b), 499.0121(14) and (15)(a),  
 69 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a),  
 70 817.563(1), 831.31, 893.0301, 893.035(7)(a),  
 71 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b),  
 72 (c), and (d), and 944.474(2), F.S., to incorporate the  
 73 amendment made to s. 893.03, F.S., in references  
 74 thereto; reenacting s. 893.149(4), F.S., to  
 75 incorporate the amendment made to s. 893.033, F.S., in  
 76 a reference thereto; reenacting ss. 397.451(4)(b),  
 77 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3),  
 78 812.014(2), 831.311(1), 893.1351(1), 893.138(3),

79 | 893.15, 903.133, and 921.187(1)(1), F.S., to  
 80 | incorporate the amendment made to s. 893.13, F.S., in  
 81 | references thereto; reenacting ss. 893.12(2)(a) and  
 82 | 893.147(6)(a), F.S., to incorporate the amendment made  
 83 | to s. 893.145, F.S., in references thereto; reenacting  
 84 | ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and  
 85 | 905.34, F.S., to incorporate the amendment made to s.  
 86 | 895.02, F.S., in references thereto; providing an  
 87 | effective date.

88 |

89 | Be It Enacted by the Legislature of the State of Florida:

90 |

91 | Section 1. Subsections (1), (4), and (5) of section  
 92 | 561.29, Florida Statutes, are amended to read:

93 | 561.29 Revocation and suspension of license; power to  
 94 | subpoena.—

95 | (1) The division is given full power and authority to  
 96 | revoke or suspend the license of any person holding a license  
 97 | under the Beverage Law, when it is determined or found by the  
 98 | division upon sufficient cause appearing ~~of~~:

99 | (a) Of a violation by the licensee or his or her or its  
 100 | agents, officers, servants, or employees, on the licensed  
 101 | premises, or elsewhere while in the scope of employment, of any  
 102 | of the laws of this state or of the United States, or violation  
 103 | of any municipal or county regulation in regard to the hours of  
 104 | sale, service, or consumption of alcoholic beverages or license

105 requirements of special licenses issued under s. 561.20, or  
106 engaging in or permitting disorderly conduct on the licensed  
107 premises, or permitting another on the licensed premises to  
108 violate any of the laws of this state or of the United States. A  
109 conviction of the licensee or his or her or its agents,  
110 officers, servants, or employees in any criminal court of any  
111 violation as set forth in this paragraph shall not be considered  
112 in proceedings before the division for suspension or revocation  
113 of a license except as permitted by chapter 92 or the rules of  
114 evidence.

115 (b) Of a violation by the licensee or, if a corporation,  
116 by any officers thereof, of any laws of this state or any state  
117 or territory of the United States.

118 (c) Of maintaining a nuisance on the licensed premises.

119 (d) Of maintaining licensed premises that are unsanitary  
120 or are not approved as sanitary by the Division of Hotels and  
121 Restaurants of the Department of Business and Professional  
122 Regulation, the Department of Agriculture and Consumer Services,  
123 the county board of health, or the Department of Health,  
124 whichever has jurisdiction thereof.

125 (e) Of a violation by the licensee, or, if a corporation,  
126 by any officer or stockholder thereof, of any rule or rules  
127 promulgated by the division in accordance with the provisions of  
128 this chapter or of any law referred to in paragraph (a), or a  
129 violation of any such rule or law by any agent, servant, or  
130 employee of the licensee on the licensed premises or in the

131 scope of such employment.

132 (f) Of a determination that a person who is interested  
133 directly or indirectly in the license or licensed business  
134 authorized to sell spirituous beverages is not qualified.

135 (g) Of a determination that any person required to be  
136 qualified by the division as a condition for the issuance of the  
137 license is not qualified.

138 (h) Of a failure by the holder of any license under s.  
139 561.20(1) to maintain the licensed premises in an active manner  
140 in which the licensed premises are open for the bona fide sale  
141 of authorized alcoholic beverages during regular business hours  
142 of at least 6 hours a day for a period of 120 days or more  
143 during any 12-month period commencing 18 months after the  
144 acquisition of the license by the licensee, regardless of the  
145 date the license was originally issued. Every licensee must  
146 notify the division in writing of any period during which his or  
147 her license is inactive and place the physical license with the  
148 division to be held in an inactive status. The division may  
149 waive or extend the requirement of this section upon the finding  
150 of hardship, including the purchase of the license in order to  
151 transfer it to a newly constructed or remodeled location.  
152 However, during such closed period, the licensee shall make  
153 reasonable efforts toward restoring the license to active  
154 status. This paragraph shall apply to all annual license periods  
155 commencing on or after July 1, 1981, but shall not apply to  
156 licenses issued after September 30, 1988.

157           (i) Of a failure of any licensee issued a new or transfer  
158 license after September 30, 1988, under s. 561.20(1) to maintain  
159 the licensed premises in an active manner in which the licensed  
160 premises are open for business to the public for the bona fide  
161 retail sale of authorized alcoholic beverages during regular and  
162 reasonable business hours for at least 8 hours a day for a  
163 period of 210 days or more during any 12-month period commencing  
164 6 months after the acquisition of the license by the licensee.  
165 It is the intent of this act that for purposes of compliance  
166 with this paragraph, a licensee shall operate the licensed  
167 premises in a manner so as to maximize sales and tax revenues  
168 thereon; this includes maintaining a reasonable inventory of  
169 merchandise, including authorized alcoholic beverages, and the  
170 use of good business practices to achieve the intent of this  
171 law. Any attempt by a licensee to circumvent the intent of this  
172 law shall be grounds for revocation or suspension of the  
173 alcoholic beverage license. The division may, upon written  
174 request of the licensee, give a written waiver of this  
175 requirement for a period not to exceed 12 months in cases where  
176 the licensee demonstrates that the licensed premises has been  
177 physically destroyed through no fault of the licensee, when the  
178 licensee has suffered an incapacitating illness or injury which  
179 is likely to be prolonged, or when the licensed premises has  
180 been prohibited from making sales as a result of any action of  
181 any court of competent jurisdiction. Any waiver given pursuant  
182 to this subsection may be continued upon subsequent written

183 request showing that substantial progress has been made toward  
184 restoring the licensed premises to a condition suitable for the  
185 resumption of sales or toward allowing for a court having  
186 jurisdiction over the premises to release said jurisdiction, or  
187 that an incapacitating illness or injury continues to exist.  
188 However, in no event may the waivers necessitated by any one  
189 occurrence cumulatively total more than 24 months. Every  
190 licensee shall notify the division in writing of any period  
191 during which his or her license is inactive and place the  
192 physical license with the division to be held in an inactive  
193 status.

194 (j) Of a failure of any licensee issued a license under s.  
195 561.20(1) to maintain records of all monthly sales and all  
196 monthly purchases of alcoholic beverages and to produce such  
197 records for inspection by any division employee within 10 days  
198 of written request therefor.

199 (k) Of a failure by the holder of any license issued under  
200 the Beverage Law to comply with a stipulation, consent order, or  
201 final order.

202 (l) That, if in a public hearing by a preponderance of the  
203 evidence, the division finds that a person has been convicted of  
204 a violation of chapter 499 which involved the sale or the offer  
205 to sell, in the normal course of business, a misbranded, an  
206 adulterated, or a contraband drug in an establishment that has  
207 been issued a license under the Beverage Law under this chapter  
208 and the holder of the license knew or should have known of the



209 offense occurring within the establishment, the division:  
 210 1. Shall suspend the Beverage Law license for the  
 211 establishment for 1 year; and  
 212 2. May not issue another Beverage Law license under this  
 213 chapter for 1 year from the date of suspension to a person that:  
 214 a. Applies for or that made a retail transaction under the  
 215 suspended Beverage Law license pursuant to subparagraph 1.; or  
 216 b. Owned or co-owned, directly or indirectly, or was an  
 217 officer, a director, a manager, or a partner of the  
 218 establishment that had the license suspended pursuant to  
 219 subparagraph 1.  
 220 (4) Except for a violation of paragraph (1)(1), the  
 221 division may compromise any alleged violations of the Beverage  
 222 Law, by accepting from the licensee involved an amount not to  
 223 exceed \$1,000 for violations arising out of a single  
 224 transaction. All funds so collected are to be deposited in the  
 225 state General Revenue Fund.  
 226 (5) Except for a violation of paragraph (1)(1), the  
 227 division may suspend the imposition of any penalty conditioned  
 228 upon terms the division should in its discretion deem  
 229 appropriate.  
 230 Section 2. Subsection (5) is added to section 569.003,  
 231 Florida Statutes, to read:  
 232 569.003 Retail tobacco products dealer permits;  
 233 application; qualifications; fees; renewal; duplicates.—  
 234 (5) If the division finds in a public hearing by a

235 preponderance of the evidence that a person has been convicted  
 236 of a violation of chapter 499 which involved the sale or the  
 237 offer to sell, in the normal course of business, a misbranded,  
 238 an adulterated, or a contraband drug in an establishment that  
 239 has been issued a license under the Beverage Law under this  
 240 chapter and the holder of the license knew or should have known  
 241 of the offense occurring within the establishment, the division:

242 (a) Shall suspend the Beverage Law license for the  
 243 establishment for 1 year; and

244 (b) May not issue another Beverage Law license under this  
 245 chapter for 1 year from the date of suspension to a person that:

246 1. Applies for or that made a retail transaction under the  
 247 suspended Beverage Law license pursuant to paragraph (a); or

248 2. Owned or co-owned, directly or indirectly, or was an  
 249 officer, a director, a manager, or a partner of the  
 250 establishment that had the license suspended pursuant to  
 251 paragraph (a).

252 Section 3. Subsections (2), (11), and (16) of section  
 253 893.02, Florida Statutes, are amended, new subsections (17) and  
 254 (20) are added to that section, present subsections (17), (18),  
 255 (19), (20), (21), (22), and (23) of that section are  
 256 redesignated as subsections (18), (19), (21), (22), (23), (24),  
 257 and (25), respectively, and subsections (4) and (14) are  
 258 republished, to read:

259 893.02 Definitions.—The following words and phrases as  
 260 used in this chapter shall have the following meanings, unless

261 the context otherwise requires:

262 (2) "Cannabinoid receptor agonist" means a chemical  
263 compound or substance that, according to scientific or medical  
264 research, study, testing, or analysis demonstrates the presence  
265 of binding activity at one or more of the CB1 or CB2 cell  
266 membrane receptors located within the human body ~~"Analog" or~~  
267 ~~"chemical analog" means a structural derivative of a parent~~  
268 ~~compound that is a controlled substance.~~

269 (4) "Controlled substance" means any substance named or  
270 described in Schedules I-V of s. 893.03. Laws controlling the  
271 manufacture, distribution, preparation, dispensing, or  
272 administration of such substances are drug abuse laws.

273 (11) "Homologue" means a chemical compound in a series in  
274 which each compound differs by one or more repeating hydrocarbon  
275 functional group units at any single point within the compound  
276 ~~alkyl functional groups on an alkyl side chain.~~

277 (14) "Listed chemical" means any precursor chemical or  
278 essential chemical named or described in s. 893.033.

279 (16) "Mixture" means any physical combination of two or  
280 more substances, including, but not limited to, a blend, an  
281 aggregation, a suspension, an emulsion, a solution, or a dosage  
282 unit, whether or not such combination can be separated into its  
283 components by physical means, whether mechanical or thermal.

284 (17) "Nitrogen-heterocyclic analog" means an analog of a  
285 controlled substance which has a single carbon atom in a cyclic  
286 structure of a compound replaced by a nitrogen atom.

287        (20) "Positional isomer" means any substance that  
288 possesses the same molecular formula and core structure and that  
289 has the same functional group or substituent as those found in  
290 the respective controlled substance, attached at any positions  
291 on the core structure, but in such manner that no new chemical  
292 functionalities are created and no existing chemical  
293 functionalities are destroyed relative to the respective  
294 controlled substance. Rearrangements of alkyl moieties within or  
295 between functional groups or substituents, or divisions or  
296 combinations of alkyl moieties, which do not create new chemical  
297 functionalities or destroy existing chemical functionalities,  
298 are allowed and include resulting compounds that are positional  
299 isomers. As used in this definition, the term "core structure"  
300 means the parent molecule that is the common basis for the class  
301 that includes, but is not limited to, tryptamine,  
302 phenethylamine, or ergoline. Examples of rearrangements  
303 resulting in creation or destruction of chemical  
304 functionalities, and therefore resulting in compounds that are  
305 not positional isomers, include, but are not limited to, ethoxy  
306 to alpha-hydroxyethyl, hydroxy and methyl to methoxy, or the  
307 repositioning of a phenolic or alcoholic hydroxy group to create  
308 a hydroxyamine. Examples of rearrangements resulting in  
309 compounds that would be positional isomers, include, but are not  
310 limited to, tert-butyl to sec-butyl, methoxy and ethyl to  
311 isopropoxy, N,N-diethyl to N-methyl-N-propyl, or alpha-  
312 methylamino to N-methylamino.

313 Section 4. Section 893.03, Florida Statutes, is amended to  
 314 read:

315 893.03 Standards and schedules.—The substances enumerated  
 316 in this section are controlled by this chapter. The controlled  
 317 substances listed or to be listed in Schedules I, II, III, IV,  
 318 and V are included by whatever official, common, usual,  
 319 chemical, ~~or~~ trade name, or class designated. The provisions of  
 320 this section shall not be construed to include within any of the  
 321 schedules contained in this section any excluded drugs listed  
 322 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
 323 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
 324 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted  
 325 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
 326 Anabolic Steroid Products."

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

332 (a) Unless specifically excepted or unless listed in  
 333 another schedule, any of the following substances, including  
 334 their isomers, esters, ethers, salts, and salts of isomers,  
 335 esters, and ethers, whenever the existence of such isomers,  
 336 esters, ethers, and salts is possible within the specific  
 337 chemical designation:

338 1. Acetyl-alpha-methylfentanyl.

- 339 |           2. Acetylmethadol.
- 340 |           3. Allylprodine.
- 341 |           4. Alphacetylmethadol (except levo-alphacetylmethadol,
- 342 | also known as levo-alpha-acetylmethadol, levomethadyl acetate,
- 343 | or LAAM).
- 344 |           5. Alphamethadol.
- 345 |           6. Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)
- 346 | ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
- 347 | (N-propanilido) piperidine).
- 348 |           7. Alpha-methylthiofentanyl.
- 349 |           8. Alphameprodine.
- 350 |           9. Benzethidine.
- 351 |           10. Benzylfentanyl.
- 352 |           11. Betacetylmethadol.
- 353 |           12. Beta-hydroxyfentanyl.
- 354 |           13. Beta-hydroxy-3-methylfentanyl.
- 355 |           14. Betameprodine.
- 356 |           15. Betamethadol.
- 357 |           16. Betaprodine.
- 358 |           17. Clonitazene.
- 359 |           18. Dextromoramide.
- 360 |           19. Diampromide.
- 361 |           20. Diethylthiambutene.
- 362 |           21. Difenoquin.
- 363 |           22. Dimenoxadol.
- 364 |           23. Dimepheptanol.

- 365 | 24. Dimethylthiambutene.
- 366 | 25. Dioxaphetyl butyrate.
- 367 | 26. Dipipanone.
- 368 | 27. Ethylmethylthiambutene.
- 369 | 28. Etonitazene.
- 370 | 29. Etoxeridine.
- 371 | 30. Flunitrazepam.
- 372 | 31. Furethidine.
- 373 | 32. Hydroxypethidine.
- 374 | 33. Ketobemidone.
- 375 | 34. Levomoramide.
- 376 | 35. Levophenacymorphan.
- 377 | 36. Desmethylprodine (1-Methyl-4-Phenyl-4-
- 378 | Propionoxypiperidine) ~~(MPPP)~~.
- 379 | 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 380 | piperidyl]-N-phenylpropanamide).
- 381 | 38. 3-Methylthiofentanyl.
- 382 | 39. Morpheridine.
- 383 | 40. Noracymethadol.
- 384 | 41. Norlevorphanol.
- 385 | 42. Normethadone.
- 386 | 43. Norpipanone.
- 387 | 44. Para-Fluorofentanyl.
- 388 | 45. Phenadoxone.
- 389 | 46. Phenampromide.
- 390 | 47. Phenomorphan.

- 391 48. Phenoperidine.
- 392 49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
- 393 Acetyloxypiperidine) ~~(PEPAP)~~.
- 394 50. Piritramide.
- 395 51. Proheptazine.
- 396 52. Properidine.
- 397 53. Propiram.
- 398 54. Racemoramide.
- 399 55. Thenylfentanyl.
- 400 56. Thiofentanyl.
- 401 57. Tilidine.
- 402 58. Trimeperidine.
- 403 59. Acetylfentanyl.
- 404 60. Butyrylfentanyl.
- 405 61. Beta-Hydroxythiofentanyl.

406 (b) Unless specifically excepted or unless listed in  
 407 another schedule, any of the following substances, their salts,  
 408 isomers, and salts of isomers, whenever the existence of such  
 409 salts, isomers, and salts of isomers is possible within the  
 410 specific chemical designation:

- 411 1. Acetorphine.
- 412 2. Acetyldihydrocodeine.
- 413 3. Benzylmorphine.
- 414 4. Codeine methylbromide.
- 415 5. Codeine-N-Oxide.
- 416 6. Cyprenorphine.



- 417 7. Desomorphine.
- 418 8. Dihydromorphine.
- 419 9. Drotebanol.
- 420 10. Etorphine (except hydrochloride salt).
- 421 11. Heroin.
- 422 12. Hydromorphenol.
- 423 13. Methyldesorphine.
- 424 14. Methyldihydromorphine.
- 425 15. Monoacetylmorphine.
- 426 16. Morphine methylbromide.
- 427 17. Morphine methylsulfonate.
- 428 18. Morphine-N-Oxide.
- 429 19. Myrophine.
- 430 20. Nicocodine.
- 431 21. Nicomorphine.
- 432 22. Normorphine.
- 433 23. Pholcodine.
- 434 24. Thebacon.

435 (c) Unless specifically excepted or unless listed in  
 436 another schedule, any material, compound, mixture, or  
 437 preparation that contains any quantity of the following  
 438 hallucinogenic substances or that contains any of their salts,  
 439 isomers, including optical, positional, or geometric isomers,  
 440 homologues, nitrogen-heterocyclic analogs, esters, ethers, and  
 441 salts of isomers, homologues, nitrogen-heterocyclic analogs,  
 442 esters, or ethers, if the existence of such salts, isomers, and

- 443 salts of isomers is possible within the specific chemical  
 444 designation or class description:
- 445 1. Alpha-Ethyltryptamine.
  - 446 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-  
 447 oxazoline) ~~(4-methylaminorex)~~.
  - 448 3. Aminorex (2-Amino-5-phenyl-2-oxazoline) ~~(Aminorex)~~.
  - 449 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
  - 450 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
  - 451 6. Bufotenine.
  - 452 7. Cannabis.
  - 453 8. Cathinone.
  - 454 9. DET (Diethyltryptamine).
  - 455 10. 2,5-Dimethoxyamphetamine.
  - 456 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine) ~~2,5-Dimethoxy-~~  
 457 ~~4-ethylamphetamine (DOET)~~.
  - 458 12. DMT (Dimethyltryptamine).
  - 459 13. PCE (N-Ethyl-1-phenylcyclohexylamine) ~~(PCE)~~ (Ethylamine  
 460 analog of phencyclidine).
  - 461 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
  - 462 15. N-Ethylamphetamine.
  - 463 16. Fenethylamine.
  - 464 17. 3,4-Methylenedioxy-N-hydroxyamphetamine ~~N-Hydroxy-3,4-~~  
 465 ~~methylenedioxyamphetamine~~.
  - 466 18. Ibogaine.
  - 467 19. LSD (Lysergic acid diethylamide) ~~(LSD)~~.
  - 468 20. Mescaline.

- 469           21. Methcathinone.
- 470           22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 471           23. PMA (4-Methoxyamphetamine).
- 472           24. PMMA (4-Methoxymethamphetamine).
- 473           25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 474           26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 475           27. MDA (3,4-Methylenedioxyamphetamine).
- 476           28. JB-336 (N-Methyl-3-piperidyl benzilate).
- 477           29. N,N-Dimethylamphetamine.
- 478           30. Parahexyl.
- 479           31. Peyote.
- 480           32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) ~~(PCPY)~~
- 481           (Pyrrolidine analog of phencyclidine).
- 482           33. Psilocybin.
- 483           34. Psilocyn.
- 484           35. *Salvia divinorum*, except for any drug product approved
- 485           by the United States Food and Drug Administration which contains
- 486           *Salvia divinorum* or its isomers, esters, ethers, salts, and
- 487           salts of isomers, esters, and ethers, if the existence of such
- 488           isomers, esters, ethers, and salts is possible within the
- 489           specific chemical designation.
- 490           36. Salvinorin A, except for any drug product approved by
- 491           the United States Food and Drug Administration which contains
- 492           Salvinorin A or its isomers, esters, ethers, salts, and salts of
- 493           isomers, esters, and ethers, if the existence of such isomers,
- 494           esters, ethers, and salts is possible within the specific

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- 495 chemical designation.
- 496 ~~37. Tetrahydrocannabinols.~~
- 497 37. Xylazine.
- 498 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) ~~(TCP)~~
- 499 (Thiophene analog of phencyclidine).
- 500 39. 3,4,5-Trimethoxyamphetamine.
- 501 40. Methylone (3,4-Methylenedioxyamphetaminone).
- 502 41. MDPV (3,4-Methylenedioxypropylamphetamine) ~~(MDPV)~~.
- 503 42. Methylenedioxyamphetamine.
- 504 43. Methoxyamphetamine.
- 505 44. Fluoromethamphetamine.
- 506 45. Methylethamphetamine.
- 507 46. CP 47,497 (2-[(1R,3S)-3-Hydroxycyclohexyl]-5-(2-
- 508 methyloctan-2-yl)phenol), ~~also known as CP 47,497~~ and its
- 509 dimethyloctyl (C8) homologue.
- 510 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 511 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 512 ol], ~~also known as HU-210.~~
- 513 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole), ~~also known~~
- 514 ~~as JWH-018.~~
- 515 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole), ~~also known as~~
- 516 ~~JWH-073.~~
- 517 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
- 518 naphthoyl)indole), ~~also known as JWH-200.~~
- 519 51. BZP (Benzylpiperazine).
- 520 52. Fluorophenylpiperazine.

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- 521 | 53. Methylphenylpiperazine.
- 522 | 54. Chlorophenylpiperazine.
- 523 | 55. Methoxyphenylpiperazine.
- 524 | 56. DBZP (1,4-Dibenzylpiperazine).
- 525 | 57. TFMPP (~~3~~-Trifluoromethylphenylpiperazine).
- 526 | 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 527 | Methylenedioxy-N-methylbutanamine).
- 528 | 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 529 | 60. 5-Hydroxy-N-methyltryptamine.
- 530 | 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 531 | 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 532 | 63. Methyltryptamine.
- 533 | 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 534 | 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 535 | 66. Tyramine (4-Hydroxyphenethylamine).
- 536 | 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 537 | 68. DiPT (N,N-Diisopropyltryptamine).
- 538 | 69. DPT (N,N-Dipropyltryptamine).
- 539 | 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 540 | 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine) ~~N,N-~~
- 541 | ~~Diallyl-5-Methoxytryptamine.~~
- 542 | 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 543 | 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 544 | 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 545 | 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine)
- 546 | ~~2,5-Dimethoxy-4-isopropylthiophenethylamine).~~

- 547 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 548 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~  
 549 ~~Dimethoxy-4-methylthiophenethylamine~~).
- 550 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~  
 551 ~~Dimethoxy-4-ethylthiophenethylamine~~).
- 552 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine)  
 553 ~~2,5-Dimethoxy-4-(n)-propylthiophenethylamine~~).
- 554 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 555 81. Butylone (3,4-Methylenedioxy-alpha-  
 556 methylaminobutyrophenone) ~~beta-keto-N-~~  
 557 ~~methylbenzodioxolylpropylamine~~).
- 558 82. Ethcathinone.
- 559 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 560 84. Naphyrone (Naphthylpyrovalerone).
- 561 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone)  
 562 ~~N-N-Dimethyl-3,4-methylenedioxcathinone~~.
- 563 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~  
 564 ~~3,4-methylenedioxcathinone~~.
- 565 87. 3,4-Methylenedioxy-propiofenone.
- 566 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~  
 567 ~~3,4-Methylenedioxypropiofenone~~.
- 568 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 569 90. 3,4-Methylenedioxy-N-acetylcathinone ~~N-Acetyl-3,4-~~  
 570 ~~methylenedioxcathinone~~.
- 571 91. 3,4-Methylenedioxy-N-acetylmethcathinone ~~N-Acetyl-N-~~  
 572 ~~Methyl-3,4-Methylenedioxcathinone~~.

- 573            92.    3,4-Methylenedioxy-N-acetylcathinone ~~N-Acetyl-N-~~  
 574 ~~Ethyl-3,4-Methylenedioxcathinone.~~
- 575            93.    Bromomethcathinone.
- 576            94.    Buphedrone (alpha-Methylamino-butyrophenone).
- 577            95.    Eutylone (3,4-Methylenedioxy-alpha-  
 578 ethylaminobutyrophenone) ~~beta-Keto-~~  
 579 ~~Ethylbenzodioxolylbutanamine).~~
- 580            96.    Dimethylcathinone.
- 581            97.    Dimethylmethcathinone.
- 582            98.    Pentylone (3,4-Methylenedioxy-alpha-  
 583 methylaminovalerophenone) ~~(beta-Keto-~~  
 584 ~~Methylbenzodioxolylpentanamine).~~
- 585            99.    MDPPP (3,4-Methylenedioxy-alpha-  
 586 pyrrolidinopropiophenone) ~~(MDPPP) 3,4-Methylenedioxy-alpha-~~  
 587 ~~pyrrolidinopropiophenone.~~
- 588            100.    MDPBP (3,4-Methylenedioxy-alpha-  
 589 pyrrolidinobutyrophenone) ~~(MDPBP) 3,4-Methylenedioxy-alpha-~~  
 590 ~~pyrrolidinobutiophenone.~~
- 591            101.    MOPPP (Methoxy-alpha-pyrrolidinopropiophenone)  
 592 ~~(MOPPP).~~
- 593            102.    MPHP (Methyl-alpha-pyrrolidinohexanophenone) ~~Methyl-~~  
 594 ~~alpha-pyrrolidinohexiophenone (MPHP).~~
- 595            103.    BTCP (Benzothiophenylcyclohexylpiperidine) or BCP  
 596 (Benocyclidine) Benocyclidine ~~(BCP) or~~  
 597 ~~benzothiophenylcyclohexylpiperidine (BTCP).~~
- 598            104.    F-MABP (Fluoromethylaminobutyrophenone) ~~(F-MABP).~~

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- 599 105. MeO-PBP (Methoxypyrrolidinobutyrophenone) ~~(MeO-PBP)~~.
- 600 106. Et-PBP (Ethyl-pyrrolidinobutyrophenone) ~~(Et-PBP)~~.
- 601 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone) ~~(3-~~
- 602 ~~Me-4-MeO-MCAT)~~.
- 603 108. Me-EABP (Methylethylaminobutyrophenone) ~~(Me-EABP)~~.
- 604 109. Etizolam ~~Methylamino-butyrophenone (MABP)~~.
- 605 110. PPP (Pyrrolidinopropiophenone) ~~(PPP)~~.
- 606 111. PBP (Pyrrolidinobutyrophenone)
- 607 ~~Pyrrolidinobutiophenone (PBP)~~.
- 608 112. PVP (Pyrrolidinovalerophenone) or
- 609 (Pyrrolidinopentiophenone) ~~(PVP)~~.
- 610 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone) ~~(MPPP)~~.
- 611 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 612 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole) ~~2-~~
- 613 ~~Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone)~~.
- 614 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
- 615 ~~yl-(1-hexylindol-3-yl)methanone)~~.
- 616 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 617 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole) ~~Naphthalen-~~
- 618 ~~1-yl-(1-propyl-1H-indol-3-yl)methanone)~~.
- 619 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole) ~~4-~~
- 620 ~~methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone)~~.
- 621 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 622 121. JWH-133 (((6aR,10aR)-6,6,9-Trimethyl-3-(2-
- 623 methylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene)
- 624 ~~((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-~~



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- 625 ~~trimethyl-6H-dibenzo[b,d]pyran))~~.
- 626 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole) ~~3-~~
- 627 ~~(naphthalen-1-ylmethyl)-1-pentyl-1H-indole~~).
- 628 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 629 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole) ~~2-~~
- 630 ~~(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone~~).
- 631 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole) ~~4-~~
- 632 ~~ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone~~).
- 633 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole) ~~2-~~
- 634 ~~(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone~~).
- 635 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole) ~~2-~~
- 636 ~~(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone~~).
- 637 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 638 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 639 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 640 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 641 ol).
- 642 131. HU-308 ([ (1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-
- 643 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
- 644 enyl] methanol).
- 645 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 646 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 647 1,4-dione).
- 648 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene)
- 649 ~~Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone~~).
- 650 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-

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- 651 undecanamide).
- 652 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-  
653 undecanamide).
- 654 136. CP 55,940 (2-[3-Hydroxy-5-propanol-cyclohexyl]-5-(2-  
655 methyloctan-2-yl)phenol) ~~2-[(1R,2R,5R)-5-hydroxy-2-(3-~~  
656 ~~hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol~~).
- 657 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole)  
658 ~~1-[(5-fluoropentyl)-1H-indol-3-yl]-2-iodophenylmethanone~~).
- 659 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole) ~~1-~~  
660 ~~[(5-fluoropentyl)-1H-indol-3-yl]-1-naphthalen-1-ylmethanone~~).
- 661 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole) (~~4-~~  
662 ~~methoxyphenyl)-(1-pentyl-1H-indol-3-yl)methanone~~).
- 663 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-  
664 methoxyphenylacetyl)indole) ~~1-(1-(2-cyclohexylethyl)-1H-indol-3-~~  
665 ~~yl)-2-(2-methoxyphenylethyl)methanone~~).
- 666 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-  
667 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
668 naphthalenylmethanone).
- 669 142. WIN55,212-3 ([ (3S)-2,3-Dihydro-5-methyl-3-(4-  
670 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
671 naphthalenylmethanone).
- 672 143. Pentedrone (alpha-Methylaminovalerophenone) ~~2-~~  
673 ~~(methylamino)-1-phenyl-1-pentanone~~).
- 674 144. Fluoroamphetamine.
- 675 145. Fluoromethamphetamine.
- 676 146. Methoxetamine.

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- 677 147. Methiopropamine.
- 678 148. ~~4-Methylbuphedrone~~ (Methyl-alpha-  
 679 methylaminobutyrophenone) ~~2-Methylamino-1-(4-methylphenyl)butan-~~  
 680 ~~1-one~~).
- 681 149. APB ((2-Aminopropyl)benzofuran).
- 682 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 683 151. UR-144 (1-Pentyl-3-(2,2,3,3-  
 684 tetramethylcyclopropanoyl)indole) (~~1-pentyl-1H-indol-3-~~  
 685 ~~yl)(2,2,3,3-tetramethylcyclopropyl)methanone~~).
- 686 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
 687 tetramethylcyclopropanoyl)indole) (~~1-(5-fluoropentyl)-1H-indol-~~  
 688 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone~~).
- 689 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-  
 690 tetramethylcyclopropanoyl)indole) (~~1-(5-chloropentyl)-1H-indol-~~  
 691 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone~~).
- 692 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide)  
 693 ~~1-pentyl-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indazole-3-~~  
 694 ~~carboxamide~~).
- 695 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
 696 iodobenzoyl)indole) (~~2-iodophenyl)[1-[(1-methyl-2-~~  
 697 ~~piperidinyl)methyl]-1H-indol-3-yl]methanone~~).
- 698 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-  
 699 carboxamide) ~~1-(5-fluoropentyl)-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-~~  
 700 ~~1H-indole-3-carboxamide~~).
- 701 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-  
 702 cyclohexylcarbamate).

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- 703 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,  
 704 cyclohexyl ester).
- 705 159. URB-754 (6-Methyl-2-[(4-methylphenyl) amino]-1-  
 706 benzoxazin-4-one).
- 707 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~  
 708 ~~Dimethoxy-4-methylphenyl)ethanamine).~~
- 709 161. 2C-H (2,5-Dimethoxyphenethylamine) ~~2-(2,5-~~  
 710 ~~Dimethoxyphenyl)ethanamine).~~
- 711 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~  
 712 ~~Dimethoxy-4-nitrophenyl)ethanamine).~~
- 713 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) ~~2-~~  
 714 ~~(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).~~
- 715 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-  
 716 methoxybenzyl)]phenethylamine) ~~4-iodo-2,5-dimethoxy-N-[(2-~~  
 717 ~~methoxyphenyl)methyl]-benzeneethanamine).~~
- 718 165. MDMA (3,4-Methylenedioxyamphetamine) ~~(MDMA).~~
- 719 166. PB-22 (8-Quinoliny 1-pentylindole-3-carboxylate) ~~1-~~  
 720 ~~pentyl-8-quinoliny 1-ester-1H-indole-3-carboxylic acid).~~
- 721 167. ~~5-Fluoro~~ PB-22 (8-Quinoliny 1-(fluoropentyl)indole-  
 722 3-carboxylate) ~~8-quinoliny 1-ester-1-(5-fluoropentyl)-1H-indole-~~  
 723 ~~3-carboxylic acid).~~
- 724 168. BB-22 (8-Quinoliny 1-(cyclohexylmethyl)indole-3-  
 725 carboxylate) ~~1-(cyclohexylmethyl)-8-quinoliny 1-ester-1H-indole-~~  
 726 ~~3-carboxylic acid).~~
- 727 169. ~~5-Fluoro~~ AKB48 (N-Adamant-1-yl 1-  
 728 (fluoropentyl)indazole-3-carboxamide) ~~N-((3s,5s,7s)-adamantan-1-~~

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729 ~~yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide).~~

730 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
731 pentylindazole-3-carboxamide) ~~N-(1-Amino-3-methyl-1-oxobutan-2-~~  
732 ~~yl)-1-pentyl-1H-indazole-3-carboxamide).~~

733 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
734 (4-fluorobenzyl)indazole-3-carboxamide) ~~N-(1-Amino-3-methyl-1-~~  
735 ~~oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).~~

736 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-  
737 1-pentylindazole-3-carboxamide) ~~N-(1-Amino-3,3-dimethyl-1-~~  
738 ~~oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide).~~

739 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
740 yl)-1-(fluoropentyl)indole-3-carboxamide) ~~N-(1-Amino-3,3-~~  
741 ~~dimethyl-1-oxobutan-2-yl)-1-(fluoropentyl)-1H-indole-3-~~  
742 ~~carboxamide).~~

743 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-  
744 methoxybenzyl)]phenethylamine) ~~4-bromo-2,5-dimethoxy-N-[(2-~~  
745 ~~methoxyphenyl)methyl]-benzeneethanamine).~~

746 175. 25C-C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-  
747 methoxybenzyl)]phenethylamine) ~~4-chloro-2,5-dimethoxy-N-[(2-~~  
748 ~~methoxyphenyl)methyl]-benzeneethanamine).~~

749 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
750 (cyclohexylmethyl)indazole-3-carboxamide) ~~÷ N-[1-(aminocarbonyl)-~~  
751 ~~2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.~~

752 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-  
753 carboxylate) ~~÷ Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-~~  
754 ~~carboxylate.~~

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- 755           178. Fluoro-NNEI (N-Naphthalen-1-yl 1-  
756 (fluoropentyl)indole-3-carboxamide): ~~1-(Fluoropentyl)-N-~~  
757 ~~(naphthalen-1-yl)-1H-indole-3-carboxamide.~~
- 758           179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-  
759 (fluoropentyl)indazole-3-carboxamide): ~~Methyl 2-(1-~~  
760 ~~(fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate.~~
- 761           180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-  
762 naphthoyl)indazole): ~~[1-(5-Fluoropentyl)-1H-indazol-3-~~  
763 ~~yl](naphthalen-1-yl)methanone.~~
- 764           181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-  
765 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).
- 766           182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-  
767 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-  
768 hexahydrobenzo[c]chromen-1-ol).
- 769           183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-  
770 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-  
771 hexahydrobenzo[c]chromen-1-ol).
- 772           184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-  
773 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9  
774 diol).
- 775           185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-  
776 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-  
777 tetrahydro-6aH-benzo[c]chromen-1-ol).
- 778           186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-  
779 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).
- 780           187. MAPB ((2-Methylaminopropyl)benzofuran).

781 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).  
782 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).  
783 190. Synthetic Cannabinoids.—Unless specifically excepted  
784 or unless listed in another schedule or contained within a  
785 pharmaceutical product approved by the United States Food and  
786 Drug Administration, any material, compound, mixture, or  
787 preparation that contains any quantity of a synthetic  
788 cannabinoid found to be in any of the following chemical class  
789 descriptions, or homologues, nitrogen-heterocyclic analogs,  
790 isomers (including optical, positional, or geometric), esters,  
791 ethers, salts, and salts of homologues, nitrogen-heterocyclic  
792 analog, isomers, esters, or ethers, whenever the existence of  
793 such homologues, nitrogen-heterocyclic analogs, isomers, esters,  
794 ethers, salts, and salts of isomers, esters, or ethers is  
795 possible within the specific chemical class or designation.  
796 Since nomenclature of these synthetically produced cannabinoids  
797 is not internationally standardized and may continually evolve,  
798 these structures or the compounds of these structures shall be  
799 included under this subparagraph, regardless of their specific  
800 numerical designation of atomic positions covered, if it can be  
801 determined through a recognized method of scientific testing or  
802 analysis that the substance contains properties that fit within  
803 one or more of the following categories:  
804 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols  
805 naturally contained in a plant of the genus *Cannabis*, the  
806 synthetic equivalents of the substances contained in the plant

807 or in the resinous extracts of the genus *Cannabis*, or synthetic  
808 substances, derivatives, and their isomers with similar chemical  
809 structure and pharmacological activity, including, but not  
810 limited to, Delta 9 tetrahydrocannabinols and their optical  
811 isomers, Delta 8 tetrahydrocannabinols and their optical  
812 isomers, Delta 6a,10a tetrahydrocannabinols and their optical  
813 isomers, or any compound containing a tetrahydrobenzo[c]chromene  
814 structure with substitution at the 3-position or substitution at  
815 the 9-position, with or without substitution at the 1-position  
816 with hydroxyl or alkoxy groups, including, but not limited to:

817 (I) Tetrahydrocannabinol.

818 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
819 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
820 ol).

821 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
822 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
823 ol).

824 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
825 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

826 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-  
827 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

828 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-  
829 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

830 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-  
831 (2,3-dimethylpentan-2-yl)-6a,7,10,10a-  
832 tetrahydrobenzo[c]chromene).



- 833           (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-  
 834 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 835           (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-  
 836 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 837           (X) Parahexyl.
- 838           b. Naphthoylindoles, Naphthoylindazoles,  
 839 Naphthoylcarbazoles, Naphthylmethylindoles,  
 840 Naphthylmethylindazoles, and Naphthylmethylcarbazoles. Any  
 841 compound containing a naphthoylindole, naphthoylindazole,  
 842 naphthoylcarbazole, naphthylmethylindole,  
 843 naphthylmethylindazole, or naphthylmethylcarbazole structure,  
 844 with or without substitution on the indole, indazole, or  
 845 carbazole ring to any extent, whether or not substituted on the  
 846 naphthyl ring to any extent, including, but not limited to:
- 847           (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 848           (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-  
 849 naphthoyl)indole).
- 850           (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
- 851           (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
- 852           (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
- 853           (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
- 854           (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 855           (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
- 856           (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
- 857           (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
- 858           (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).

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- 859 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
- 860 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
- 861 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
- 862 naphthoyl)indole).
- 863 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
- 864 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 865 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
- 866 naphthoyl)indole).
- 867 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-
- 868 naphthoyl)indole).
- 869 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
- 870 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).
- 871 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).
- 872 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
- 873 naphthylmethyl]indole).
- 874 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-
- 875 naphthoyl)indole).
- 876 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-
- 877 naphthoyl)indole).
- 878 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)
- 879 indole).
- 880 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
- 881 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).
- 882 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-
- 883 naphthoyl)indole).
- 884 (XXVIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).

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- 885 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).
- 886 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
- 887 naphthoyl)indole).
- 888 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
- 889 naphthoyl)indole).
- 890 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
- 891 naphthoyl)indole).
- 892 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
- 893 naphthoyl)indole).
- 894 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
- 895 naphthoyl)indole).
- 896 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
- 897 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
- 898 naphthoyl)indazole).
- 899 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
- 900 naphthoyl)indole).
- 901 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
- 902 naphthoyl)indole).
- 903 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).
- 904 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-
- 905 naphthoyl)carbazole).
- 906 c. Naphthoylpyrroles. Any compound containing a
- 907 naphthoylpyrrole structure, with or without substitution on the
- 908 pyrrole ring to any extent, whether or not substituted on the
- 909 naphthyl ring to any extent, including, but not limited to:
- 910 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).

911 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl)pyrrole).

912 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl)pyrrole).

913 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl)pyrrole).

914 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl)pyrrole).

915 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-  
 916 naphthoyl)pyrrole).

917 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-  
 918 naphthoyl)pyrrole).

919 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-  
 920 naphthoyl)pyrrole).

921 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-  
 922 naphthoyl)pyrrole).

923 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-  
 924 naphthoyl)pyrrole).

925 d. Naphthylmethylenindenes.—Any compound containing a  
 926 naphthylmethylenindene structure, with or without substitution  
 927 at the 3-position of the indene ring to any extent, whether or  
 928 not substituted on the naphthyl ring to any extent, including,  
 929 but not limited to, JWH-176 (3-Pentyl-1-  
 930 (naphthylmethylene)indene).

931 e. Phenylacetylindoles and Phenylacetylindazoles.—Any  
 932 compound containing a phenylacetylindole or phenylacetylindazole  
 933 structure, with or without substitution on the indole or  
 934 indazole ring to any extent, whether or not substituted on the  
 935 phenyl ring to any extent, including, but not limited to:

936 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).

937 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).

938 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).

939 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).

940 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).

941 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).

942 (VII) Cannabipiperidiethanone.

943 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-

944 methoxyphenylacetyl)indole).

945 f. Cyclohexylphenols.—Any compound containing a  
 946 cyclohexylphenol structure, with or without substitution at the  
 947 5-position of the phenolic ring to any extent, whether or not  
 948 substituted on the cyclohexyl ring to any extent, including, but  
 949 not limited to:

950 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-  
 951 yl)phenol).

952 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)  
 953 homologue).

954 (III) CP-55,940 (2-(3-Hydroxy-5-propanol-cyclohexyl)-5-(2-  
 955 methyloctan-2-yl)phenol).

956 g. Benzoylindoles and Benzoylindazoles.—Any compound  
 957 containing a benzoylindole or benzoylindazole structure, with or  
 958 without substitution on the indole or indazole ring to any  
 959 extent, whether or not substituted on the phenyl ring to any  
 960 extent, including, but not limited to:

961 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).

962 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).

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- 963 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
964 iodo-5-nitrobenzoyl)indole).
- 965 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-  
966 (4-methoxybenzoyl)indole).
- 967 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
968 iodobenzoyl)indole).
- 969 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).
- 970 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-  
971 methoxybenzoyl)indole).
- 972 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-  
973 3-(4-methoxybenzoyl)indole).
- 974 h. Tetramethylcyclopropanoylindoles and  
975 Tetramethylcyclopropanoylindazoles.—Any compound containing a  
976 tetramethylcyclopropanoylindole or  
977 tetramethylcyclopropanoylindazole structure, with or without  
978 substitution on the indole or indazole ring to any extent,  
979 whether or not substituted on the tetramethylcyclopropyl group  
980 to any extent, including, but not limited to:
- 981 (I) UR-144 (1-Pentyl-3-(2,2,3,3-  
982 tetramethylcyclopropanoyl)indole).
- 983 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
984 tetramethylcyclopropanoyl)indole).
- 985 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-  
986 tetramethylcyclopropanoyl)indole).
- 987 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-  
988 tetramethylcyclopropanoyl)indole).

- 989        (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-  
 990 tetramethylcyclopropanoyl)indole).
- 991        (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-  
 992 tetramethylcyclopropanoyl)indole).
- 993        (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-  
 994 tetramethylcyclopropanoyl)indole).
- 995        (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
 996 tetramethylcyclopropanoyl)indazole).
- 997        (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-  
 998 tetramethylcyclopropanoyl)indole).
- 999        (X) AB-005 (1-[(1-Methyl-2-piperidiny)methyl]-3-(2,2,3,3-  
 1000 tetramethylcyclopropanoyl)indole).
- 1001        i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole  
 1002 carboxamides, and Adamantylindazole carboxamides.—Any compound  
 1003 containing an adamantoyl indole, adamantoyl indazole, adamantyl  
 1004 indole carboxamide, or adamantyl indazole carboxamide structure,  
 1005 with or without substitution on the indole or indazole ring to  
 1006 any extent, whether or not substituted on the adamantyl ring to  
 1007 any extent, including, but not limited to:
- 1008        (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 1009        (II) Fluoro AKB48 (N-Adamant-1-yl 1-  
 1010 (fluoropentyl)indazole-3-carboxamide).
- 1011        (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-  
 1012 carboxamide).
- 1013        (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-  
 1014 adamantoyl)indole).

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- 1015 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).
- 1016 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).
- 1017 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
- 1018 adamantoyl)indole).
- 1019 j. Quinolinyndiolecarboxylates,
- 1020 Quinolinyndiolecarboxylates, Quinolinyndiolecarboxamides,
- 1021 and Quinolinyndiolecarboxamides.-Any compound containing a
- 1022 quinolinyndiole carboxylate, quinolinyndiole carboxylate,
- 1023 isoquinolinyndiole carboxylate, isoquinolinyndiole
- 1024 carboxylate, quinolinyndiole carboxamide, quinolinyndiole
- 1025 carboxamide, isoquinolinyndiole carboxamide, or
- 1026 isoquinolinyndiole carboxamide structure, with or without
- 1027 substitution on the indole or indazole ring to any extent,
- 1028 whether or not substituted on the quinoline or isoquinoline ring
- 1029 to any extent, including, but not limited to:
- 1030 (I) PB-22 (8-Quinolinyndiole 1-pentylindiole-3-carboxylate).
- 1031 (II) Fluoro PB-22 (8-Quinolinyndiole 1-(fluoropentyl)indiole-3-
- 1032 carboxylate).
- 1033 (III) BB-22 (8-Quinolinyndiole 1-(cyclohexylmethyl)indiole-3-
- 1034 carboxylate).
- 1035 (IV) FUB-PB-22 (8-Quinolinyndiole 1-(4-fluorobenzyl)indiole-3-
- 1036 carboxylate).
- 1037 (V) NPB-22 (8-Quinolinyndiole 1-pentylindiole-3-carboxylate).
- 1038 (VI) Fluoro NPB-22 (8-Quinolinyndiole 1-(fluoropentyl)indiole-
- 1039 3-carboxylate).
- 1040 (VII) FUB-NPB-22 (8-Quinolinyndiole 1-(4-fluorobenzyl)indiole-



1041 3-carboxylate).

1042 (VIII) THJ (8-Quinoliny 1-pentylindazole-3-carboxamide).

1043 (IX) Fluoro THJ (8-Quinoliny 1-(fluoropentyl)indazole-3-

1044 carboxamide).

1045 k. Naphthylindolecarboxylates and

1046 Naphthylindazolecarboxylates.—Any compound containing a

1047 naphthylindole carboxylate or naphthylindazole carboxylate

1048 structure, with or without substitution on the indole or

1049 indazole ring to any extent, whether or not substituted on the

1050 naphthyl ring to any extent, including, but not limited to:

1051 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-

1052 carboxylate).

1053 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-

1054 carboxylate).

1055 (III) Fluoro SDB-005 (1-Naphthalenyl 1-

1056 (fluoropentyl)indazole-3-carboxylate).

1057 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-

1058 carboxylate).

1059 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-

1060 carboxylate).

1061 l. Naphthylindole carboxamides and Naphthylindazole

1062 carboxamides.—Any compound containing a naphthylindole

1063 carboxamide or naphthylindazole carboxamide structure, with or

1064 without substitution on the indole or indazole ring to any

1065 extent, whether or not substituted on the naphthyl ring to any

1066 extent, including, but not limited to:

- 1067 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).
- 1068 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-
- 1069 (fluoropentyl)indole-3-carboxamide).
- 1070 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-(chloropentyl)
- 1071 indole-3-carboxamide).
- 1072 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
- 1073 carboxamide).
- 1074 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-
- 1075 (fluoropentyl)indazole-3-carboxamide).
- 1076 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
- 1077 indazole carboxamides, Alkylcarbonyl indole carboxylates, and
- 1078 Alkylcarbonyl indazole carboxylates.-Any compound containing an
- 1079 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,
- 1080 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-
- 1081 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
- 1082 indole carboxamide, indazole carboxamide, indole carboxylate, or
- 1083 indazole carboxylate, with or without substitution on the indole
- 1084 or indazole ring to any extent, whether or not substituted on
- 1085 the alkylcarbonyl group to any extent, including, but not
- 1086 limited to:
- 1087 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
- 1088 pentylindole-3-carboxamide).
- 1089 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
- 1090 yl)-1-(fluoropentyl)indole-3-carboxamide).
- 1091 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
- 1092 1-(fluoropentyl)indole-3-carboxamide).

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- 1093        (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
1094 pentylindazole-3-carboxamide).
- 1095        (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-  
1096 yl)-1-(fluoropentyl)indazole-3-carboxamide).
- 1097        (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-  
1098 1-pentylindazole-3-carboxamide).
- 1099        (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-  
1100 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).
- 1101        (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-  
1102 1-(4-fluorobenzyl)indazole-3-carboxamide).
- 1103        (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
1104 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 1105        (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
1106 (cyclohexylmethyl)indazole-3-carboxamide).
- 1107        (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-  
1108 1-(cyclohexylmethyl)indazole-3-carboxamide).
- 1109        (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
1110 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 1111        (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-  
1112 pentylindazole-3-carboxamide).
- 1113        (XIV) Fluoro AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-  
1114 1-(fluoropentyl)indazole-3-carboxamide).
- 1115        (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-  
1116 fluorobenzyl)indazole-3-carboxamide).
- 1117        (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
1118 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

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- 1119        (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-  
 1120 oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 1121        (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
 1122 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).
- 1123        (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-  
 1124 fluoropentyl)indole-3-carboxamide).
- 1125        (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-  
 1126 fluoropentyl)indazole-3-carboxamide).
- 1127        (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-  
 1128 (cyclohexylmethyl)indazole-3-carboxamide).
- 1129        (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-  
 1130 fluorobenzyl)indazole-3-carboxamide).
- 1131        (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
 1132 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).
- 1133        n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-  
 1134 Any compound containing a N-(2-phenylpropan-2-yl) indole  
 1135 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide  
 1136 structure, with or without substitution on the indole or  
 1137 indazole ring to any extent, whether or not substituted on the  
 1138 phenyl ring of the cumyl group to any extent, including, but not  
 1139 limited to:
- 1140        (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-  
 1141 carboxamide).
- 1142        (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-  
 1143 (fluoropentyl)indole-3-carboxamide).
- 1144        o. Other Synthetic Cannabinoids. Any material, compound,

1145 mixture, or preparation that contains any quantity of a  
 1146 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

1147 (I) With or without modification or replacement of a  
 1148 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage  
 1149 between two core ring or group structures with or without the  
 1150 addition of a carbon or replacement of a carbon;

1151 (II) With or without replacement of a core ring or group  
 1152 structure, whether or not substituted on the ring or group  
 1153 structures to any extent; and

1154 (III) Is a cannabinoid receptor agonist, unless  
 1155 specifically excepted or unless listed in another schedule or  
 1156 contained within a pharmaceutical product approved by the United  
 1157 States Food and Drug Administration.

1158 191. Substituted Cathinones.—Unless specifically excepted,  
 1159 listed in another schedule, or contained within a pharmaceutical  
 1160 product approved by the United States Food and Drug  
 1161 Administration, any material, compound, mixture, or preparation,  
 1162 including its salts, isomers, esters, or ethers, and salts of  
 1163 isomers, esters, or ethers, whenever the existence of such salts  
 1164 is possible within any of the following specific chemical  
 1165 designations:

1166 a. Any compound containing a 2-amino-1-phenyl-1 propanone  
 1167 structure;

1168 b. Any compound containing a 2-amino-1-naphthyl-1-  
 1169 propanone structure; or

1170 c. Any compound containing a 2-amino-1-thiophene-1-

1171 propanone structure,  
 1172  
 1173 whether or not the compound is further modified:  
 1174 (I) With or without substitution on the ring system to any  
 1175 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,  
 1176 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused  
 1177 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide  
 1178 substituents;  
 1179 (II) With or without substitution at the 3-propanone  
 1180 position with an alkyl substituent or removal of the methyl  
 1181 group at the 3-propanone position;  
 1182 (III) With or without substitution at the 2-amino nitrogen  
 1183 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or  
 1184 not further substituted in the ring system; or  
 1185 (IV) With or without inclusion of the 2-amino nitrogen  
 1186 atom in a cyclic structure, including, but not limited to:  
 1187 (A) Methcathinone.  
 1188 (B) Ethcathinone.  
 1189 (C) Methydone (3,4-Methylenedioxy-methcathinone).  
 1190 (D) 2,3-Methylenedioxy-methcathinone.  
 1191 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).  
 1192 (F) Methylmethcathinone.  
 1193 (G) Methoxymethcathinone.  
 1194 (H) Fluoromethcathinone.  
 1195 (I) Methylethcathinone.  
 1196 (J) Butylone (3,4-Methylenedioxy-alpha-

- 1197 methyaminobutyrophenone).
- 1198 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1199 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1200 (M) Naphyrone (Naphthylpyrovalerone).
- 1201 (N) Bromomethcathinone.
- 1202 (O) Buphedrone (alpha-Methyaminobutyrophenone).
- 1203 (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1204 ethylaminobutyrophenone).
- 1205 (Q) Dimethylcathinone.
- 1206 (R) Dimethylmethcathinone.
- 1207 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1208 methyaminovalerophenone).
- 1209 (T) Pentedrone (alpha-Methyaminovalerophenone).
- 1210 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1211 pyrrolidinopropiophenone).
- 1212 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1213 pyrrolidinobutyrophenone).
- 1214 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1215 (X) PPP (Pyrrolidinopropiophenone).
- 1216 (Y) PVP (Pyrrolidinovalerophenone) or
- 1217 (Pyrrolidinopentiophenone).
- 1218 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1219 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1220 (BB) F-MABP (Fluoromethyaminobutyrophenone).
- 1221 (CC) Me-EABP (Methylethylaminobutyrophenone).
- 1222 (DD) PBP (Pyrrolidinobutyrophenone).

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- 1223 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 1224 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 1225 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
- 1226 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
- 1227 dimethylcathinone).
- 1228 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
- 1229 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
- 1230 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
- 1231 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
- 1232 (MM) Methylbuphedrone (Methyl-alpha-
- 1233 methylaminobutyrophenone).
- 1234 (NN) Methyl-alpha-methylaminohexanophenone.
- 1235 (OO) N-Ethyl-N-methylcathinone.
- 1236 (PP) PHP (Pyrrolidinohexanophenone).
- 1237 (QQ) PV8 (Pyrrolidinoheptanophenone).
- 1238 (RR) Chloromethcathinone.
- 1239 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
- 1240 192. Substituted Phenethylamines.—Unless specifically
- 1241 excepted or unless listed in another schedule, or contained
- 1242 within a pharmaceutical product approved by the United States
- 1243 Food and Drug Administration, any material, compound, mixture,
- 1244 or preparation, including its salts, isomers, esters, or ethers,
- 1245 and salts of isomers, esters, or ethers, whenever the existence
- 1246 of such salts is possible within any of the following specific
- 1247 chemical designations, any compound containing a phenethylamine
- 1248 structure, without a beta-keto group, and without a benzyl group



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1249 attached to the amine group, whether or not the compound is  
1250 further modified with or without substitution on the phenyl ring  
1251 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,  
1252 halide, fused alkylenedioxy, fused furan, fused benzofuran,  
1253 fused dihydrofuran, or fused tetrahydropyran substituents,  
1254 whether or not further substituted on a ring to any extent, with  
1255 or without substitution at the alpha or beta position by any  
1256 alkyl substituent, with or without substitution at the nitrogen  
1257 atom, and with or without inclusion of the 2-amino nitrogen atom  
1258 in a cyclic structure, including, but not limited to:

- 1259 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 1260 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 1261 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 1262 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 1263 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 1264 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 1265 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1266 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1267 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1268 j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1269 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1270 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1271 m. MDMA (3,4-Methylenedioxyamphetamine).
- 1272 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-  
1273 Methylenedioxy-N-methylbutanamine).
- 1274 o. MDA (3,4-Methylenedioxyamphetamine).

- 1275 | p. 2,5-Dimethoxyamphetamine.
- 1276 | q. Fluoroamphetamine.
- 1277 | r. Fluoromethamphetamine.
- 1278 | s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1279 | t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 1280 | u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1281 | v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1282 | w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1283 | x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1284 | y. PMA (4-Methoxyamphetamine).
- 1285 | z. N-Ethylamphetamine.
- 1286 | aa. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 1287 | bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1288 | cc. PMMA (4-Methoxymethamphetamine).
- 1289 | dd. N,N-Dimethylamphetamine.
- 1290 | ee. 3,4,5-Trimethoxyamphetamine.
- 1291 | ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1292 | gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1293 | hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1294 | ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1295 | jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1296 | kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1297 | ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1298 | mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1299 | nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1300 | oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).

1301 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).  
 1302 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).  
 1303 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).  
 1304 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-  
 1305 dihydrobenzofuran),

1307 which does not include phenethylamine, mescaline as described in  
 1308 subparagraph (1)(c)20., substituted cathinones as described in  
 1309 subparagraph (1)(c)191., N-Benzyl phenethylamine compounds as  
 1310 described in subparagraph (1)(c)193., or methamphetamine as  
 1311 described in subparagraph (2)(c)4.

1312 193. N-Benzyl Phenethylamine Compounds.—Unless  
 1313 specifically excepted or unless listed in another schedule, or  
 1314 contained within a pharmaceutical product approved by the United  
 1315 States Food and Drug Administration, any material, compound,  
 1316 mixture, or preparation, including its salts, isomers, esters,  
 1317 or ethers, and salts of isomers, esters, or ethers, whenever the  
 1318 existence of such salts is possible within any of the following  
 1319 specific chemical designations, any compound containing a  
 1320 phenethylamine structure without a beta-keto group, with  
 1321 substitution on the nitrogen atom of the amino group with a  
 1322 benzyl substituent, with or without substitution on the phenyl  
 1323 or benzyl ring to any extent with alkyl, alkoxy, thio,  
 1324 alkylthio, halide, fused alkylendioxy, fused furan, fused  
 1325 benzofuran, or fused tetrahydropyran substituents, whether or  
 1326 not further substituted on a ring to any extent, with or without

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- 1327 substitution at the alpha position by any alkyl substituent,  
1328 including, but not limited to:
- 1329 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-  
1330 methoxybenzyl)]phenethylamine).
- 1331 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-  
1332 hydroxybenzyl)]phenethylamine).
- 1333 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-  
1334 fluorobenzyl)]phenethylamine).
- 1335 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-  
1336 methylenedioxybenzyl)]phenethylamine).
- 1337 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-  
1338 methoxybenzyl)]phenethylamine).
- 1339 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-  
1340 hydroxybenzyl)]phenethylamine).
- 1341 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-  
1342 fluorobenzyl)]phenethylamine).
- 1343 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-  
1344 methylenedioxybenzyl)]phenethylamine).
- 1345 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-  
1346 methoxybenzyl)]phenethylanamine).
- 1347 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-  
1348 methoxybenzyl)]phenethylanamine).
- 1349 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-  
1350 methoxybenzyl)]phenethylanamine).
- 1351 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-  
1352 methoxybenzyl)]phenethylamine).

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- 1353 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-  
 1354 hydroxybenzyl)]phenethylamine).  
 1355 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-  
 1356 fluorobenzyl)]phenethylamine).  
 1357 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-  
 1358 methylenedioxybenzyl)]phenethylamine).  
 1359 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-  
 1360 methoxybenzyl)]phenethylamine).  
 1361 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-  
 1362 hydroxybenzyl)]phenethylamine).  
 1363 r. 25H-NBF (2,5-Dimethoxy-[N-(2-  
 1364 fluorobenzyl)]phenethylamine).  
 1365 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-  
 1366 methoxybenzyl)]phenethylamine),  
 1367  
 1368 which does not include substituted cathinones as described in  
 1369 subparagraph (1)(c)191.  
 1370 194. Substituted Tryptamines.—Unless specifically excepted  
 1371 or unless listed in another schedule, or contained within a  
 1372 pharmaceutical product approved by the United States Food and  
 1373 Drug Administration, any material, compound, mixture, or  
 1374 preparation containing a 2-(1H-indol-3-yl)ethanamine, for  
 1375 example tryptamine, structure with or without mono- or di-  
 1376 substitution of the amine nitrogen with alkyl or alkenyl groups,  
 1377 or by inclusion of the amino nitrogen atom in a cyclic  
 1378 structure, whether or not substituted at the alpha position with

- 1379 an alkyl group, whether or not substituted on the indole ring to  
 1380 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy  
 1381 groups, including, but not limited to:
- 1382 a. Alpha-Ethyltryptamine.
  - 1383 b. Bufotenine.
  - 1384 c. DET (Diethyltryptamine).
  - 1385 d. DMT (Dimethyltryptamine).
  - 1386 e. MET (N-Methyl-N-ethyltryptamine).
  - 1387 f. DALT (N,N-Diallyltryptamine).
  - 1388 g. EiPT (N-Ethyl-N-isopropyltryptamine).
  - 1389 h. MiPT (N-Methyl-N-isopropyltryptamine).
  - 1390 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
  - 1391 j. 5-Hydroxy-N-methyltryptamine.
  - 1392 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
  - 1393 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
  - 1394 m. Methyltryptamine.
  - 1395 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
  - 1396 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
  - 1397 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
  - 1398 q. DiPT (N,N-Diisopropyltryptamine).
  - 1399 r. DPT (N,N-Dipropyltryptamine).
  - 1400 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
  - 1401 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
  - 1402 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
  - 1403 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
  - 1404 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).

1405 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).

1406 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-  
 1407 isopropyltryptamine).

1408 z. Methyl-alpha-ethyltryptamine.

1409 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1410  
 1411 which does not include tryptamine, psilocyn as described in  
 1412 subparagraph (1)(c)34., or psilocybin as described in  
 1413 subparagraph (1)(c)33.

1414 195. Substituted Phenylcyclohexylamines.—Unless  
 1415 specifically excepted or unless listed in another schedule, or  
 1416 contained within a pharmaceutical product approved by the United  
 1417 States Food and Drug Administration, any material, compound,  
 1418 mixture, or preparation containing a phenylcyclohexylamine  
 1419 structure, with or without any substitution on the phenyl ring,  
 1420 any substitution on the cyclohexyl ring, any replacement of the  
 1421 phenyl ring with a thiophenyl or benzothiophenyl ring, with or  
 1422 without substitution on the amine with alkyl, dialkyl, or alkoxy  
 1423 substitutents, inclusion of the nitrogen in a cyclic structure,  
 1424 or any combination of the above, including, but not limited to:

1425 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP  
 1426 (Benocyclidine).

1427 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog  
 1428 of phencyclidine).

1429 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine  
 1430 analog of phencyclidine).

- 1431 d. PCPr (Phenylcyclohexylpropylamine).
- 1432 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
- 1433 analog of phencyclidine).
- 1434 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1435 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1436 h. Methoxetamine.
- 1437 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1438 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1439 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1440 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1441 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1442 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1443 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1444 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1445 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1446 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
- 1447 (d) Unless specifically excepted or unless listed in
- 1448 another schedule, any material, compound, mixture, or
- 1449 preparation that ~~which~~ contains any quantity of the following
- 1450 substances, including any of its salts, isomers, optical
- 1451 isomers, salts of their isomers, and salts of these optical
- 1452 isomers whenever the existence of such isomers and salts is
- 1453 possible within the specific chemical designation:
- 1454 1. 1,4-Butanediol.
- 1455 2. Gamma-butyrolactone (GBL).
- 1456 3. Gamma-hydroxybutyric acid (GHB).



1457 4. Methaqualone.

1458 5. Mecloqualone.

1459 (2) SCHEDULE II.—A substance in Schedule II has a high  
 1460 potential for abuse and has a currently accepted but severely  
 1461 restricted medical use in treatment in the United States, and  
 1462 abuse of the substance may lead to severe psychological or  
 1463 physical dependence. The following substances are controlled in  
 1464 Schedule II:

1465 (a) Unless specifically excepted or unless listed in  
 1466 another schedule, any of the following substances, whether  
 1467 produced directly or indirectly by extraction from substances of  
 1468 vegetable origin or independently by means of chemical  
 1469 synthesis:

1470 1. Opium and any salt, compound, derivative, or  
 1471 preparation of opium, except nalmefene or isoquinoline alkaloids  
 1472 of opium, including, but not limited to the following:

- 1473 a. Raw opium.
- 1474 b. Opium extracts.
- 1475 c. Opium fluid extracts.
- 1476 d. Powdered opium.
- 1477 e. Granulated opium.
- 1478 f. Tincture of opium.
- 1479 g. Codeine.
- 1480 h. Ethylmorphine.
- 1481 i. Etorphine hydrochloride.
- 1482 j. Hydrocodone.

- 1483 k. Hydromorphone.
- 1484 l. Levo-alphaacetylmethadol (also known as levo-alpha-
- 1485 acetylmethadol, levomethadyl acetate, or LAAM).
- 1486 m. Metopon (methyldihydromorphinone).
- 1487 n. Morphine.
- 1488 o. Oxycodone.
- 1489 p. Oxymorphone.
- 1490 q. Thebaine.
- 1491 2. Any salt, compound, derivative, or preparation of a
- 1492 substance which is chemically equivalent to or identical with
- 1493 any of the substances referred to in subparagraph 1., except
- 1494 that these substances shall not include the isoquinoline
- 1495 alkaloids of opium.
- 1496 3. Any part of the plant of the species *Papaver*
- 1497 *somniferum*, L.
- 1498 4. Cocaine or ecgonine, including any of their
- 1499 stereoisomers, and any salt, compound, derivative, or
- 1500 preparation of cocaine or ecgonine.
- 1501 (b) Unless specifically excepted or unless listed in
- 1502 another schedule, any of the following substances, including
- 1503 their isomers, esters, ethers, salts, and salts of isomers,
- 1504 esters, and ethers, whenever the existence of such isomers,
- 1505 esters, ethers, and salts is possible within the specific
- 1506 chemical designation:
  - 1507 1. Alfentanil.
  - 1508 2. Alphaprodine.

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- 1509 | 3. Anileridine.
- 1510 | 4. Bezitramide.
- 1511 | 5. Bulk propoxyphene (nondosage forms).
- 1512 | 6. Carfentanil.
- 1513 | 7. Dihydrocodeine.
- 1514 | 8. Diphenoxylate.
- 1515 | 9. Fentanyl.
- 1516 | 10. Isomethadone.
- 1517 | 11. Levomethorphan.
- 1518 | 12. Levorphanol.
- 1519 | 13. Metazocine.
- 1520 | 14. Methadone.
- 1521 | 15. Methadone-Intermediate, 4-cyano-2-
- 1522 | dimethylamino-4,4-diphenylbutane.
- 1523 | 16. Moramide-Intermediate, 2-methyl-
- 1524 | 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1525 | 17. Nabilone.
- 1526 | 18. Pethidine (meperidine).
- 1527 | 19. Pethidine-Intermediate-A, 4-cyano-1-
- 1528 | methyl-4-phenylpiperidine.
- 1529 | 20. Pethidine-Intermediate-B, ethyl-4-
- 1530 | phenylpiperidine-4-carboxylate.
- 1531 | 21. Pethidine-Intermediate-C, 1-methyl-4- phenylpiperidine-
- 1532 | 4-carboxylic acid.
- 1533 | 22. Phenazocine.
- 1534 | 23. Phencyclidine.

- 1535 24. 1-Phenylcyclohexylamine.
- 1536 25. Piminodine.
- 1537 26. 1-Piperidinocyclohexanecarbonitrile.
- 1538 27. Racemethorphan.
- 1539 28. Racemorphan.
- 1540 29. Sufentanil.

1541 (c) Unless specifically excepted or unless listed in  
 1542 another schedule, any material, compound, mixture, or  
 1543 preparation which contains any quantity of the following  
 1544 substances, including their salts, isomers, optical isomers,  
 1545 salts of their isomers, and salts of their optical isomers:

- 1546 1. Amobarbital.
- 1547 2. Amphetamine.
- 1548 3. Glutethimide.
- 1549 4. Methamphetamine.
- 1550 5. Methylphenidate.
- 1551 6. Pentobarbital.
- 1552 7. Phenmetrazine.
- 1553 8. Phenylacetone.
- 1554 9. Secobarbital.

1555 (3) SCHEDULE III.—A substance in Schedule III has a  
 1556 potential for abuse less than the substances contained in  
 1557 Schedules I and II and has a currently accepted medical use in  
 1558 treatment in the United States, and abuse of the substance may  
 1559 lead to moderate or low physical dependence or high  
 1560 psychological dependence or, in the case of anabolic steroids,

1561 may lead to physical damage. The following substances are  
 1562 controlled in Schedule III:

1563 (a) Unless specifically excepted or unless listed in  
 1564 another schedule, any material, compound, mixture, or  
 1565 preparation which contains any quantity of the following  
 1566 substances having a depressant or stimulant effect on the  
 1567 nervous system:

1568 1. Any substance which contains any quantity of a  
 1569 derivative of barbituric acid, including thiobarbituric acid, or  
 1570 any salt of a derivative of barbituric acid or thiobarbituric  
 1571 acid, including, but not limited to, butabarbital and  
 1572 butalbital.

1573 2. Benzphetamine.

1574 3. Chlorhexadol.

1575 4. Chlorphentermine.

1576 5. Clortermine.

1577 6. Lysergic acid.

1578 7. Lysergic acid amide.

1579 8. Methyprylon.

1580 9. Phendimetrazine.

1581 10. Sulfondiethylmethane.

1582 11. Sulfonethylmethane.

1583 12. Sulfonmethane.

1584 13. Tiletamine and zolazepam or any salt thereof.

1585 (b) Nalorphine.

1586 (c) Unless specifically excepted or unless listed in

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1587 another schedule, any material, compound, mixture, or  
1588 preparation containing limited quantities of any of the  
1589 following controlled substances or any salts thereof:

1590 1. Not more than 1.8 grams of codeine per 100 milliliters  
1591 or not more than 90 milligrams per dosage unit, with an equal or  
1592 greater quantity of an isoquinoline alkaloid of opium.

1593 2. Not more than 1.8 grams of codeine per 100 milliliters  
1594 or not more than 90 milligrams per dosage unit, with recognized  
1595 therapeutic amounts of one or more active ingredients which are  
1596 not controlled substances.

1597 3. Not more than 300 milligrams of hydrocodone per 100  
1598 milliliters or not more than 15 milligrams per dosage unit, with  
1599 a fourfold or greater quantity of an isoquinoline alkaloid of  
1600 opium.

1601 4. Not more than 300 milligrams of hydrocodone per 100  
1602 milliliters or not more than 15 milligrams per dosage unit, with  
1603 recognized therapeutic amounts of one or more active ingredients  
1604 that are not controlled substances.

1605 5. Not more than 1.8 grams of dihydrocodeine per 100  
1606 milliliters or not more than 90 milligrams per dosage unit, with  
1607 recognized therapeutic amounts of one or more active ingredients  
1608 which are not controlled substances.

1609 6. Not more than 300 milligrams of ethylmorphine per 100  
1610 milliliters or not more than 15 milligrams per dosage unit, with  
1611 one or more active, nonnarcotic ingredients in recognized  
1612 therapeutic amounts.

1613 7. Not more than 50 milligrams of morphine per 100  
 1614 milliliters or per 100 grams, with recognized therapeutic  
 1615 amounts of one or more active ingredients which are not  
 1616 controlled substances.

1617  
 1618 For purposes of charging a person with a violation of s. 893.135  
 1619 involving any controlled substance described in subparagraph 3.  
 1620 or subparagraph 4., the controlled substance is a Schedule III  
 1621 controlled substance pursuant to this paragraph but the weight  
 1622 of the controlled substance per milliliters or per dosage unit  
 1623 is not relevant to the charging of a violation of s. 893.135.  
 1624 The weight of the controlled substance shall be determined  
 1625 pursuant to s. 893.135(6).

1626 (d) Anabolic steroids.

1627 1. The term "anabolic steroid" means any drug or hormonal  
 1628 substance, chemically and pharmacologically related to  
 1629 testosterone, other than estrogens, progestins, and  
 1630 corticosteroids, that promotes muscle growth and includes:

- 1631 a. Androsterone.
- 1632 b. Androsterone acetate.
- 1633 c. Boldenone.
- 1634 d. Boldenone acetate.
- 1635 e. Boldenone benzoate.
- 1636 f. Boldenone undecylenate.
- 1637 g. Chlorotestosterone (Clostebol) (~~4-chlorotestosterone~~).
- 1638 h. ~~Clostebol.~~

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- 1639 h.i. Dehydrochlormethyltestosterone.
- 1640 i.j. Dihydrotestosterone (Stanolone) ~~(4-~~
- 1641 ~~dihydrotestosterone).~~
- 1642 j.k. Drostanolone.
- 1643 k.l. Ethylestrenol.
- 1644 l.m. Fluoxymesterone.
- 1645 m.n. Formebolone (Formebolone).
- 1646 n.o. Mesterolone.
- 1647 o.p. Methandrostenolone (Methandienone).
- 1648 p.q. Methandranone.
- 1649 q.r. Methandriol.
- 1650 ~~s. Methandrostenolone.~~
- 1651 r.t. Methenolone.
- 1652 s.u. Methyltestosterone.
- 1653 t.v. Mibolerone.
- 1654 u.w. Nortestosterone (Nandrolone).
- 1655 v.x. Norethandrolone.
- 1656 ~~y. Nortestosterone.~~
- 1657 w.z. Nortestosterone decanoate.
- 1658 x.aa. Nortestosterone phenylpropionate.
- 1659 y.bb. Nortestosterone propionate.
- 1660 z.aa. Oxandrolone.
- 1661 aa.aa. Oxymesterone.
- 1662 bb.aa. Oxymetholone.
- 1663 ~~ff. Stanolone.~~
- 1664 cc.aa. Stanozolol.



1665 dd.~~hh.~~ Testolactone.  
 1666 ee.~~ii.~~ Testosterone.  
 1667 ff.~~jj.~~ Testosterone acetate.  
 1668 gg.~~kk.~~ Testosterone benzoate.  
 1669 hh.~~ll.~~ Testosterone cypionate.  
 1670 ii.~~mm.~~ Testosterone decanoate.  
 1671 jj.~~nn.~~ Testosterone enanthate.  
 1672 kk.~~oo.~~ Testosterone isocaproate.  
 1673 ll.~~pp.~~ Testosterone oleate.  
 1674 mm.~~qq.~~ Testosterone phenylpropionate.  
 1675 nn.~~rr.~~ Testosterone propionate.  
 1676 oo.~~ss.~~ Testosterone undecanoate.  
 1677 pp.~~tt.~~ Trenbolone.  
 1678 qq.~~uu.~~ Trenbolone acetate.  
 1679 rr.~~vv.~~ Any salt, ester, or isomer of a drug or substance  
 1680 described or listed in this subparagraph if that salt, ester, or  
 1681 isomer promotes muscle growth.  
 1682 2. The term does not include an anabolic steroid that is  
 1683 expressly intended for administration through implants to cattle  
 1684 or other nonhuman species and that has been approved by the  
 1685 United States Secretary of Health and Human Services for such  
 1686 administration. However, any person who prescribes, dispenses,  
 1687 or distributes such a steroid for human use is considered to  
 1688 have prescribed, dispensed, or distributed an anabolic steroid  
 1689 within the meaning of this paragraph.  
 1690 (e) Ketamine, including any isomers, esters, ethers,

1691 salts, and salts of isomers, esters, and ethers, whenever the  
 1692 existence of such isomers, esters, ethers, and salts is possible  
 1693 within the specific chemical designation.

1694 (f) Dronabinol (synthetic THC) in sesame oil and  
 1695 encapsulated in a soft gelatin capsule in a drug product  
 1696 approved by the United States Food and Drug Administration.

1697 (g) Any drug product containing gamma-hydroxybutyric acid,  
 1698 including its salts, isomers, and salts of isomers, for which an  
 1699 application is approved under s. 505 of the Federal Food, Drug,  
 1700 and Cosmetic Act.

1701 (4) SCHEDULE IV.—A substance in Schedule IV has a low  
 1702 potential for abuse relative to the substances in Schedule III  
 1703 and has a currently accepted medical use in treatment in the  
 1704 United States, and abuse of the substance may lead to limited  
 1705 physical or psychological dependence relative to the substances  
 1706 in Schedule III. Unless specifically excepted or unless listed  
 1707 in another schedule, any material, compound, mixture, or  
 1708 preparation which contains any quantity of the following  
 1709 substances, including its salts, isomers, and salts of isomers  
 1710 whenever the existence of such salts, isomers, and salts of  
 1711 isomers is possible within the specific chemical designation,  
 1712 are controlled in Schedule IV:

- 1713 (a) Alprazolam.
- 1714 (b) Barbital.
- 1715 (c) Bromazepam.
- 1716 (d) Camazepam.

- 1717 (e) Cathine.
- 1718 (f) Chloral betaine.
- 1719 (g) Chloral hydrate.
- 1720 (h) Chlordiazepoxide.
- 1721 (i) Clobazam.
- 1722 (j) Clonazepam.
- 1723 (k) Clorazepate.
- 1724 (l) Clotiazepam.
- 1725 (m) Cloxazolam.
- 1726 (n) Delorazepam.
- 1727 (o) Propoxyphene (dosage forms).
- 1728 (p) Diazepam.
- 1729 (q) Diethylpropion.
- 1730 (r) Estazolam.
- 1731 (s) Ethchlorvynol.
- 1732 (t) Ethinamate.
- 1733 (u) Ethyl loflazepate.
- 1734 (v) Fencamfamin.
- 1735 (w) Fenfluramine.
- 1736 (x) Fenproporex.
- 1737 (y) Fludiazepam.
- 1738 (z) Flurazepam.
- 1739 (aa) Halazepam.
- 1740 (bb) Haloxazolam.
- 1741 (cc) Ketazolam.
- 1742 (dd) Loprazolam.

- 1743 (ee) Lorazepam.
- 1744 (ff) Lormetazepam.
- 1745 (gg) Mazindol.
- 1746 (hh) Mebutamate.
- 1747 (ii) Medazepam.
- 1748 (jj) Mefenorex.
- 1749 (kk) Meproamate.
- 1750 (ll) Methohexital.
- 1751 (mm) Methylphenobarbital.
- 1752 (nn) Midazolam.
- 1753 (oo) Nimetazepam.
- 1754 (pp) Nitrazepam.
- 1755 (qq) Nordiazepam.
- 1756 (rr) Oxazepam.
- 1757 (ss) Oxazolam.
- 1758 (tt) Paraldehyde.
- 1759 (uu) Pemoline.
- 1760 (vv) Pentazocine.
- 1761 (ww) Phenobarbital.
- 1762 (xx) Phentermine.
- 1763 (yy) Pinazepam.
- 1764 (zz) Pipradrol.
- 1765 (aaa) Prazepam.
- 1766 (bbb) Propylhexedrine, excluding any patent or proprietary
- 1767 preparation containing propylhexedrine, unless otherwise
- 1768 provided by federal law.

1769 (ccc) Quazepam.  
 1770 (ddd) Tetrazepam.  
 1771 (eee) SPA[(-)-1 dimethylamino-1, 2  
 1772 diphenylethane].  
 1773 (fff) Temazepam.  
 1774 (ggg) Triazolam.  
 1775 (hhh) Not more than 1 milligram of difenoxin and not less  
 1776 than 25 micrograms of atropine sulfate per dosage unit.  
 1777 (iii) Butorphanol tartrate.  
 1778 (jjj) Carisoprodol.  
 1779 (5) SCHEDULE V.—A substance, compound, mixture, or  
 1780 preparation of a substance in Schedule V has a low potential for  
 1781 abuse relative to the substances in Schedule IV and has a  
 1782 currently accepted medical use in treatment in the United  
 1783 States, and abuse of such compound, mixture, or preparation may  
 1784 lead to limited physical or psychological dependence relative to  
 1785 the substances in Schedule IV.  
 1786 (a) Substances controlled in Schedule V include any  
 1787 compound, mixture, or preparation containing any of the  
 1788 following limited quantities of controlled substances, which  
 1789 shall include one or more active medicinal ingredients which are  
 1790 not controlled substances in sufficient proportion to confer  
 1791 upon the compound, mixture, or preparation valuable medicinal  
 1792 qualities other than those possessed by the controlled substance  
 1793 alone:  
 1794 1. Not more than 200 milligrams of codeine per 100

1795 milliliters or per 100 grams.

1796 2. Not more than 100 milligrams of dihydrocodeine per 100  
1797 milliliters or per 100 grams.

1798 3. Not more than 100 milligrams of ethylmorphine per 100  
1799 milliliters or per 100 grams.

1800 4. Not more than 2.5 milligrams of diphenoxylate and not  
1801 less than 25 micrograms of atropine sulfate per dosage unit.

1802 5. Not more than 100 milligrams of opium per 100  
1803 milliliters or per 100 grams.

1804 (b) Narcotic drugs. Unless specifically excepted or unless  
1805 listed in another schedule, any material, compound, mixture, or  
1806 preparation containing any of the following narcotic drugs and  
1807 their salts: Buprenorphine.

1808 (c) Stimulants. Unless specifically excepted or unless  
1809 listed in another schedule, any material, compound, mixture, or  
1810 preparation which contains any quantity of the following  
1811 substances having a stimulant effect on the central nervous  
1812 system, including its salts, isomers, and salts of isomers:  
1813 Pyrovalerone.

1814 Section 5. Section 893.033, Florida Statutes, is amended  
1815 to read:

1816 893.033 Listed chemicals.—The chemicals listed in this  
1817 section are included by whatever official, common, usual,  
1818 chemical, or trade name designated.

1819 (1) PRECURSOR CHEMICALS.—The term "listed precursor  
1820 chemical" means a chemical that may be used in manufacturing a

1821 controlled substance in violation of this chapter and is  
 1822 critical to the creation of the controlled substance, and such  
 1823 term includes any salt, optical isomer, or salt of an optical  
 1824 isomer, whenever the existence of such salt, optical isomer, or  
 1825 salt of optical isomer is possible within the specific chemical  
 1826 designation. The following are "listed precursor chemicals":

- 1827 (a) Anthranilic acid.
- 1828 (b) Benzaldehyde.
- 1829 (c) Benzyl cyanide.
- 1830 (d) Chloroephedrine.
- 1831 (e) Chloropseudoephedrine.
- 1832 (f) Ephedrine.
- 1833 (g) Ergonovine.
- 1834 (h) Ergotamine.
- 1835 (i) Ergocristine.
- 1836 ~~(i) Hydriodic acid.~~
- 1837 (j) Ethylamine.
- 1838 (k) Iodine tincture above 2.2 percent.
- 1839 (l)~~(k)~~ Isosafrole.
- 1840 (m)~~(l)~~ Methylamine.
- 1841 (n)~~(m)~~ 3, 4-Methylenedioxyphenyl-2-propanone.
- 1842 (o)~~(n)~~ N-Acetylanthranilic acid.
- 1843 (p)~~(o)~~ N-Ethylephedrine.
- 1844 (q)~~(p)~~ N-Ethylpseudoephedrine.
- 1845 (r)~~(q)~~ N-Methylephedrine.
- 1846 (s)~~(r)~~ N-Methylpseudoephedrine.

1847 (t) ANPP (4-Anilino-N-phenethyl-4-piperidine).

1848 (u) NPP (N-Phenethyl-4-piperidone).

1849 (v)~~(s)~~ Nitroethane.

1850 (w)~~(t)~~ Norpseudoephedrine.

1851 (x)~~(u)~~ Phenylacetic acid.

1852 (y)~~(v)~~ Phenylpropanolamine.

1853 (z)~~(w)~~ Piperidine.

1854 (aa)~~(x)~~ Piperonal.

1855 (bb)~~(y)~~ Propionic anhydride.

1856 (cc)~~(z)~~ Pseudoephedrine.

1857 (dd)~~(aa)~~ Safrole.

1858 (2) ESSENTIAL CHEMICALS.—The term "listed essential  
1859 chemical" means a chemical that may be used as a solvent,  
1860 reagent, or catalyst in manufacturing a controlled substance in  
1861 violation of this chapter. The following are "listed essential  
1862 chemicals":

1863 (a) Acetic anhydride.

1864 (b) Acetone.

1865 (c) Ammonium salts, including, but not limited to,  
1866 nitrate, sulfate, phosphate, or chloride.

1867 (d)~~(e)~~ Anhydrous ammonia.

1868 (e) Benzoquinone.

1869 (f)~~(d)~~ Benzyl chloride.

1870 (g)~~(e)~~ 2-Butanone.

1871 (h)~~(f)~~ Ethyl ether.

1872 (i) Formic acid.



1873        (j)~~(g)~~ Hydrochloric acid ~~gas~~.

1874        (k)~~(h)~~ Hydriodic acid.

1875        (l)~~(i)~~ Iodine.

1876        (m) Lithium.

1877        (n) Organic solvents, including, but not limited to,

1878 Coleman Fuel, camping fuel, ether, toluene, or lighter fluid.

1879        (o) Organic cosolvents, including, but not limited to,

1880 glycerol, propylene glycol, or polyethylene glycol.

1881        (p) Potassium dichromate.

1882        (q)~~(j)~~ Potassium permanganate.

1883        (r) Sodium.

1884        (s) Sodium dichromate.

1885        (t) Sodium borohydride.

1886        (u) Sodium cyanoborohydride.

1887        (v) Sodium hydroxide.

1888        (w) Sulfuric acid.

1889        ~~(k) Toluene.~~

1890        Section 6. Subsections (3) and (5) of section 893.0356,

1891 Florida Statutes, are amended, paragraph (j) is added to

1892 subsection (4) of that section, and paragraph (a) of subsection

1893 (2) of that section is republished, to read:

1894        893.0356 Control of new substances; findings of fact;

1895 "controlled substance analog" defined.—

1896        (2) (a) As used in this section, "controlled substance

1897 analog" means a substance which, due to its chemical structure

1898 and potential for abuse, meets the following criteria:

1899 1. Is substantially similar to that of a controlled  
 1900 substance listed in Schedule I or Schedule II of s. 893.03; and

1901 2. Has a stimulant, depressant, or hallucinogenic effect  
 1902 on the central nervous system or is represented or intended to  
 1903 have a stimulant, depressant, or hallucinogenic effect on the  
 1904 central nervous system substantially similar to or greater than  
 1905 that of a controlled substance listed in Schedule I or Schedule  
 1906 II of s. 893.03.

1907 (3) As used in this section, the term "substantially  
 1908 similar," as the term applies to the chemical structure of a  
 1909 substance, means that the chemical structure of the substance  
 1910 compared to the structure of a controlled substance has a single  
 1911 difference in the structural formula that substitutes one atom  
 1912 or functional group for another, including, but not limited to,  
 1913 one halogen for another halogen, one hydrogen for a halogen or  
 1914 vice versa, an alkyl group added or deleted as a side chain to  
 1915 or from a molecule, or an alkyl group added or deleted from a  
 1916 side chain of a molecule. "potential for abuse" in this section  
 1917 ~~means that a substance has properties as a central nervous~~  
 1918 ~~system stimulant or depressant or a hallucinogen that create a~~  
 1919 ~~substantial likelihood of its being:~~

1920 ~~(a) Used in amounts that create a hazard to the user's~~  
 1921 ~~health or the safety of the community;~~

1922 ~~(b) Diverted from legal channels and distributed through~~  
 1923 ~~illegal channels; or~~

1924 ~~(c) Taken on the user's own initiative rather than on the~~

1925 ~~basis of professional medical advice.~~

1926

1927 ~~Proof of potential for abuse can be based upon a showing that~~  
 1928 ~~these activities are already taking place, or upon a showing~~  
 1929 ~~that the nature and properties of the substance make it~~  
 1930 ~~reasonable to assume that there is a substantial likelihood that~~  
 1931 ~~such activities will take place, in other than isolated or~~  
 1932 ~~occasional instances.~~

1933 (4) The following factors shall be relevant to a finding  
 1934 that a substance is a controlled substance analog within the  
 1935 purview of this section:

1936 (j) Comparisons to the accepted methods of marketing,  
 1937 distribution, and sales of the substance and that which the  
 1938 substance is purported to be, including, but not limited to:

1939 1. The difference in price at which the substance is sold  
 1940 and the price at which the substance it is purported to be or  
 1941 advertised as is normally sold;

1942 2. The difference in how the substance is imported,  
 1943 manufactured, or distributed compared to how the substance it is  
 1944 purported to be or advertised as is normally imported,  
 1945 manufactured, or distributed;

1946 3. The difference in the appearance of the substance in  
 1947 overall finished dosage form compared to the substance it is  
 1948 purported to be or advertised as normally appears in overall  
 1949 finished dosage form; and

1950 4. The difference in how the substance is labeled for

1951 sale, packaged for sale, or the method of sale, including, but  
 1952 not limited to, the placement of the substance in an area  
 1953 commonly viewable to the public for purchase consideration  
 1954 compared to how the substance it is purported to be or  
 1955 advertised as is normally labeled for sale, packaged for sale,  
 1956 or sold to the public.

1957 (5) A controlled substance analog shall, for purposes of  
 1958 drug abuse prevention and control, be treated as the highest  
 1959 scheduled ~~a~~ controlled substance of which it is a controlled  
 1960 substance analog to in ~~Schedule I~~ of s. 893.03.

1961 Section 7. Subsections (1), (4), and (6), and paragraph  
 1962 (d) of subsection (8) of section 893.13, Florida Statutes, are  
 1963 amended, and subsection (2), paragraphs (a) and (b) of  
 1964 subsection (5), and paragraph (a) of subsection (7) of that  
 1965 section are republished, to read:

1966 893.13 Prohibited acts; penalties.—

1967 (1) (a) Except as authorized by this chapter and chapter  
 1968 499, a person may not sell, manufacture, or deliver, or possess  
 1969 with intent to sell, manufacture, or deliver, a controlled  
 1970 substance. A person who violates this provision with respect to:

1971 1. A controlled substance named or described in s.  
 1972 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.  
 1973 commits a felony of the second degree, punishable as provided in  
 1974 s. 775.082, s. 775.083, or s. 775.084.

1975 2. A controlled substance named or described in s.  
 1976 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,

1977 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 1978 the third degree, punishable as provided in s. 775.082, s.  
 1979 775.083, or s. 775.084.

1980 3. A controlled substance named or described in s.  
 1981 893.03(5) commits a misdemeanor of the first degree, punishable  
 1982 as provided in s. 775.082 or s. 775.083.

1983 (b) Except as provided in this chapter, a person may not  
 1984 sell or deliver in excess of 10 grams of any substance named or  
 1985 described in s. 893.03(1)(a) or (1)(b), or any combination  
 1986 thereof, or any mixture containing any such substance. A person  
 1987 who violates this paragraph commits a felony of the first  
 1988 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 1989 775.084.

1990 (c) Except as authorized by this chapter, a person may not  
 1991 sell, manufacture, or deliver, or possess with intent to sell,  
 1992 manufacture, or deliver, a controlled substance in, on, or  
 1993 within 1,000 feet of the real property comprising a child care  
 1994 facility as defined in s. 402.302 or a public or private  
 1995 elementary, middle, or secondary school between the hours of 6  
 1996 a.m. and 12 midnight, or at any time in, on, or within 1,000  
 1997 feet of real property comprising a state, county, or municipal  
 1998 park, a community center, or a publicly owned recreational  
 1999 facility. As used in this paragraph, the term "community center"  
 2000 means a facility operated by a nonprofit community-based  
 2001 organization for the provision of recreational, social, or  
 2002 educational services to the public. A person who violates this

2003 paragraph with respect to:

2004 1. A controlled substance named or described in s.  
 2005 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2006 commits a felony of the first degree, punishable as provided in  
 2007 s. 775.082, s. 775.083, or s. 775.084. The defendant must be  
 2008 sentenced to a minimum term of imprisonment of 3 calendar years  
 2009 unless the offense was committed within 1,000 feet of the real  
 2010 property comprising a child care facility as defined in s.  
 2011 402.302.

2012 2. A controlled substance named or described in s.  
 2013 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2014 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2015 the second degree, punishable as provided in s. 775.082, s.  
 2016 775.083, or s. 775.084.

2017 3. Any other controlled substance, except as lawfully  
 2018 sold, manufactured, or delivered, must be sentenced to pay a  
 2019 \$500 fine and to serve 100 hours of public service in addition  
 2020 to any other penalty prescribed by law.

2021  
 2022 This paragraph does not apply to a child care facility unless  
 2023 the owner or operator of the facility posts a sign that is not  
 2024 less than 2 square feet in size with a word legend identifying  
 2025 the facility as a licensed child care facility and that is  
 2026 posted on the property of the child care facility in a  
 2027 conspicuous place where the sign is reasonably visible to the  
 2028 public.

2029 (d) Except as authorized by this chapter, a person may not  
 2030 sell, manufacture, or deliver, or possess with intent to sell,  
 2031 manufacture, or deliver, a controlled substance in, on, or  
 2032 within 1,000 feet of the real property comprising a public or  
 2033 private college, university, or other postsecondary educational  
 2034 institution. A person who violates this paragraph with respect  
 2035 to:

2036 1. A controlled substance named or described in s.  
 2037 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2038 commits a felony of the first degree, punishable as provided in  
 2039 s. 775.082, s. 775.083, or s. 775.084.

2040 2. A controlled substance named or described in s.  
 2041 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2042 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2043 the second degree, punishable as provided in s. 775.082, s.  
 2044 775.083, or s. 775.084.

2045 3. Any other controlled substance, except as lawfully  
 2046 sold, manufactured, or delivered, must be sentenced to pay a  
 2047 \$500 fine and to serve 100 hours of public service in addition  
 2048 to any other penalty prescribed by law.

2049 (e) Except as authorized by this chapter, a person may not  
 2050 sell, manufacture, or deliver, or possess with intent to sell,  
 2051 manufacture, or deliver, a controlled substance not authorized  
 2052 by law in, on, or within 1,000 feet of a physical place for  
 2053 worship at which a church or religious organization regularly  
 2054 conducts religious services or within 1,000 feet of a

2055 convenience business as defined in s. 812.171. A person who  
 2056 violates this paragraph with respect to:

2057 1. A controlled substance named or described in s.  
 2058 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2059 commits a felony of the first degree, punishable as provided in  
 2060 s. 775.082, s. 775.083, or s. 775.084.

2061 2. A controlled substance named or described in s.  
 2062 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2063 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2064 the second degree, punishable as provided in s. 775.082, s.  
 2065 775.083, or s. 775.084.

2066 3. Any other controlled substance, except as lawfully  
 2067 sold, manufactured, or delivered, must be sentenced to pay a  
 2068 \$500 fine and to serve 100 hours of public service in addition  
 2069 to any other penalty prescribed by law.

2070 (f) Except as authorized by this chapter, a person may not  
 2071 sell, manufacture, or deliver, or possess with intent to sell,  
 2072 manufacture, or deliver, a controlled substance in, on, or  
 2073 within 1,000 feet of the real property comprising a public  
 2074 housing facility at any time. As used in this section, the term  
 2075 "real property comprising a public housing facility" means real  
 2076 property, as defined in s. 421.03(12), of a public corporation  
 2077 created as a housing authority pursuant to part I of chapter  
 2078 421. A person who violates this paragraph with respect to:

2079 1. A controlled substance named or described in s.  
 2080 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.



2081 commits a felony of the first degree, punishable as provided in  
 2082 s. 775.082, s. 775.083, or s. 775.084.

2083 2. A controlled substance named or described in s.  
 2084 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2085 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2086 the second degree, punishable as provided in s. 775.082, s.  
 2087 775.083, or s. 775.084.

2088 3. Any other controlled substance, except as lawfully  
 2089 sold, manufactured, or delivered, must be sentenced to pay a  
 2090 \$500 fine and to serve 100 hours of public service in addition  
 2091 to any other penalty prescribed by law.

2092 (g) Except as authorized by this chapter, a person may not  
 2093 manufacture methamphetamine or phencyclidine, or possess any  
 2094 listed chemical as defined in s. 893.033 in violation of s.  
 2095 893.149 and with intent to manufacture methamphetamine or  
 2096 phencyclidine. If a person violates this paragraph and:

2097 1. The commission or attempted commission of the crime  
 2098 occurs in a structure or conveyance where any child younger than  
 2099 16 years of age is present, the person commits a felony of the  
 2100 first degree, punishable as provided in s. 775.082, s. 775.083,  
 2101 or s. 775.084. In addition, the defendant must be sentenced to a  
 2102 minimum term of imprisonment of 5 calendar years.

2103 2. The commission of the crime causes any child younger  
 2104 than 16 years of age to suffer great bodily harm, the person  
 2105 commits a felony of the first degree, punishable as provided in  
 2106 s. 775.082, s. 775.083, or s. 775.084. In addition, the

2107 | defendant must be sentenced to a minimum term of imprisonment of  
 2108 | 10 calendar years.

2109 |       (h) Except as authorized by this chapter, a person may not  
 2110 | sell, manufacture, or deliver, or possess with intent to sell,  
 2111 | manufacture, or deliver, a controlled substance in, on, or  
 2112 | within 1,000 feet of the real property comprising an assisted  
 2113 | living facility, as that term is used in chapter 429. A person  
 2114 | who violates this paragraph with respect to:

2115 |       1. A controlled substance named or described in s.  
 2116 | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2117 | commits a felony of the first degree, punishable as provided in  
 2118 | s. 775.082, s. 775.083, or s. 775.084.

2119 |       2. A controlled substance named or described in s.  
 2120 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2121 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2122 | the second degree, punishable as provided in s. 775.082, s.  
 2123 | 775.083, or s. 775.084.

2124 |       3. Any other controlled substance, except as lawfully  
 2125 | sold, manufactured, or delivered, must be sentenced to pay a  
 2126 | \$500 fine and to serve 100 hours of public service in addition  
 2127 | to any other penalty prescribed by law.

2128 |       (2)(a) Except as authorized by this chapter and chapter  
 2129 | 499, a person may not purchase, or possess with intent to  
 2130 | purchase, a controlled substance. A person who violates this  
 2131 | provision with respect to:

2132 |       1. A controlled substance named or described in s.

2133 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2134 commits a felony of the second degree, punishable as provided in  
 2135 s. 775.082, s. 775.083, or s. 775.084.

2136 2. A controlled substance named or described in s.  
 2137 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2138 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2139 the third degree, punishable as provided in s. 775.082, s.  
 2140 775.083, or s. 775.084.

2141 3. A controlled substance named or described in s.  
 2142 893.03(5) commits a misdemeanor of the first degree, punishable  
 2143 as provided in s. 775.082 or s. 775.083.

2144 (b) Except as provided in this chapter, a person may not  
 2145 purchase more than 10 grams of any substance named or described  
 2146 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any  
 2147 mixture containing any such substance. A person who violates  
 2148 this paragraph commits a felony of the first degree, punishable  
 2149 as provided in s. 775.082, s. 775.083, or s. 775.084.

2150 (4) Except as authorized by this chapter, a person 18  
 2151 years of age or older may not deliver any controlled substance  
 2152 to a person younger than 18 years of age, use or hire a person  
 2153 younger than 18 years of age as an agent or employee in the sale  
 2154 or delivery of such a substance, or use such person to assist in  
 2155 avoiding detection or apprehension for a violation of this  
 2156 chapter. A person who violates this paragraph ~~provision~~ with  
 2157 respect to:

2158 (a) A controlled substance named or described in s.

2159 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2160 commits a felony of the first degree, punishable as provided in  
 2161 s. 775.082, s. 775.083, or s. 775.084.

2162 (b) A controlled substance named or described in s.  
 2163 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2164 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2165 the second degree, punishable as provided in s. 775.082, s.  
 2166 775.083, or s. 775.084.

2167 (c) Any other controlled substance, except as lawfully  
 2168 sold, manufactured, or delivered, commits a felony of the third  
 2169 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 2170 775.084.

2171  
 2172 Imposition of sentence may not be suspended or deferred, and the  
 2173 person so convicted may not be placed on probation.

2174 (5) A person may not bring into this state any controlled  
 2175 substance unless the possession of such controlled substance is  
 2176 authorized by this chapter or unless such person is licensed to  
 2177 do so by the appropriate federal agency. A person who violates  
 2178 this provision with respect to:

2179 (a) A controlled substance named or described in s.  
 2180 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2181 commits a felony of the second degree, punishable as provided in  
 2182 s. 775.082, s. 775.083, or s. 775.084.

2183 (b) A controlled substance named or described in s.  
 2184 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,

2185 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2186 the third degree, punishable as provided in s. 775.082, s.  
 2187 775.083, or s. 775.084.

2188 (6)(a) A person may not be in actual or constructive  
 2189 possession of a controlled substance unless such controlled  
 2190 substance was lawfully obtained from a practitioner or pursuant  
 2191 to a valid prescription or order of a practitioner while acting  
 2192 in the course of his or her professional practice or to be in  
 2193 actual or constructive possession of a controlled substance  
 2194 except as otherwise authorized by this chapter. A person who  
 2195 violates this provision commits a felony of the third degree,  
 2196 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2197 (b) If the offense is the possession of 20 grams or less  
 2198 of cannabis, as defined in this chapter, ~~or 3 grams or less of a~~  
 2199 ~~controlled substance described in s. 893.03(1)(c)46.-50., 114.-~~  
 2200 ~~142., 151.-159., or 166.-173.,~~ the person commits a misdemeanor  
 2201 of the first degree, punishable as provided in s. 775.082 or s.  
 2202 775.083. As used in this subsection, the term "cannabis" does  
 2203 not include the resin extracted from the plants of the genus  
 2204 *Cannabis*, or any compound manufacture, salt, derivative,  
 2205 mixture, or preparation of such resin, ~~and a controlled~~  
 2206 ~~substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-~~  
 2207 ~~159., or 166.-173. does not include the substance in a powdered~~  
 2208 ~~form.~~

2209 (c) Except as provided in this chapter, a person may not  
 2210 possess more than 10 grams of any substance named or described

2211 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any  
 2212 mixture containing any such substance. A person who violates  
 2213 this paragraph commits a felony of the first degree, punishable  
 2214 as provided in s. 775.082, s. 775.083, or s. 775.084.

2215 (d) If the offense is possession of a controlled substance  
 2216 named or described in s. 893.03(5), the person commits a  
 2217 misdemeanor of the second degree, punishable as provided in s.  
 2218 775.082 or s. 775.083.

2219 (e)~~(d)~~ Notwithstanding any provision to the contrary of  
 2220 the laws of this state relating to arrest, a law enforcement  
 2221 officer may arrest without warrant any person who the officer  
 2222 has probable cause to believe is violating the provisions of  
 2223 this chapter relating to possession of cannabis.

2224 (7)(a) A person may not:

- 2225 1. Distribute or dispense a controlled substance in  
 2226 violation of this chapter.
- 2227 2. Refuse or fail to make, keep, or furnish any record,  
 2228 notification, order form, statement, invoice, or information  
 2229 required under this chapter.
- 2230 3. Refuse entry into any premises for any inspection or  
 2231 refuse to allow any inspection authorized by this chapter.
- 2232 4. Distribute a controlled substance named or described in  
 2233 s. 893.03(1) or (2) except pursuant to an order form as required  
 2234 by s. 893.06.
- 2235 5. Keep or maintain any store, shop, warehouse, dwelling,  
 2236 building, vehicle, boat, aircraft, or other structure or place

2237 | which is resorted to by persons using controlled substances in  
2238 | violation of this chapter for the purpose of using these  
2239 | substances, or which is used for keeping or selling them in  
2240 | violation of this chapter.

2241 |         6. Use to his or her own personal advantage, or reveal,  
2242 | any information obtained in enforcement of this chapter except  
2243 | in a prosecution or administrative hearing for a violation of  
2244 | this chapter.

2245 |         7. Possess a prescription form unless it has been signed  
2246 | by the practitioner whose name appears printed thereon and  
2247 | completed. This subparagraph does not apply if the person in  
2248 | possession of the form is the practitioner whose name appears  
2249 | printed thereon, an agent or employee of that practitioner, a  
2250 | pharmacist, or a supplier of prescription forms who is  
2251 | authorized by that practitioner to possess those forms.

2252 |         8. Withhold information from a practitioner from whom the  
2253 | person seeks to obtain a controlled substance or a prescription  
2254 | for a controlled substance that the person making the request  
2255 | has received a controlled substance or a prescription for a  
2256 | controlled substance of like therapeutic use from another  
2257 | practitioner within the previous 30 days.

2258 |         9. Acquire or obtain, or attempt to acquire or obtain,  
2259 | possession of a controlled substance by misrepresentation,  
2260 | fraud, forgery, deception, or subterfuge.

2261 |         10. Affix any false or forged label to a package or  
2262 | receptacle containing a controlled substance.

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2263 11. Furnish false or fraudulent material information in,  
2264 or omit any material information from, any report or other  
2265 document required to be kept or filed under this chapter or any  
2266 record required to be kept by this chapter.

2267 12. Store anhydrous ammonia in a container that is not  
2268 approved by the United States Department of Transportation to  
2269 hold anhydrous ammonia or is not constructed in accordance with  
2270 sound engineering, agricultural, or commercial practices.

2271 13. With the intent to obtain a controlled substance or  
2272 combination of controlled substances that are not medically  
2273 necessary for the person or an amount of a controlled substance  
2274 or substances that is not medically necessary for the person,  
2275 obtain or attempt to obtain from a practitioner a controlled  
2276 substance or a prescription for a controlled substance by  
2277 misrepresentation, fraud, forgery, deception, subterfuge, or  
2278 concealment of a material fact. For purposes of this  
2279 subparagraph, a material fact includes whether the person has an  
2280 existing prescription for a controlled substance issued for the  
2281 same period of time by another practitioner or as described in  
2282 subparagraph 8.

2283 (8)

2284 (d) Notwithstanding paragraph (c), if a prescribing  
2285 practitioner has violated paragraph (a) and received \$1,000 or  
2286 more in payment for writing one or more prescriptions or, in the  
2287 case of a prescription written for a controlled substance  
2288 described in s. 893.135, has written one or more prescriptions



2289 for a quantity of a controlled substance which, individually or  
 2290 in the aggregate, meets the threshold for the offense of  
 2291 trafficking in a controlled substance under s. 893.135 ~~s.~~  
 2292 ~~893.15~~, the violation is reclassified as a felony of the second  
 2293 degree and ranked in level 4 of the Criminal Punishment Code.

2294 Section 8. Paragraphs (g) and (l) of subsection (1) of  
 2295 section 893.135, Florida Statutes, are republished, paragraph  
 2296 (k) of that subsection is amended, and subsection (6) of that  
 2297 section is amended, to read:

2298 893.135 Trafficking; mandatory sentences; suspension or  
 2299 reduction of sentences; conspiracy to engage in trafficking.—

2300 (1) Except as authorized in this chapter or in chapter 499  
 2301 and notwithstanding the provisions of s. 893.13:

2302 (g)1. Any person who knowingly sells, purchases,  
 2303 manufactures, delivers, or brings into this state, or who is  
 2304 knowingly in actual or constructive possession of, 4 grams or  
 2305 more of flunitrazepam or any mixture containing flunitrazepam as  
 2306 described in s. 893.03(1)(a) commits a felony of the first  
 2307 degree, which felony shall be known as "trafficking in  
 2308 flunitrazepam," punishable as provided in s. 775.082, s.  
 2309 775.083, or s. 775.084. If the quantity involved:

2310 a. Is 4 grams or more but less than 14 grams, such person  
 2311 shall be sentenced to a mandatory minimum term of imprisonment  
 2312 of 3 years, and the defendant shall be ordered to pay a fine of  
 2313 \$50,000.

2314 b. Is 14 grams or more but less than 28 grams, such person

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2315 shall be sentenced to a mandatory minimum term of imprisonment  
2316 of 7 years, and the defendant shall be ordered to pay a fine of  
2317 \$100,000.

2318 c. Is 28 grams or more but less than 30 kilograms, such  
2319 person shall be sentenced to a mandatory minimum term of  
2320 imprisonment of 25 calendar years and pay a fine of \$500,000.

2321 2. Any person who knowingly sells, purchases,  
2322 manufactures, delivers, or brings into this state or who is  
2323 knowingly in actual or constructive possession of 30 kilograms  
2324 or more of flunitrazepam or any mixture containing flunitrazepam  
2325 as described in s. 893.03(1)(a) commits the first degree felony  
2326 of trafficking in flunitrazepam. A person who has been convicted  
2327 of the first degree felony of trafficking in flunitrazepam under  
2328 this subparagraph shall be punished by life imprisonment and is  
2329 ineligible for any form of discretionary early release except  
2330 pardon or executive clemency or conditional medical release  
2331 under s. 947.149. However, if the court determines that, in  
2332 addition to committing any act specified in this paragraph:

2333 a. The person intentionally killed an individual or  
2334 counseled, commanded, induced, procured, or caused the  
2335 intentional killing of an individual and such killing was the  
2336 result; or

2337 b. The person's conduct in committing that act led to a  
2338 natural, though not inevitable, lethal result,

2339  
2340 such person commits the capital felony of trafficking in

2341 flunitrazepam, punishable as provided in ss. 775.082 and  
 2342 921.142. Any person sentenced for a capital felony under this  
 2343 paragraph shall also be sentenced to pay the maximum fine  
 2344 provided under subparagraph 1.

2345 (k)1. A person who knowingly sells, purchases,  
 2346 manufactures, delivers, or brings into this state, or who is  
 2347 knowingly in actual or constructive possession of, 10 grams or  
 2348 more of any of the following substances described in s.  
 2349 893.03(1)(c):

- 2350 a. (MDMA) 3,4-Methylenedioxymethamphetamine ~~(MDMA)~~;
- 2351 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);
- 2352 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2353 d. 2,5-Dimethoxyamphetamine;
- 2354 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-~~  
 2355 ~~4-ethylamphetamine (DOET)~~;
- 2356 f. N-ethylamphetamine;
- 2357 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2358 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2359 i. PMA (4-methoxyamphetamine);
- 2360 j. PMMA (4-methoxymethamphetamine);
- 2361 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2362 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2363 m. MDA (3,4-Methylenedioxyamphetamine);
- 2364 n. N,N-dimethylamphetamine;
- 2365 o. 3,4,5-Trimethoxyamphetamine;
- 2366 p. Methylone (3,4-Methylenedioxymethcathinone);

2367 q. MDPV (3,4-Methylenedioxypropylone) ~~(MDPV)~~; or  
 2368 r. Methylnmethcathinone,  
 2369  
 2370 individually or analogs thereto or isomers thereto or in any  
 2371 combination of or any mixture containing any substance listed in  
 2372 sub-subparagraphs a.-r., commits a felony of the first degree,  
 2373 which felony shall be known as "trafficking in Phenethylamines,"  
 2374 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
 2375 2. If the quantity involved:  
 2376 a. Is 10 grams or more, but less than 200 grams, such  
 2377 person shall be sentenced to a mandatory minimum term of  
 2378 imprisonment of 3 years and shall be ordered to pay a fine of  
 2379 \$50,000.  
 2380 b. Is 200 grams or more, but less than 400 grams, such  
 2381 person shall be sentenced to a mandatory minimum term of  
 2382 imprisonment of 7 years and shall be ordered to pay a fine of  
 2383 \$100,000.  
 2384 c. Is 400 grams or more, such person shall be sentenced to  
 2385 a mandatory minimum term of imprisonment of 15 years and shall  
 2386 be ordered to pay a fine of \$250,000.  
 2387 3. A person who knowingly manufactures or brings into this  
 2388 state 30 kilograms or more of any of the following substances  
 2389 described in s. 893.03(1)(c):  
 2390 a. MDMA (3,4-Methylenedioxymethamphetamine) ~~(MDMA)~~;  
 2391 b. 2C-B (4-Bromo-2,5-dimethoxyamphetamine);  
 2392 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);

- 2393 d. 2,5-Dimethoxyamphetamine;
- 2394 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
- 2395 ~~4-ethylamphetamine (DOET);~~
- 2396 f. N-ethylamphetamine;
- 2397 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2398 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2399 i. PMA (4-methoxyamphetamine);
- 2400 j. PMMA (4-methoxymethamphetamine);
- 2401 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2402 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2403 m. MDA (3,4-Methylenedioxyamphetamine);
- 2404 n. N,N-dimethylamphetamine;
- 2405 o. 3,4,5-Trimethoxyamphetamine;
- 2406 p. Methylone (3,4-Methylenedioxymethcathinone);
- 2407 q. MDPV (3,4-Methylenedioxypropylvalerone) ~~(MDPV)~~; or
- 2408 r. Methylnmethcathinone,
- 2409
- 2410 individually or analogs thereto or isomers thereto or in any
- 2411 combination of or any mixture containing any substance listed in
- 2412 sub-subparagraphs a.-r., and who knows that the probable result
- 2413 of such manufacture or importation would be the death of any
- 2414 person commits capital manufacture or importation of
- 2415 Phenethylamines, a capital felony punishable as provided in ss.
- 2416 775.082 and 921.142. A person sentenced for a capital felony
- 2417 under this paragraph shall also be sentenced to pay the maximum
- 2418 fine provided under subparagraph 1.

2419 (1)1. Any person who knowingly sells, purchases,  
 2420 manufactures, delivers, or brings into this state, or who is  
 2421 knowingly in actual or constructive possession of, 1 gram or  
 2422 more of lysergic acid diethylamide (LSD) as described in s.  
 2423 893.03(1)(c), or of any mixture containing lysergic acid  
 2424 diethylamide (LSD), commits a felony of the first degree, which  
 2425 felony shall be known as "trafficking in lysergic acid  
 2426 diethylamide (LSD)," punishable as provided in s. 775.082, s.  
 2427 775.083, or s. 775.084. If the quantity involved:

2428 a. Is 1 gram or more, but less than 5 grams, such person  
 2429 shall be sentenced to a mandatory minimum term of imprisonment  
 2430 of 3 years, and the defendant shall be ordered to pay a fine of  
 2431 \$50,000.

2432 b. Is 5 grams or more, but less than 7 grams, such person  
 2433 shall be sentenced to a mandatory minimum term of imprisonment  
 2434 of 7 years, and the defendant shall be ordered to pay a fine of  
 2435 \$100,000.

2436 c. Is 7 grams or more, such person shall be sentenced to a  
 2437 mandatory minimum term of imprisonment of 15 calendar years and  
 2438 pay a fine of \$500,000.

2439 2. Any person who knowingly manufactures or brings into  
 2440 this state 7 grams or more of lysergic acid diethylamide (LSD)  
 2441 as described in s. 893.03(1)(c), or any mixture containing  
 2442 lysergic acid diethylamide (LSD), and who knows that the  
 2443 probable result of such manufacture or importation would be the  
 2444 death of any person commits capital manufacture or importation

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2445 of lysergic acid diethylamide (LSD), a capital felony punishable  
2446 as provided in ss. 775.082 and 921.142. Any person sentenced for  
2447 a capital felony under this paragraph shall also be sentenced to  
2448 pay the maximum fine provided under subparagraph 1.

2449 (6) A mixture, as defined in s. 893.02, containing any  
2450 controlled substance described in this section includes, but is  
2451 not limited to, a solution or a dosage unit, including but not  
2452 limited to, a gelatin capsule, pill, or tablet, containing a  
2453 controlled substance. For the purpose of clarifying legislative  
2454 intent regarding the weighing of a mixture containing a  
2455 controlled substance described in this section, the weight of  
2456 the controlled substance is the total weight of the mixture,  
2457 including the controlled substance and any other substance in  
2458 the mixture. If there is more than one mixture containing the  
2459 same controlled substance, the weight of the controlled  
2460 substance is calculated by aggregating the total weight of each  
2461 mixture.

2462 Section 9. Subsection (2) of section 893.138, Florida  
2463 Statutes, is amended to read:

2464 893.138 Local administrative action to abate drug-related,  
2465 prostitution-related, or stolen-property-related public  
2466 nuisances and criminal gang activity.—

2467 (2) Any place or premises that has been used:

2468 (a) On more than two occasions within a 6-month period, as  
2469 the site of a violation of s. 796.07;

2470 (b) On more than two occasions within a 6-month period, as

2471 the site of the unlawful sale, delivery, manufacture, or  
 2472 cultivation of any controlled substance;

2473 (c) On one occasion as the site of the unlawful possession  
 2474 of a controlled substance, where such possession constitutes a  
 2475 felony and that has been previously used on more than one  
 2476 occasion as the site of the unlawful sale, delivery,  
 2477 manufacture, or cultivation of any controlled substance;

2478 (d) By a criminal gang for the purpose of conducting  
 2479 criminal gang activity as defined by s. 874.03; ~~or~~

2480 (e) On more than two occasions within a 6-month period, as  
 2481 the site of a violation of s. 812.019 relating to dealing in  
 2482 stolen property; or

2483 (f) On two or more occasions within a 6-month period, as  
 2484 the site of a violation of chapter 499,

2485  
 2486 may be declared to be a public nuisance, and such nuisance may  
 2487 be abated pursuant to the procedures provided in this section.

2488 Section 10. Subsections (6) and (12) of section 893.145,  
 2489 Florida Statutes, are amended to read:

2490 893.145 "Drug paraphernalia" defined.—The term "drug  
 2491 paraphernalia" means all equipment, products, and materials of  
 2492 any kind which are used, intended for use, or designed for use  
 2493 in planting, propagating, cultivating, growing, harvesting,  
 2494 manufacturing, compounding, converting, producing, processing,  
 2495 preparing, testing, analyzing, packaging, repackaging, storing,  
 2496 containing, concealing, transporting, injecting, ingesting,



2497 inhaling, or otherwise introducing into the human body a  
 2498 controlled substance in violation of this chapter or s. 877.111.  
 2499 Drug paraphernalia is deemed to be contraband which shall be  
 2500 subject to civil forfeiture. The term includes, but is not  
 2501 limited to:

2502 (6) Diluents and adulterants, such as quinine  
 2503 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,  
 2504 dextrose, and lactose, used, intended for use, or designed for  
 2505 use in diluting ~~cutting~~ controlled substances; or substances  
 2506 such as damiana leaf, marshmallow leaf, and mullein leaf, used,  
 2507 intended for use, or designed for use as carrier mediums of  
 2508 controlled substances.

2509 (12) Objects used, intended for use, or designed for use  
 2510 in ingesting, inhaling, or otherwise introducing controlled  
 2511 substances, as described in s. 893.03, or substances described  
 2512 in s. 877.111(1) ~~cannabis, cocaine, hashish, hashish oil, or~~  
 2513 ~~nitrous oxide~~ into the human body, such as:

2514 (a) Metal, wooden, acrylic, glass, stone, plastic, or  
 2515 ceramic pipes, with or without screens, permanent screens,  
 2516 hashish heads, or punctured metal bowls.

2517 (b) Water pipes.

2518 (c) Carburetion tubes and devices.

2519 (d) Smoking and carburetion masks.

2520 (e) Roach clips: meaning objects used to hold burning  
 2521 material, such as a cannabis cigarette, that has become too  
 2522 small or too short to be held in the hand.

- 2523 (f) Miniature cocaine spoons, and cocaine vials.
- 2524 (g) Chamber pipes.
- 2525 (h) Carburetor pipes.
- 2526 (i) Electric pipes.
- 2527 (j) Air-driven pipes.
- 2528 (k) Chillums.
- 2529 (l) Bongs.
- 2530 (m) Ice pipes or chillers.
- 2531 (n) A cartridge or canister, which means a small metal
- 2532 device used to contain nitrous oxide.
- 2533 (o) A charger, sometimes referred to as a "cracker," which
- 2534 means a small metal or plastic device that contains an interior
- 2535 pin that may be used to expel nitrous oxide from a cartridge or
- 2536 container.
- 2537 (p) A charging bottle, which means a device that may be
- 2538 used to expel nitrous oxide from a cartridge or canister.
- 2539 (q) A whip-it, which means a device that may be used to
- 2540 expel nitrous oxide.
- 2541 (r) A tank.
- 2542 (s) A balloon.
- 2543 (t) A hose or tube.
- 2544 (u) A 2-liter-type soda bottle.
- 2545 (v) Duct tape.
- 2546 Section 11. Paragraph (a) of subsection (1) of section
- 2547 895.02, Florida Statutes, is amended to read:
- 2548 895.02 Definitions.—As used in ss. 895.01-895.08, the

2549 term:

2550 (1) "Racketeering activity" means to commit, to attempt to  
 2551 commit, to conspire to commit, or to solicit, coerce, or  
 2552 intimidate another person to commit:

2553 (a) Any crime that is chargeable by petition, indictment,  
 2554 or information under the following provisions of the Florida  
 2555 Statutes:

2556 1. Section 210.18, relating to evasion of payment of  
 2557 cigarette taxes.

2558 2. Section 316.1935, relating to fleeing or attempting to  
 2559 elude a law enforcement officer and aggravated fleeing or  
 2560 eluding.

2561 3. Section 403.727(3)(b), relating to environmental  
 2562 control.

2563 4. Section 409.920 or s. 409.9201, relating to Medicaid  
 2564 fraud.

2565 5. Section 414.39, relating to public assistance fraud.

2566 6. Section 440.105 or s. 440.106, relating to workers'  
 2567 compensation.

2568 7. Section 443.071(4), relating to creation of a  
 2569 fictitious employer scheme to commit reemployment assistance  
 2570 fraud.

2571 8. Section 465.0161, relating to distribution of medicinal  
 2572 drugs without a permit as an Internet pharmacy.

2573 9. Section 499.0051, relating to crimes involving  
 2574 contraband, ~~and adulterated~~, or misbranded drugs.

- 2575 |           10. Part IV of chapter 501, relating to telemarketing.
- 2576 |           11. Chapter 517, relating to sale of securities and
- 2577 | investor protection.
- 2578 |           12. Section 550.235 or s. 550.3551, relating to dogracing
- 2579 | and horseracing.
- 2580 |           13. Chapter 550, relating to jai alai frontons.
- 2581 |           14. Section 551.109, relating to slot machine gaming.
- 2582 |           15. Chapter 552, relating to the manufacture,
- 2583 | distribution, and use of explosives.
- 2584 |           16. Chapter 560, relating to money transmitters, if the
- 2585 | violation is punishable as a felony.
- 2586 |           17. Chapter 562, relating to beverage law enforcement.
- 2587 |           18. Section 624.401, relating to transacting insurance
- 2588 | without a certificate of authority, s. 624.437(4)(c)1., relating
- 2589 | to operating an unauthorized multiple-employer welfare
- 2590 | arrangement, or s. 626.902(1)(b), relating to representing or
- 2591 | aiding an unauthorized insurer.
- 2592 |           19. Section 655.50, relating to reports of currency
- 2593 | transactions, when such violation is punishable as a felony.
- 2594 |           20. Chapter 687, relating to interest and usurious
- 2595 | practices.
- 2596 |           21. Section 721.08, s. 721.09, or s. 721.13, relating to
- 2597 | real estate timeshare plans.
- 2598 |           22. Section 775.13(5)(b), relating to registration of
- 2599 | persons found to have committed any offense for the purpose of
- 2600 | benefiting, promoting, or furthering the interests of a criminal

2601 gang.

2602 23. Section 777.03, relating to commission of crimes by

2603 accessories after the fact.

2604 24. Chapter 782, relating to homicide.

2605 25. Chapter 784, relating to assault and battery.

2606 26. Chapter 787, relating to kidnapping or human

2607 trafficking.

2608 27. Chapter 790, relating to weapons and firearms.

2609 28. Chapter 794, relating to sexual battery, but only if

2610 such crime was committed with the intent to benefit, promote, or

2611 further the interests of a criminal gang, or for the purpose of

2612 increasing a criminal gang member's own standing or position

2613 within a criminal gang.

2614 29. Former s. 796.03, former s. 796.035, s. 796.04, s.

2615 796.05, or s. 796.07, relating to prostitution.

2616 30. Chapter 806, relating to arson and criminal mischief.

2617 31. Chapter 810, relating to burglary and trespass.

2618 32. Chapter 812, relating to theft, robbery, and related

2619 crimes.

2620 33. Chapter 815, relating to computer-related crimes.

2621 34. Chapter 817, relating to fraudulent practices, false

2622 pretenses, fraud generally, and credit card crimes.

2623 35. Chapter 825, relating to abuse, neglect, or

2624 exploitation of an elderly person or disabled adult.

2625 36. Section 827.071, relating to commercial sexual

2626 exploitation of children.

- 2627           37. Section 828.122, relating to fighting or baiting  
 2628 animals.
- 2629           38. Chapter 831, relating to forgery and counterfeiting.
- 2630           39. Chapter 832, relating to issuance of worthless checks  
 2631 and drafts.
- 2632           40. Section 836.05, relating to extortion.
- 2633           41. Chapter 837, relating to perjury.
- 2634           42. Chapter 838, relating to bribery and misuse of public  
 2635 office.
- 2636           43. Chapter 843, relating to obstruction of justice.
- 2637           44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or  
 2638 s. 847.07, relating to obscene literature and profanity.
- 2639           45. Chapter 849, relating to gambling, lottery, gambling  
 2640 or gaming devices, slot machines, or any of the provisions  
 2641 within that chapter.
- 2642           46. Chapter 874, relating to criminal gangs.
- 2643           47. Chapter 893, relating to drug abuse prevention and  
 2644 control.
- 2645           48. Chapter 896, relating to offenses related to financial  
 2646 transactions.
- 2647           49. Sections 914.22 and 914.23, relating to tampering with  
 2648 or harassing a witness, victim, or informant, and retaliation  
 2649 against a witness, victim, or informant.
- 2650           50. Sections 918.12 and 918.13, relating to tampering with  
 2651 jurors and evidence.
- 2652           Section 12. Paragraphs (c), (e), and (g) of subsection (3)

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2653 of section 921.0022, Florida Statutes, are amended, and  
 2654 paragraphs (b), (d), and (h) of that subsection are republished,  
 2655 to read:

2656 921.0022 Criminal Punishment Code; offense severity  
 2657 ranking chart.—

2658 (3) OFFENSE SEVERITY RANKING CHART

2659 (b) LEVEL 2

2660

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 weight or 100 cubic feet in volume or any quantity for commercial

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2664	517.07 (2)	3rd	<p>purposes, or hazardous waste.</p> <p>Failure to furnish a prospectus meeting requirements.</p>
2665	590.28 (1)	3rd	<p>Intentional burning of lands.</p>
2666	784.05 (3)	3rd	<p>Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.</p>
2667	787.04 (1)	3rd	<p>In violation of court order, take, entice, etc., minor beyond state limits.</p>
2668	806.13 (1) (b) 3.	3rd	<p>Criminal mischief; damage \$1,000 or more to public communication or any other public service.</p>
2669	810.061 (2)	3rd	<p>Impairing or impeding</p>



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2670	810.09 (2) (e)	3rd	telephone or power to a dwelling; facilitating or furthering burglary.
2671	812.014 (2) (c) 1.	3rd	Trespassing on posted commercial horticulture property.
2672	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
2673	812.015 (7)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
2674	817.234 (1) (a) 2.	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
			False statement in support of insurance

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2675			claim.
2676	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
2677	817.52 (3)	3rd	Failure to redeliver hired vehicle.
2678	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
2679	817.60 (5)	3rd	Dealing in credit cards of another.
2680	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
2681	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
	826.04	3rd	Knowingly marries or has sexual

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2682	831.01	3rd	intercourse with person to whom related.
2683	831.02	3rd	Forgery.
2684	831.07	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2685	831.08	3rd	Forging bank bills, checks, drafts, or promissory notes.
2686	831.09	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2687	831.11	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
2688	832.05 (3) (a)	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.  Cashing or depositing item with intent to

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2689			defraud.
2690	843.08	3rd	False personation.
2691	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.
2692	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
2693	(c) LEVEL 3		
2694	Florida	Felony	
2695	Statute	Degree	Description
2696	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2697	316.066	3rd	Unlawfully obtaining or using

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2698	(3) (b) - (d)		confidential crash reports.
2699	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2700	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2701	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2702	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2703	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2703	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained

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2704			title or registration.
2705	327.35 (2) (b)	3rd	Felony BUI.
2706	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2707	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2708	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2708	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

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2709			Act.
	379.2431 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
2710			
	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
2711			
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2712			
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2713			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading

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2714			information.
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2715			
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2716			
	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2717			
	697.08	3rd	Equity skimming.
2718			
	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2719			
	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2720			
	806.10 (2)	3rd	Interferes with or assaults



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2721	810.09(2)(c)	3rd	firefighter in performance of duty. Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2722	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2723	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2724	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
2725	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act),

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2726			property valued at less than \$20,000.
	817.233	3rd	Burning to defraud insurer.
2727			
	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2728			
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2729			
	817.236	3rd	Filing a false motor vehicle insurance application.
2730			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2731			
	817.413 (2)	3rd	Sale of used goods as new.
2732			
	817.505 (4)	3rd	Patient brokering.

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2733	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2734	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2735	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2736	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2737	843.19	3rd	Injure, disable, or kill police dog or horse.
2738	860.15 (3)	3rd	Overcharging for repairs and parts.

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2739	870.01 (2)	3rd	Riot; inciting or encouraging.
2740	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).
2741	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.
2742	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.,

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2743	<u>893.13(4)(c)</u>	<u>3rd</u>	(2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs within 1,000 feet of public housing facility.
2744	893.13(6)(a)	3rd	<u>Use or hire of minor;</u> <u>deliver to minor other</u> <u>controlled substances.</u>
2745	893.13(7)(a)8.	3rd	Possession of any controlled substance other than felony possession of cannabis.
2746	893.13(7)(a)9.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2747			Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

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2748	893.13 (7) (a) 10.	3rd	Affix false or forged label to package of controlled substance.
2749	893.13 (7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2750	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 animal in obtaining a controlled substance.

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2751	893.13 (8) (a) 3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2752	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.
2753	918.13 (1) (a)	3rd	Alter, destroy, or conceal investigation evidence.
2754	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
2755	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2756	985.721	3rd	Escapes from a juvenile

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			facility (secure detention or residential commitment facility).
2757			
2758	(d)	LEVEL 4	
2759			
	Florida	Felony	
	Statute	Degree	Description
2760			
	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.
2761			
	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
2762			
	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
2763			
	499.0051 (6)	2nd	Knowing sale or delivery,



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			or possession with intent to sell, contraband prescription drugs.
2764	517.07 (1)	3rd	Failure to register securities.
2765	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
2766	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
2767	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
2768	784.075	3rd	Battery on detention or commitment facility staff.
2769	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.

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2770	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2771	784.081 (3)	3rd	Battery on specified official or employee.
2772	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2773	784.083 (3)	3rd	Battery on code inspector.
2774	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
2775	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2776	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending

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2777			custody proceedings.
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
2778			
	787.07	3rd	Human smuggling.
2779			
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
2780			
	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
2781			
	790.115 (2) (c)	3rd	Possessing firearm on school property.
2782			
	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less

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2783			than 18 years.
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2784			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2785			
	810.06	3rd	Burglary; possession of tools.
2786			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2787			
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2788			
	812.014	3rd	Grand theft, 3rd degree, a

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2789	(2) (c) 4.-10.	will, firearm, motor vehicle, livestock, etc.
2790	812.0195(2)	3rd Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2791	817.563(1)	3rd Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
2792	817.568(2) (a)	3rd Fraudulent use of personal identification information.
2793	817.625(2) (a)	3rd Fraudulent use of scanning device or reencoder.
2793	828.125(1)	2nd Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

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2794	837.02 (1)	3rd	Perjury in official proceedings.
2795	837.021 (1)	3rd	Make contradictory statements in official proceedings.
2796	838.022	3rd	Official misconduct.
2797	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
2798	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
2799	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
2800	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

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2801	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
2802	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
2803	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
2804	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
2805	914.14 (2)	3rd	Witnesses accepting bribes.
2806	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or

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2807			informant.
	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2808			
	918.12	3rd	Tampering with jurors.
2809			
	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
2810			
2811	(e)	LEVEL 5	
2812			
	Florida	Felony	
	Statute	Degree	Description
2813			
	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
2814			
	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.



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2815

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

2816

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

2817

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

2818

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

2819

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

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2820	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
2821	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
2822	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
2823	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
2824	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.

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2825	790.01 (2)	3rd	Carrying a concealed firearm.
2826	790.162	2nd	Threat to throw or discharge destructive device.
2827	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2828	790.221 (1)	2nd	Possession of short- barreled shotgun or machine gun.
2829	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
2830	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2831	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2832			

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2833	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2834	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2835	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2836	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
2837	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
2838	812.131 (2) (b)	3rd	Robbery by sudden snatching.

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2839	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
2840	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
2841	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
2842	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.
2842	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

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2843	817.625 (2) (b)	2nd	information of 10 or more persons.
2844	825.1025 (4)	3rd	Second or subsequent fraudulent use of scanning device or reencoder.
2845	827.071 (4)	2nd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
2846	827.071 (5)	3rd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
2847	839.13 (2) (b)	2nd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
			Falsifying records of an

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2848			individual in the care and custody of a state agency involving great bodily harm or death.
2849	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
2850	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
2851	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
2852	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
2853	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

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2854 874.05 (2) (a) 2nd Encouraging or recruiting  
 person under 13 years of  
 age to join a criminal  
 gang.

2855 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).

2856 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.



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2857	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.
2858	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.
2858	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

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2859			housing facility.
893.13 (4) (b)	2nd	<u>Use or hire of minor;</u> <u>deliver to minor <u>other</u></u> <u>controlled substance</u> <del>cannabis (or other s.</del> <del>893.03(1)(c), (2)(c)1.,</del> <del>(2)(c)2., (2)(c)3.,</del> <del>(2)(c)5., (2)(c)6.,</del> <del>(2)(c)7., (2)(c)8.,</del> <del>(2)(c)9., (3), or (4)</del> <del>drugs).</del>	
2860	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
2861			
2862	(g) LEVEL 7		
2863			
	Florida	Felony	
	Statute	Degree	Description
2864	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.

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2865

316.193 (3) (c) 2.

3rd DUI resulting in  
serious bodily  
injury.

2866

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.

2867

327.35 (3) (c) 2.

3rd Vessel BUI resulting  
in serious bodily  
injury.

2868

402.319 (2)

2nd Misrepresentation and negligence  
or intentional act resulting in  
great bodily harm, permanent  
disfiguration, permanent  
disability, or death.

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2869	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2870	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2871	456.065 (2)	3rd	Practicing a health care profession without a license.
2872	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
2873	458.327 (1)	3rd	Practicing medicine without a license.
2874	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2875	460.411 (1)	3rd	Practicing chiropractic medicine without a license.

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2876

461.012 (1) 3rd Practicing podiatric  
medicine without a  
license.

2877

462.17 3rd Practicing naturopathy without a  
license.

2878

463.015 (1) 3rd Practicing optometry  
without a license.

2879

464.016 (1) 3rd Practicing nursing without  
a license.

2880

465.015 (2) 3rd Practicing pharmacy  
without a license.

2881

466.026 (1) 3rd Practicing dentistry or  
dental hygiene without a  
license.

2882

467.201 3rd Practicing midwifery without  
a license.

2883

468.366 3rd Delivering respiratory care  
services without a license.

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2884	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2885	483.901 (9)	3rd	Practicing medical physics without a license.
2886	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
2887	484.053	3rd	Dispensing hearing aids without a license.
2888	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2889	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding

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2890	560.125 (5) (a)	3rd	<p>\$300 but less than \$20,000 by a money services business.</p> <p>Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p>
2891	655.50 (10) (b) 1.	3rd	<p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p>
2892	775.21 (10) (a)	3rd	<p>Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.</p>
2893	775.21 (10) (b)	3rd	<p>Sexual predator working where children regularly congregate.</p>
2894			

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2895	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2896	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2897	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2898	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in



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			a reckless manner (vessel homicide).
2899	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2900	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2901	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2902	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
2903	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2904	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2905	784.074 (1) (a)	1st	Aggravated battery on

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			sexually violent predators facility staff.
2906	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2907	784.081 (1)	1st	Aggravated battery on specified official or employee.
2908	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2909	784.083 (1)	1st	Aggravated battery on code inspector.
2910	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
2911	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer

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			or transport of an adult from outside Florida to within the state.
2912	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
2913	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2914	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2915	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2916	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2917	790.166(4)	2nd	Possessing, displaying, or

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2918			threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2919			
	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
2920			
	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2921			
	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2922			
	800.04 (5) (c) 1.	2nd	Lewd or lascivious

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2923	800.04 (5) (c) 2.	2nd	molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2924	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
2925	806.01 (2)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
2926	810.02 (3) (a)	2nd	Maliciously damage structure by fire or explosive.
			Burglary of occupied dwelling; unarmed; no assault or battery.

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2927	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2928	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2929	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
2930	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.
2931	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.

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2932	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
2933	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
2934	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
2935	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
2936	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2937	812.133 (2) (b)	1st	Carjacking; no firearm,

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2938			deadly weapon, or other weapon.
	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2939			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2940			
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2941			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
2942			
	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



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2943	817.535 (2) (a)	3rd	significant cause of the insolvency of that entity. Filing false lien or other unauthorized document.
2944	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
2945	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
2946	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2947	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.

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2948	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2949	838.015	2nd	Bribery.
2950	838.016	2nd	Unlawful compensation or reward for official behavior.
2951	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2952	838.22	2nd	Bid tampering.
2953	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2954	843.0855 (3)	3rd	Unlawful simulation of legal process.
2955	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2956	847.0135 (3)	3rd	Solicitation of a child,

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2957			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.
2958			
	872.06	2nd	Abuse of a dead human body.
2959			
	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2960			
	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
2961			
	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b),

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2962	893.13(1)(e)1.	1st	(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.
2963	893.13(4)(a)	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.  <u>Use or hire of minor;</u> deliver to minor <u>other controlled substance</u> <del>cocaine</del> <del>(or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).</del>

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2964	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2965	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2966	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2967	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2968	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2969	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2970			

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2971	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2972	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2973	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2974	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
2975	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

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2976			kilograms.
	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4- Butanediol, 1 kilogram or more, less than 5 kilograms.
2977			
	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
2978			
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2979			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2980			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding

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2981	943.0435(4)(c)	2nd	\$300 but less than \$20,000.
2982	943.0435(8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2983	943.0435(9)(a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2984	943.0435(13)	3rd	Sexual offender; failure to comply with reporting requirements.
2985	943.0435(14)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
			Sexual offender; failure to report and reregister;



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2986	944.607(9)	3rd	<p>failure to respond to address verification; providing false registration information.</p> <p>Sexual offender; failure to comply with reporting requirements.</p>
2987	944.607(10)(a)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
2988	944.607(12)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p>
2989	944.607(13)	3rd	<p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p>
2990			

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2991	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2992	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2993	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2994	(h) LEVEL 8		
2995	Florida	Felony	
2996	Statute	Degree	Description
	316.193	2nd	DUI manslaughter.
	(3) (c) 3.a.		

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2997	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
2998	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
2999	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
3000	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
3001	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.
3002	560.125 (5) (b)	2nd	Money transmitter business by unauthorized person, currency or payment

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3003	655.50 (10) (b) 2.	2nd	instruments totaling or exceeding \$20,000, but less than \$100,000. Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
3004	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
3005	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.
3006	782.051 (2)	1st	Attempted felony murder

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3007	782.071 (1) (b)	1st	<p>while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).</p> <p>Committing vehicular homicide and failing to render aid or give information.</p>
3008	782.072 (2)	1st	<p>Committing vessel homicide and failing to render aid or give information.</p>
3009	787.06 (3) (a) 1.	1st	<p>Human trafficking for labor and services of a child.</p>
3010	787.06 (3) (b)	1st	<p>Human trafficking using coercion for commercial sexual activity of an adult.</p>
3011	787.06 (3) (c) 2.	1st	<p>Human trafficking using coercion for labor and services of an</p>

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3012	787.06(3)(e)1.	1st	<p>unauthorized alien adult.</p> <p>Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.</p>
3013	787.06(3)(f)2.	1st	<p>Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.</p>
3014	790.161(3)	1st	<p>Discharging a destructive device which results in bodily harm or property damage.</p>
3015	794.011(5)(a)	1st	<p>Sexual battery; victim 12 years of age or older but younger than 18</p>

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3016	794.011 (5) (b)	2nd	<p>years; offender 18 years or older; offender does not use physical force likely to cause serious injury.</p>
3017	794.011 (5) (c)	2nd	<p>Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.</p>
3018			<p>Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.</p>

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3019	794.011 (5) (d)	1st	Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.
3020	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
3021	800.04 (4) (b)	2nd	Lewd or lascivious battery.
3022	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
3022	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person



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3023			in structure.
3023	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
3024	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
3025	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
3026	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
3027	812.13 (2) (b)	1st	Robbery with a weapon.
3028	812.135 (2) (c)	1st	Home-invasion

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3029	817.535 (2) (b)	2nd	<p>robbery, no firearm, deadly weapon, or other weapon.</p> <p>Filing false lien or other unauthorized document; second or subsequent offense.</p>
3030	817.535 (3) (a)	2nd	<p>Filing false lien or other unauthorized document; property owner is a public officer or employee.</p>
3031	817.535 (4) (a) 1.	2nd	<p>Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.</p>
3032	817.535 (5) (a)	2nd	<p>Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.</p>

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3033	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
3034	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
3035	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
3036	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
3037	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
3038	837.021 (2)	2nd	Making contradictory

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3039	860.121 (2) (c)	statements in official proceedings relating to prosecution of a capital felony.
3040	860.16	1st Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
3041	893.13 (1) (b)	1st Aircraft piracy. Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
3042	893.13 (2) (b)	1st Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
3043	893.13 (6) (c)	1st Possess in excess of 10 grams of any substance specified in s.

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3044	893.135 (1) (a) 2.	1st 893.03(1) (a) or (b). Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
3045	893.135 (1) (b) 1.b.	1st Trafficking in cocaine, more than 200 grams, less than 400 grams.
3046	893.135 (1) (c) 1.b.	1st Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
3047	893.135 (1) (c) 2.c.	1st Trafficking in hydrocodone, 50 grams or more, less than 200 grams.
3048	893.135 (1) (c) 3.c.	1st Trafficking in oxycodone, 25 grams or more, less than 100 grams.
3049	893.135 (1) (d) 1.b.	1st Trafficking in phencyclidine, more than 200 grams, less than 400 grams.

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893.135 1st Trafficking in methaqualone,  
 (1) (e) 1.b. more than 5 kilograms, less  
 than 25 kilograms.

3051

893.135 1st Trafficking in amphetamine,  
 (1) (f) 1.b. more than 28 grams, less  
 than 200 grams.

3052

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

3053

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

3054

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

3055

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

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3056	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
3057	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
3058	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
3059	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
3060	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
3061	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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Section 13. For the purpose of incorporating the amendment made by this act to section 893.03, Florida Statutes, in references thereto, paragraphs (a) and (g) of subsection (30) of section 39.01, Florida Statutes, are reenacted to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(30) "Harm" to a child's health or welfare can occur when any person:

(a) Inflicts or allows to be inflicted upon the child physical, mental, or emotional injury. In determining whether harm has occurred, the following factors must be considered in evaluating any physical, mental, or emotional injury to a child: the age of the child; any prior history of injuries to the child; the location of the injury on the body of the child; the multiplicity of the injury; and the type of trauma inflicted.

Such injury includes, but is not limited to:

1. Willful acts that produce the following specific injuries:



- 3082 a. Sprains, dislocations, or cartilage damage.
- 3083 b. Bone or skull fractures.
- 3084 c. Brain or spinal cord damage.
- 3085 d. Intracranial hemorrhage or injury to other internal
- 3086 organs.
- 3087 e. Asphyxiation, suffocation, or drowning.
- 3088 f. Injury resulting from the use of a deadly weapon.
- 3089 g. Burns or scalding.
- 3090 h. Cuts, lacerations, punctures, or bites.
- 3091 i. Permanent or temporary disfigurement.
- 3092 j. Permanent or temporary loss or impairment of a body
- 3093 part or function.

3094  
 3095 As used in this subparagraph, the term "willful" refers to the  
 3096 intent to perform an action, not to the intent to achieve a  
 3097 result or to cause an injury.

3098 2. Purposely giving a child poison, alcohol, drugs, or  
 3099 other substances that substantially affect the child's behavior,  
 3100 motor coordination, or judgment or that result in sickness or  
 3101 internal injury. For the purposes of this subparagraph, the term  
 3102 "drugs" means prescription drugs not prescribed for the child or  
 3103 not administered as prescribed, and controlled substances as  
 3104 outlined in Schedule I or Schedule II of s. 893.03.

3105 3. Leaving a child without adult supervision or  
 3106 arrangement appropriate for the child's age or mental or  
 3107 physical condition, so that the child is unable to care for the

3108 child's own needs or another's basic needs or is unable to  
3109 exercise good judgment in responding to any kind of physical or  
3110 emotional crisis.

3111 4. Inappropriate or excessively harsh disciplinary action  
3112 that is likely to result in physical injury, mental injury as  
3113 defined in this section, or emotional injury. The significance  
3114 of any injury must be evaluated in light of the following  
3115 factors: the age of the child; any prior history of injuries to  
3116 the child; the location of the injury on the body of the child;  
3117 the multiplicity of the injury; and the type of trauma  
3118 inflicted. Corporal discipline may be considered excessive or  
3119 abusive when it results in any of the following or other similar  
3120 injuries:

- 3121 a. Sprains, dislocations, or cartilage damage.
- 3122 b. Bone or skull fractures.
- 3123 c. Brain or spinal cord damage.
- 3124 d. Intracranial hemorrhage or injury to other internal  
3125 organs.
- 3126 e. Asphyxiation, suffocation, or drowning.
- 3127 f. Injury resulting from the use of a deadly weapon.
- 3128 g. Burns or scalding.
- 3129 h. Cuts, lacerations, punctures, or bites.
- 3130 i. Permanent or temporary disfigurement.
- 3131 j. Permanent or temporary loss or impairment of a body  
3132 part or function.
- 3133 k. Significant bruises or welts.

3134 (g) Exposes a child to a controlled substance or alcohol.  
 3135 Exposure to a controlled substance or alcohol is established by:  
 3136 1. A test, administered at birth, which indicated that the  
 3137 child's blood, urine, or meconium contained any amount of  
 3138 alcohol or a controlled substance or metabolites of such  
 3139 substances, the presence of which was not the result of medical  
 3140 treatment administered to the mother or the newborn infant; or  
 3141 2. Evidence of extensive, abusive, and chronic use of a  
 3142 controlled substance or alcohol by a parent when the child is  
 3143 demonstrably adversely affected by such usage.

3144  
 3145 As used in this paragraph, the term "controlled substance" means  
 3146 prescription drugs not prescribed for the parent or not  
 3147 administered as prescribed and controlled substances as outlined  
 3148 in Schedule I or Schedule II of s. 893.03.

3149 Section 14. For the purpose of incorporating the amendment  
 3150 made by this act to section 893.03, Florida Statutes, in a  
 3151 reference thereto, subsection (5) of section 316.193, Florida  
 3152 Statutes, is reenacted to read:

3153 316.193 Driving under the influence; penalties.—  
 3154 (5) The court shall place all offenders convicted of  
 3155 violating this section on monthly reporting probation and shall  
 3156 require completion of a substance abuse course conducted by a  
 3157 DUI program licensed by the department under s. 322.292, which  
 3158 must include a psychosocial evaluation of the offender. If the  
 3159 DUI program refers the offender to an authorized substance abuse

3160 treatment provider for substance abuse treatment, in addition to  
3161 any sentence or fine imposed under this section, completion of  
3162 all such education, evaluation, and treatment is a condition of  
3163 reporting probation. The offender shall assume reasonable costs  
3164 for such education, evaluation, and treatment. The referral to  
3165 treatment resulting from a psychosocial evaluation shall not be  
3166 waived without a supporting independent psychosocial evaluation  
3167 conducted by an authorized substance abuse treatment provider  
3168 appointed by the court, which shall have access to the DUI  
3169 program's psychosocial evaluation before the independent  
3170 psychosocial evaluation is conducted. The court shall review the  
3171 results and recommendations of both evaluations before  
3172 determining the request for waiver. The offender shall bear the  
3173 full cost of this procedure. The term "substance abuse" means  
3174 the abuse of alcohol or any substance named or described in  
3175 Schedules I through V of s. 893.03. If an offender referred to  
3176 treatment under this subsection fails to report for or complete  
3177 such treatment or fails to complete the DUI program substance  
3178 abuse education course and evaluation, the DUI program shall  
3179 notify the court and the department of the failure. Upon receipt  
3180 of the notice, the department shall cancel the offender's  
3181 driving privilege, notwithstanding the terms of the court order  
3182 or any suspension or revocation of the driving privilege. The  
3183 department may temporarily reinstate the driving privilege on a  
3184 restricted basis upon verification from the DUI program that the  
3185 offender is currently participating in treatment and the DUI

3186 education course and evaluation requirement has been completed.  
3187 If the DUI program notifies the department of the second failure  
3188 to complete treatment, the department shall reinstate the  
3189 driving privilege only after notice of completion of treatment  
3190 from the DUI program. The organization that conducts the  
3191 substance abuse education and evaluation may not provide  
3192 required substance abuse treatment unless a waiver has been  
3193 granted to that organization by the department. A waiver may be  
3194 granted only if the department determines, in accordance with  
3195 its rules, that the service provider that conducts the substance  
3196 abuse education and evaluation is the most appropriate service  
3197 provider and is licensed under chapter 397 or is exempt from  
3198 such licensure. A statistical referral report shall be submitted  
3199 quarterly to the department by each organization authorized to  
3200 provide services under this section.

3201 Section 15. For the purpose of incorporating the amendment  
3202 made by this act to section 893.03, Florida Statutes, in a  
3203 reference thereto, paragraph (c) of subsection (2) of section  
3204 322.2616, Florida Statutes, is reenacted to read:

3205 322.2616 Suspension of license; persons under 21 years of  
3206 age; right to review.—

3207 (2)

3208 (c) When a driver subject to this section has a blood-  
3209 alcohol or breath-alcohol level of 0.05 or higher, the  
3210 suspension shall remain in effect until such time as the driver  
3211 has completed a substance abuse course offered by a DUI program

3212 licensed by the department. The driver shall assume the  
 3213 reasonable costs for the substance abuse course. As part of the  
 3214 substance abuse course, the program shall conduct a substance  
 3215 abuse evaluation of the driver, and notify the parents or legal  
 3216 guardians of drivers under the age of 19 years of the results of  
 3217 the evaluation. The term "substance abuse" means the abuse of  
 3218 alcohol or any substance named or described in Schedules I  
 3219 through V of s. 893.03. If a driver fails to complete the  
 3220 substance abuse education course and evaluation, the driver  
 3221 license shall not be reinstated by the department.

3222 Section 16. For the purpose of incorporating the amendment  
 3223 made by this act to section 893.03, Florida Statutes, in a  
 3224 reference thereto, subsection (5) of section 327.35, Florida  
 3225 Statutes, is reenacted to read:

3226 327.35 Boating under the influence; penalties; "designated  
 3227 drivers."—

3228 (5) In addition to any sentence or fine, the court shall  
 3229 place any offender convicted of violating this section on  
 3230 monthly reporting probation and shall require attendance at a  
 3231 substance abuse course specified by the court; and the agency  
 3232 conducting the course may refer the offender to an authorized  
 3233 service provider for substance abuse evaluation and treatment,  
 3234 in addition to any sentence or fine imposed under this section.  
 3235 The offender shall assume reasonable costs for such education,  
 3236 evaluation, and treatment, with completion of all such  
 3237 education, evaluation, and treatment being a condition of

3238 reporting probation. Treatment resulting from a psychosocial  
 3239 evaluation may not be waived without a supporting psychosocial  
 3240 evaluation conducted by an agency appointed by the court and  
 3241 with access to the original evaluation. The offender shall bear  
 3242 the cost of this procedure. The term "substance abuse" means the  
 3243 abuse of alcohol or any substance named or described in  
 3244 Schedules I-V of s. 893.03.

3245 Section 17. For the purpose of incorporating the amendment  
 3246 made by this act to section 893.03, Florida Statutes, in a  
 3247 reference thereto, paragraph (b) of subsection (11) of section  
 3248 440.102, Florida Statutes, is reenacted to read:

3249 440.102 Drug-free workplace program requirements.—The  
 3250 following provisions apply to a drug-free workplace program  
 3251 implemented pursuant to law or to rules adopted by the Agency  
 3252 for Health Care Administration:

3253 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK  
 3254 POSITIONS.—

3255 (b) An employee who is employed by a public employer in a  
 3256 special-risk position may be discharged or disciplined by a  
 3257 public employer for the first positive confirmed test result if  
 3258 the drug confirmed is an illicit drug under s. 893.03. A  
 3259 special-risk employee who is participating in an employee  
 3260 assistance program or drug rehabilitation program may not be  
 3261 allowed to continue to work in any special-risk or mandatory-  
 3262 testing position of the public employer, but may be assigned to  
 3263 a position other than a mandatory-testing position or placed on

3264 leave while the employee is participating in the program.  
 3265 However, the employee shall be permitted to use any accumulated  
 3266 annual leave credits before leave may be ordered without pay.

3267 Section 18. For the purpose of incorporating the amendment  
 3268 made by this act to section 893.03, Florida Statutes, in a  
 3269 reference thereto, subsection (2) of section 456.44, Florida  
 3270 Statutes, is reenacted to read:

3271 456.44 Controlled substance prescribing.—

3272 (2) REGISTRATION.—Effective January 1, 2012, a physician  
 3273 licensed under chapter 458, chapter 459, chapter 461, or chapter  
 3274 466 who prescribes any controlled substance, listed in Schedule  
 3275 II, Schedule III, or Schedule IV as defined in s. 893.03, for  
 3276 the treatment of chronic nonmalignant pain, must:

3277 (a) Designate himself or herself as a controlled substance  
 3278 prescribing practitioner on the physician's practitioner  
 3279 profile.

3280 (b) Comply with the requirements of this section and  
 3281 applicable board rules.

3282 Section 19. For the purpose of incorporating the amendment  
 3283 made by this act to section 893.03, Florida Statutes, in a  
 3284 reference thereto, subsection (3) of section 458.326, Florida  
 3285 Statutes, is reenacted to read:

3286 458.326 Intractable pain; authorized treatment.—

3287 (3) Notwithstanding any other provision of law, a  
 3288 physician may prescribe or administer any controlled substance  
 3289 under Schedules II-V, as provided for in s. 893.03, to a person



3290 for the treatment of intractable pain, provided the physician  
 3291 does so in accordance with that level of care, skill, and  
 3292 treatment recognized by a reasonably prudent physician under  
 3293 similar conditions and circumstances.

3294 Section 20. For the purpose of incorporating the amendment  
 3295 made by this act to section 893.03, Florida Statutes, in a  
 3296 reference thereto, paragraph (e) of subsection (1) of section  
 3297 458.3265, Florida Statutes, is reenacted to read:

3298 458.3265 Pain-management clinics.—

3299 (1) REGISTRATION.—

3300 (e) The department shall deny registration to any pain-  
 3301 management clinic owned by or with any contractual or employment  
 3302 relationship with a physician:

3303 1. Whose Drug Enforcement Administration number has ever  
 3304 been revoked.

3305 2. Whose application for a license to prescribe, dispense,  
 3306 or administer a controlled substance has been denied by any  
 3307 jurisdiction.

3308 3. Who has been convicted of or pleaded guilty or nolo  
 3309 contendere to, regardless of adjudication, an offense that  
 3310 constitutes a felony for receipt of illicit and diverted drugs,  
 3311 including a controlled substance listed in Schedule I, Schedule  
 3312 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in  
 3313 this state, any other state, or the United States.

3314 Section 21. For the purpose of incorporating the amendment  
 3315 made by this act to section 893.03, Florida Statutes, in a

3316 reference thereto, paragraph (e) of subsection (1) of section  
 3317 459.0137, Florida Statutes, is reenacted to read:  
 3318 459.0137 Pain-management clinics.—  
 3319 (1) REGISTRATION.—  
 3320 (e) The department shall deny registration to any pain-  
 3321 management clinic owned by or with any contractual or employment  
 3322 relationship with a physician:  
 3323 1. Whose Drug Enforcement Administration number has ever  
 3324 been revoked.  
 3325 2. Whose application for a license to prescribe, dispense,  
 3326 or administer a controlled substance has been denied by any  
 3327 jurisdiction.  
 3328 3. Who has been convicted of or pleaded guilty or nolo  
 3329 contendere to, regardless of adjudication, an offense that  
 3330 constitutes a felony for receipt of illicit and diverted drugs,  
 3331 including a controlled substance listed in Schedule I, Schedule  
 3332 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in  
 3333 this state, any other state, or the United States.  
 3334 Section 22. For the purpose of incorporating the amendment  
 3335 made by this act to section 893.03, Florida Statutes, in a  
 3336 reference thereto, paragraph (a) of subsection (4) of section  
 3337 463.0055, Florida Statutes, is reenacted to read:  
 3338 463.0055 Administration and prescription of ocular  
 3339 pharmaceutical agents.—  
 3340 (4) A certified optometrist shall be issued a prescriber  
 3341 number by the board. Any prescription written by a certified

3342 | optometrist for an ocular pharmaceutical agent pursuant to this  
 3343 | section shall have the prescriber number printed thereon. A  
 3344 | certified optometrist may not administer or prescribe:

3345 |       (a) A controlled substance listed in Schedule III,  
 3346 | Schedule IV, or Schedule V of s. 893.03, except for an oral  
 3347 | analgesic placed on the formulary pursuant to this section for  
 3348 | the relief of pain due to ocular conditions of the eye and its  
 3349 | appendages.

3350 |       Section 23. For the purpose of incorporating the amendment  
 3351 | made by this act to section 893.03, Florida Statutes, in a  
 3352 | reference thereto, paragraph (b) of subsection (1) of section  
 3353 | 465.0276, Florida Statutes, is reenacted to read:

3354 |       465.0276 Dispensing practitioner.—

3355 |       (1)

3356 |       (b) A practitioner registered under this section may not  
 3357 | dispense a controlled substance listed in Schedule II or  
 3358 | Schedule III as provided in s. 893.03. This paragraph does not  
 3359 | apply to:

3360 |       1. The dispensing of complimentary packages of medicinal  
 3361 | drugs which are labeled as a drug sample or complimentary drug  
 3362 | as defined in s. 499.028 to the practitioner's own patients in  
 3363 | the regular course of her or his practice without the payment of  
 3364 | a fee or remuneration of any kind, whether direct or indirect,  
 3365 | as provided in subsection (5).

3366 |       2. The dispensing of controlled substances in the health  
 3367 | care system of the Department of Corrections.

3368           3. The dispensing of a controlled substance listed in  
3369 Schedule II or Schedule III in connection with the performance  
3370 of a surgical procedure. The amount dispensed pursuant to the  
3371 subparagraph may not exceed a 14-day supply. This exception does  
3372 not allow for the dispensing of a controlled substance listed in  
3373 Schedule II or Schedule III more than 14 days after the  
3374 performance of the surgical procedure. For purposes of this  
3375 subparagraph, the term "surgical procedure" means any procedure  
3376 in any setting which involves, or reasonably should involve:

3377           a. Perioperative medication and sedation that allows the  
3378 patient to tolerate unpleasant procedures while maintaining  
3379 adequate cardiorespiratory function and the ability to respond  
3380 purposefully to verbal or tactile stimulation and makes intra-  
3381 and postoperative monitoring necessary; or

3382           b. The use of general anesthesia or major conduction  
3383 anesthesia and preoperative sedation.

3384           4. The dispensing of a controlled substance listed in  
3385 Schedule II or Schedule III pursuant to an approved clinical  
3386 trial. For purposes of this subparagraph, the term "approved  
3387 clinical trial" means a clinical research study or clinical  
3388 investigation that, in whole or in part, is state or federally  
3389 funded or is conducted under an investigational new drug  
3390 application that is reviewed by the United States Food and Drug  
3391 Administration.

3392           5. The dispensing of methadone in a facility licensed  
3393 under s. 397.427 where medication-assisted treatment for opiate

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3394 addiction is provided.

3395         6. The dispensing of a controlled substance listed in  
3396 Schedule II or Schedule III to a patient of a facility licensed  
3397 under part IV of chapter 400.

3398         Section 24. For the purpose of incorporating the amendment  
3399 made by this act to section 893.03, Florida Statutes, in  
3400 references thereto, subsection (14) and paragraph (a) of  
3401 subsection (15) of section 499.0121, Florida Statutes, are  
3402 reenacted to read:

3403         499.0121 Storage and handling of prescription drugs;  
3404 recordkeeping.—The department shall adopt rules to implement  
3405 this section as necessary to protect the public health, safety,  
3406 and welfare. Such rules shall include, but not be limited to,  
3407 requirements for the storage and handling of prescription drugs  
3408 and for the establishment and maintenance of prescription drug  
3409 distribution records.

3410         (14) DISTRIBUTION REPORTING.—Each prescription drug  
3411 wholesale distributor, out-of-state prescription drug wholesale  
3412 distributor, retail pharmacy drug wholesale distributor,  
3413 manufacturer, or repackager that engages in the wholesale  
3414 distribution of controlled substances as defined in s. 893.02  
3415 shall submit a report to the department of its receipts and  
3416 distributions of controlled substances listed in Schedule II,  
3417 Schedule III, Schedule IV, or Schedule V as provided in s.  
3418 893.03. Wholesale distributor facilities located within this  
3419 state shall report all transactions involving controlled

3420 substances, and wholesale distributor facilities located outside  
3421 this state shall report all distributions to entities located in  
3422 this state. If the prescription drug wholesale distributor, out-  
3423 of-state prescription drug wholesale distributor, retail  
3424 pharmacy drug wholesale distributor, manufacturer, or repackager  
3425 does not have any controlled substance distributions for the  
3426 month, a report shall be sent indicating that no distributions  
3427 occurred in the period. The report shall be submitted monthly by  
3428 the 20th of the next month, in the electronic format used for  
3429 controlled substance reporting to the Automation of Reports and  
3430 Consolidated Orders System division of the federal Drug  
3431 Enforcement Administration. Submission of electronic data must  
3432 be made in a secured Internet environment that allows for manual  
3433 or automated transmission. Upon successful transmission, an  
3434 acknowledgment page must be displayed to confirm receipt. The  
3435 report must contain the following information:

3436 (a) The federal Drug Enforcement Administration  
3437 registration number of the wholesale distributing location.

3438 (b) The federal Drug Enforcement Administration  
3439 registration number of the entity to which the drugs are  
3440 distributed or from which the drugs are received.

3441 (c) The transaction code that indicates the type of  
3442 transaction.

3443 (d) The National Drug Code identifier of the product and  
3444 the quantity distributed or received.

3445 (e) The Drug Enforcement Administration Form 222 number or

3446 Controlled Substance Ordering System Identifier on all Schedule  
 3447 II transactions.

3448 (f) The date of the transaction.  
 3449

3450 The department must share the reported data with the Department  
 3451 of Law Enforcement and local law enforcement agencies upon  
 3452 request and must monitor purchasing to identify purchasing  
 3453 levels that are inconsistent with the purchasing entity's  
 3454 clinical needs. The Department of Law Enforcement shall  
 3455 investigate purchases at levels that are inconsistent with the  
 3456 purchasing entity's clinical needs to determine whether  
 3457 violations of chapter 893 have occurred.

3458 (15) DUE DILIGENCE OF PURCHASERS.—

3459 (a) Each prescription drug wholesale distributor, out-of-  
 3460 state prescription drug wholesale distributor, and retail  
 3461 pharmacy drug wholesale distributor must establish and maintain  
 3462 policies and procedures to credential physicians licensed under  
 3463 chapter 458, chapter 459, chapter 461, or chapter 466 and  
 3464 pharmacies that purchase or otherwise receive from the wholesale  
 3465 distributor controlled substances listed in Schedule II or  
 3466 Schedule III as provided in s. 893.03. The prescription drug  
 3467 wholesale distributor, out-of-state prescription drug wholesale  
 3468 distributor, or retail pharmacy drug wholesale distributor shall  
 3469 maintain records of such credentialing and make the records  
 3470 available to the department upon request. Such credentialing  
 3471 must, at a minimum, include:

3472 1. A determination of the clinical nature of the receiving  
3473 entity, including any specialty practice area.

3474 2. A review of the receiving entity's history of Schedule  
3475 II and Schedule III controlled substance purchasing from the  
3476 wholesale distributor.

3477 3. A determination that the receiving entity's Schedule II  
3478 and Schedule III controlled substance purchasing history, if  
3479 any, is consistent with and reasonable for that entity's  
3480 clinical business needs.

3481 Section 25. For the purpose of incorporating the amendment  
3482 made by this act to section 893.03, Florida Statutes, in a  
3483 reference thereto, paragraph (a) of subsection (3) of section  
3484 499.029, Florida Statutes, is reenacted to read:

3485 499.029 Cancer Drug Donation Program.—

3486 (3) As used in this section:

3487 (a) "Cancer drug" means a prescription drug that has been  
3488 approved under s. 505 of the federal Food, Drug, and Cosmetic  
3489 Act and is used to treat cancer or its side effects or is used  
3490 to treat the side effects of a prescription drug used to treat  
3491 cancer or its side effects. "Cancer drug" does not include a  
3492 substance listed in Schedule II, Schedule III, Schedule IV, or  
3493 Schedule V of s. 893.03.

3494 Section 26. For the purpose of incorporating the amendment  
3495 made by this act to section 893.03, Florida Statutes, in  
3496 references thereto, subsections (1) and (4) of section 782.04,  
3497 Florida Statutes, are reenacted to read:



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- 3498 782.04 Murder.—
- 3499 (1) (a) The unlawful killing of a human being:
- 3500 1. When perpetrated from a premeditated design to effect
- 3501 the death of the person killed or any human being;
- 3502 2. When committed by a person engaged in the perpetration
- 3503 of, or in the attempt to perpetrate, any:
- 3504 a. Trafficking offense prohibited by s. 893.135(1),
- 3505 b. Arson,
- 3506 c. Sexual battery,
- 3507 d. Robbery,
- 3508 e. Burglary,
- 3509 f. Kidnapping,
- 3510 g. Escape,
- 3511 h. Aggravated child abuse,
- 3512 i. Aggravated abuse of an elderly person or disabled
- 3513 adult,
- 3514 j. Aircraft piracy,
- 3515 k. Unlawful throwing, placing, or discharging of a
- 3516 destructive device or bomb,
- 3517 l. Carjacking,
- 3518 m. Home-invasion robbery,
- 3519 n. Aggravated stalking,
- 3520 o. Murder of another human being,
- 3521 p. Resisting an officer with violence to his or her
- 3522 person,
- 3523 q. Aggravated fleeing or eluding with serious bodily

3524 injury or death,  
 3525 r. Felony that is an act of terrorism or is in furtherance  
 3526 of an act of terrorism; or  
 3527 3. Which resulted from the unlawful distribution of any  
 3528 substance controlled under s. 893.03(1), cocaine as described in  
 3529 s. 893.03(2)(a)4., opium or any synthetic or natural salt,  
 3530 compound, derivative, or preparation of opium, or methadone by a  
 3531 person 18 years of age or older, when such drug is proven to be  
 3532 the proximate cause of the death of the user,  
 3533  
 3534 is murder in the first degree and constitutes a capital felony,  
 3535 punishable as provided in s. 775.082.  
 3536 (b) In all cases under this section, the procedure set  
 3537 forth in s. 921.141 shall be followed in order to determine  
 3538 sentence of death or life imprisonment.  
 3539 (4) The unlawful killing of a human being, when  
 3540 perpetrated without any design to effect death, by a person  
 3541 engaged in the perpetration of, or in the attempt to perpetrate,  
 3542 any felony other than any:  
 3543 (a) Trafficking offense prohibited by s. 893.135(1),  
 3544 (b) Arson,  
 3545 (c) Sexual battery,  
 3546 (d) Robbery,  
 3547 (e) Burglary,  
 3548 (f) Kidnapping,  
 3549 (g) Escape,

3550 (h) Aggravated child abuse,  
 3551 (i) Aggravated abuse of an elderly person or disabled  
 3552 adult,  
 3553 (j) Aircraft piracy,  
 3554 (k) Unlawful throwing, placing, or discharging of a  
 3555 destructive device or bomb,  
 3556 (l) Unlawful distribution of any substance controlled  
 3557 under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4.,  
 3558 or opium or any synthetic or natural salt, compound, derivative,  
 3559 or preparation of opium by a person 18 years of age or older,  
 3560 when such drug is proven to be the proximate cause of the death  
 3561 of the user,  
 3562 (m) Carjacking,  
 3563 (n) Home-invasion robbery,  
 3564 (o) Aggravated stalking,  
 3565 (p) Murder of another human being,  
 3566 (q) Aggravated fleeing or eluding with serious bodily  
 3567 injury or death,  
 3568 (r) Resisting an officer with violence to his or her  
 3569 person, or  
 3570 (s) Felony that is an act of terrorism or is in  
 3571 furtherance of an act of terrorism,  
 3572  
 3573 is murder in the third degree and constitutes a felony of the  
 3574 second degree, punishable as provided in s. 775.082, s. 775.083,  
 3575 or s. 775.084.

3576 Section 27. For the purpose of incorporating the amendment  
 3577 made by this act to section 893.03, Florida Statutes, in a  
 3578 reference thereto, paragraph (a) of subsection (2) of section  
 3579 787.06, Florida Statutes, is reenacted to read:

3580 787.06 Human trafficking.—

3581 (2) As used in this section, the term:

3582 (a) "Coercion" means:

3583 1. Using or threatening to use physical force against any  
 3584 person;

3585 2. Restraining, isolating, or confining or threatening to  
 3586 restrain, isolate, or confine any person without lawful  
 3587 authority and against her or his will;

3588 3. Using lending or other credit methods to establish a  
 3589 debt by any person when labor or services are pledged as a  
 3590 security for the debt, if the value of the labor or services as  
 3591 reasonably assessed is not applied toward the liquidation of the  
 3592 debt, the length and nature of the labor or services are not  
 3593 respectively limited and defined;

3594 4. Destroying, concealing, removing, confiscating,  
 3595 withholding, or possessing any actual or purported passport,  
 3596 visa, or other immigration document, or any other actual or  
 3597 purported government identification document, of any person;

3598 5. Causing or threatening to cause financial harm to any  
 3599 person;

3600 6. Enticing or luring any person by fraud or deceit; or

3601 7. Providing a controlled substance as outlined in

3602 Schedule I or Schedule II of s. 893.03 to any person for the  
 3603 purpose of exploitation of that person.

3604 Section 28. For the purpose of incorporating the amendment  
 3605 made by this act to section 893.03, Florida Statutes, in a  
 3606 reference thereto, subsection (1) of section 817.563, Florida  
 3607 Statutes, is reenacted to read:

3608 817.563 Controlled substance named or described in s.  
 3609 893.03; sale of substance in lieu thereof.—It is unlawful for  
 3610 any person to agree, consent, or in any manner offer to  
 3611 unlawfully sell to any person a controlled substance named or  
 3612 described in s. 893.03 and then sell to such person any other  
 3613 substance in lieu of such controlled substance. Any person who  
 3614 violates this section with respect to:

3615 (1) A controlled substance named or described in s.  
 3616 893.03(1), (2), (3), or (4) is guilty of a felony of the third  
 3617 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 3618 775.084.

3619 Section 29. For the purpose of incorporating the amendment  
 3620 made by this act to section 893.03, Florida Statutes, in a  
 3621 reference thereto, section 831.31, Florida Statutes, is  
 3622 reenacted to read:

3623 831.31 Counterfeit controlled substance; sale,  
 3624 manufacture, delivery, or possession with intent to sell,  
 3625 manufacture, or deliver.—

3626 (1) It is unlawful for any person to sell, manufacture, or  
 3627 deliver, or to possess with intent to sell, manufacture, or

3628 deliver, a counterfeit controlled substance. Any person who  
 3629 violates this subsection with respect to:

3630 (a) A controlled substance named or described in s.  
 3631 893.03(1), (2), (3), or (4) is guilty of a felony of the third  
 3632 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 3633 775.084.

3634 (b) A controlled substance named or described in s.  
 3635 893.03(5) is guilty of a misdemeanor of the second degree,  
 3636 punishable as provided in s. 775.082 or s. 775.083.

3637 (2) For purposes of this section, "counterfeit controlled  
 3638 substance" means:

3639 (a) A controlled substance named or described in s. 893.03  
 3640 which, or the container or labeling of which, without  
 3641 authorization bears the trademark, trade name, or other  
 3642 identifying mark, imprint, or number, or any likeness thereof,  
 3643 of a manufacturer other than the person who in fact manufactured  
 3644 the controlled substance; or

3645 (b) Any substance which is falsely identified as a  
 3646 controlled substance named or described in s. 893.03.

3647 Section 30. For the purpose of incorporating the amendment  
 3648 made by this act to section 893.03, Florida Statutes, in a  
 3649 reference thereto, section 893.0301, Florida Statutes, is  
 3650 reenacted to read:

3651 893.0301 Death resulting from apparent drug overdose;  
 3652 reporting requirements.—If a person dies of an apparent drug  
 3653 overdose:

3654 (1) A law enforcement agency shall prepare a report  
 3655 identifying each prescribed controlled substance listed in  
 3656 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is  
 3657 found on or near the deceased or among the deceased's  
 3658 possessions. The report must identify the person who prescribed  
 3659 the controlled substance, if known or ascertainable. Thereafter,  
 3660 the law enforcement agency shall submit a copy of the report to  
 3661 the medical examiner.

3662 (2) A medical examiner who is preparing a report pursuant  
 3663 to s. 406.11 shall include in the report information identifying  
 3664 each prescribed controlled substance listed in Schedule II,  
 3665 Schedule III, or Schedule IV of s. 893.03 that was found in, on,  
 3666 or near the deceased or among the deceased's possessions.

3667 Section 31. For the purpose of incorporating the amendment  
 3668 made by this act to section 893.03, Florida Statutes, in a  
 3669 reference thereto, paragraph (a) of subsection (7) of section  
 3670 893.035, Florida Statutes, is reenacted to read:

3671 893.035 Control of new substances; findings of fact;  
 3672 delegation of authority to Attorney General to control  
 3673 substances by rule.—

3674 (7) (a) If the Attorney General finds that the scheduling  
 3675 of a substance in Schedule I of s. 893.03 on a temporary basis  
 3676 is necessary to avoid an imminent hazard to the public safety,  
 3677 he or she may by rule and without regard to the requirements of  
 3678 subsection (5) relating to the Department of Health and the  
 3679 Department of Law Enforcement schedule such substance in

3680 Schedule I if the substance is not listed in any other schedule  
 3681 of s. 893.03. The Attorney General shall be required to  
 3682 consider, with respect to his or her finding of imminent hazard  
 3683 to the public safety, only those factors set forth in paragraphs  
 3684 (3) (a) and (4) (d), (e), and (f), including actual abuse,  
 3685 diversion from legitimate channels, and clandestine importation,  
 3686 manufacture, or distribution.

3687 Section 32. For the purpose of incorporating the amendment  
 3688 made by this act to section 893.03, Florida Statutes, in a  
 3689 reference thereto, subsection (1) of section 893.05, Florida  
 3690 Statutes, is reenacted to read:

3691 893.05 Practitioners and persons administering controlled  
 3692 substances in their absence.—

3693 (1) A practitioner, in good faith and in the course of his  
 3694 or her professional practice only, may prescribe, administer,  
 3695 dispense, mix, or otherwise prepare a controlled substance, or  
 3696 the practitioner may cause the same to be administered by a  
 3697 licensed nurse or an intern practitioner under his or her  
 3698 direction and supervision only. A veterinarian may so prescribe,  
 3699 administer, dispense, mix, or prepare a controlled substance for  
 3700 use on animals only, and may cause it to be administered by an  
 3701 assistant or orderly under the veterinarian's direction and  
 3702 supervision only. A certified optometrist licensed under chapter  
 3703 463 may not administer or prescribe a controlled substance  
 3704 listed in Schedule I or Schedule II of s. 893.03.

3705 Section 33. For the purpose of incorporating the amendment



3706 made by this act to section 893.03, Florida Statutes, in a  
 3707 reference thereto, paragraph (b) of subsection (1) of section  
 3708 893.055, Florida Statutes, is reenacted to read:

3709 893.055 Prescription drug monitoring program.—

3710 (1) As used in this section, the term:

3711 (b) "Controlled substance" means a controlled substance  
 3712 listed in Schedule II, Schedule III, or Schedule IV in s.  
 3713 893.03.

3714 Section 34. For the purpose of incorporating the amendment  
 3715 made by this act to section 893.03, Florida Statutes, in a  
 3716 reference thereto, paragraph (b) of subsection (5) of section  
 3717 893.07, Florida Statutes, is reenacted to read:

3718 893.07 Records.—

3719 (5) Each person described in subsection (1) shall:

3720 (b) In the event of the discovery of the theft or  
 3721 significant loss of controlled substances, report such theft or  
 3722 significant loss to the sheriff of that county within 24 hours  
 3723 after discovery. A person who fails to report a theft or  
 3724 significant loss of a substance listed in s. 893.03(3), (4), or  
 3725 (5) within 24 hours after discovery as required in this  
 3726 paragraph commits a misdemeanor of the second degree, punishable  
 3727 as provided in s. 775.082 or s. 775.083. A person who fails to  
 3728 report a theft or significant loss of a substance listed in s.  
 3729 893.03(2) within 24 hours after discovery as required in this  
 3730 paragraph commits a misdemeanor of the first degree, punishable  
 3731 as provided in s. 775.082 or s. 775.083.

3732 Section 35. For the purpose of incorporating the amendment  
3733 made by this act to section 893.03, Florida Statutes, in  
3734 references thereto, paragraphs (b), (c), and (d) of subsection  
3735 (2) of section 893.12, Florida Statutes, are reenacted to read:

3736 893.12 Contraband; seizure, forfeiture, sale.—

3737 (2)

3738 (b) All real property, including any right, title,  
3739 leasehold interest, and other interest in the whole of any lot  
3740 or tract of land and any appurtenances or improvements, which  
3741 real property is used, or intended to be used, in any manner or  
3742 part, to commit or to facilitate the commission of, or which  
3743 real property is acquired with proceeds obtained as a result of,  
3744 a violation of any provision of this chapter related to a  
3745 controlled substance described in s. 893.03(1) or (2) may be  
3746 seized and forfeited as provided by the Florida Contraband  
3747 Forfeiture Act except that no property shall be forfeited under  
3748 this paragraph to the extent of an interest of an owner or  
3749 lienholder by reason of any act or omission established by that  
3750 owner or lienholder to have been committed or omitted without  
3751 the knowledge or consent of that owner or lienholder.

3752 (c) All moneys, negotiable instruments, securities, and  
3753 other things of value furnished or intended to be furnished by  
3754 any person in exchange for a controlled substance described in  
3755 s. 893.03(1) or (2) or a listed chemical in violation of any  
3756 provision of this chapter, all proceeds traceable to such an  
3757 exchange, and all moneys, negotiable instruments, and securities

3758 used or intended to be used to facilitate any violation of any  
3759 provision of this chapter or which are acquired with proceeds  
3760 obtained in violation of any provision of this chapter may be  
3761 seized and forfeited as provided by the Florida Contraband  
3762 Forfeiture Act, except that no property shall be forfeited under  
3763 this paragraph to the extent of an interest of an owner or  
3764 lienholder by reason of any act or omission established by that  
3765 owner or lienholder to have been committed or omitted without  
3766 the knowledge or consent of that owner or lienholder.

3767 (d) All books, records, and research, including formulas,  
3768 microfilm, tapes, and data which are used, or intended for use,  
3769 or which are acquired with proceeds obtained, in violation of  
3770 any provision of this chapter related to a controlled substance  
3771 described in s. 893.03(1) or (2) or a listed chemical may be  
3772 seized and forfeited as provided by the Florida Contraband  
3773 Forfeiture Act.

3774 Section 36. For the purpose of incorporating the amendment  
3775 made by this act to section 893.03, Florida Statutes, in a  
3776 reference thereto, subsection (2) of section 944.474, Florida  
3777 Statutes, is reenacted to read:

3778 944.474 Legislative intent; employee wellness program;  
3779 drug and alcohol testing.—

3780 (2) An employee of the department may not test positive  
3781 for illegal use of controlled substances. An employee of the  
3782 department may not be under the influence of alcohol while on  
3783 duty. In order to ensure that these prohibitions are adhered to

3784 by all employees of the department and notwithstanding s.  
 3785 112.0455, the department may develop a program for the drug  
 3786 testing of all job applicants and for the random drug testing of  
 3787 all employees. The department may randomly evaluate employees  
 3788 for the contemporaneous use or influence of alcohol through the  
 3789 use of alcohol tests and observation methods. Notwithstanding s.  
 3790 112.0455, the department may develop a program for the  
 3791 reasonable suspicion drug testing of employees who are in  
 3792 mandatory-testing positions, as defined in s. 440.102(1)(o), or  
 3793 special risk positions, as defined in s. 112.0455(5), for the  
 3794 controlled substances listed in s. 893.03(3)(d). The reasonable  
 3795 suspicion drug testing authorized by this subsection shall be  
 3796 conducted in accordance with s. 112.0455, but may also include  
 3797 testing upon reasonable suspicion based on violent acts or  
 3798 violent behavior of an employee who is on or off duty. The  
 3799 department shall adopt rules pursuant to ss. 120.536(1) and  
 3800 120.54 that are necessary to administer this subsection.

3801 Section 37. For the purpose of incorporating the amendment  
 3802 made by this act to section 893.033, Florida Statutes, in a  
 3803 reference thereto, subsection (4) of section 893.149, Florida  
 3804 Statutes, is reenacted to read:

3805 893.149 Unlawful possession of listed chemical.—

3806 (4) Any damages arising out of the unlawful possession of,  
 3807 storage of, or tampering with a listed chemical, as defined in  
 3808 s. 893.033, shall be the sole responsibility of the person or  
 3809 persons unlawfully possessing, storing, or tampering with the

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3810 listed chemical. In no case shall liability for damages arising  
3811 out of the unlawful possession of, storage of, or tampering with  
3812 a listed chemical extend to the lawful owner, installer,  
3813 maintainer, designer, manufacturer, possessor, or seller of the  
3814 listed chemical, unless such damages arise out of the acts or  
3815 omissions of the owner, installer, maintainer, designer,  
3816 manufacturer, possessor, or seller which constitute negligent  
3817 misconduct or failure to abide by the laws regarding the  
3818 possession or storage of a listed chemical.

3819 Section 38. For the purpose of incorporating the amendment  
3820 made by this act to section 893.13, Florida Statutes, in a  
3821 reference thereto, paragraph (b) of subsection (4) of section  
3822 397.451, Florida Statutes, is reenacted to read:

3823 397.451 Background checks of service provider personnel.—

3824 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3825 (b) Since rehabilitated substance abuse impaired persons  
3826 are effective in the successful treatment and rehabilitation of  
3827 substance abuse impaired adolescents, for service providers  
3828 which treat adolescents 13 years of age and older, service  
3829 provider personnel whose background checks indicate crimes under  
3830 s. 817.563, s. 893.13, or s. 893.147 may be exempted from  
3831 disqualification from employment pursuant to this paragraph.

3832 Section 39. For the purpose of incorporating the amendment  
3833 made by this act to section 893.13, Florida Statutes, in a  
3834 reference thereto, subsection (2) of section 435.07, Florida  
3835 Statutes, is reenacted to read:

3836           435.07 Exemptions from disqualification.—Unless otherwise  
 3837 provided by law, the provisions of this section apply to  
 3838 exemptions from disqualification for disqualifying offenses  
 3839 revealed pursuant to background screenings required under this  
 3840 chapter, regardless of whether those disqualifying offenses are  
 3841 listed in this chapter or other laws.

3842           (2) Persons employed, or applicants for employment, by  
 3843 treatment providers who treat adolescents 13 years of age and  
 3844 older who are disqualified from employment solely because of  
 3845 crimes under s. 817.563, s. 893.13, or s. 893.147 may be  
 3846 exempted from disqualification from employment pursuant to this  
 3847 chapter without application of the waiting period in  
 3848 subparagraph (1)(a)1.

3849           Section 40. For the purpose of incorporating the amendment  
 3850 made by this act to section 893.13, Florida Statutes, in a  
 3851 reference thereto, subsection (2) of section 772.12, Florida  
 3852 Statutes, is reenacted to read:

3853           772.12 Drug Dealer Liability Act.—

3854           (2) A person, including any governmental entity, has a  
 3855 cause of action for threefold the actual damages sustained and  
 3856 is entitled to minimum damages in the amount of \$1,000 and  
 3857 reasonable attorney's fees and court costs in the trial and  
 3858 appellate courts, if the person proves by the greater weight of  
 3859 the evidence that:

3860           (a) The person was injured because of the defendant's  
 3861 actions that resulted in the defendant's conviction for:

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3862 1. A violation of s. 893.13, except for a violation of s.  
 3863 893.13(2) (a) or (b), (3), (5), (6) (a), (b), or (c), (7); or

3864 2. A violation of s. 893.135; and

3865 (b) The person was not injured by reason of his or her  
 3866 participation in the same act or transaction that resulted in  
 3867 the defendant's conviction for any offense described in  
 3868 subparagraph (a)1.

3869 Section 41. For the purpose of incorporating the amendment  
 3870 made by this act to section 893.13, Florida Statutes, in a  
 3871 reference thereto, paragraph (a) of subsection (1) of section  
 3872 775.084, Florida Statutes, is reenacted to read:

3873 775.084 Violent career criminals; habitual felony  
 3874 offenders and habitual violent felony offenders; three-time  
 3875 violent felony offenders; definitions; procedure; enhanced  
 3876 penalties or mandatory minimum prison terms.—

3877 (1) As used in this act:

3878 (a) "Habitual felony offender" means a defendant for whom  
 3879 the court may impose an extended term of imprisonment, as  
 3880 provided in paragraph (4) (a), if it finds that:

3881 1. The defendant has previously been convicted of any  
 3882 combination of two or more felonies in this state or other  
 3883 qualified offenses.

3884 2. The felony for which the defendant is to be sentenced  
 3885 was committed:

3886 a. While the defendant was serving a prison sentence or  
 3887 other sentence, or court-ordered or lawfully imposed supervision

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3888 that is imposed as a result of a prior conviction for a felony  
3889 or other qualified offense; or

3890 b. Within 5 years of the date of the conviction of the  
3891 defendant's last prior felony or other qualified offense, or  
3892 within 5 years of the defendant's release from a prison  
3893 sentence, probation, community control, control release,  
3894 conditional release, parole or court-ordered or lawfully imposed  
3895 supervision or other sentence that is imposed as a result of a  
3896 prior conviction for a felony or other qualified offense,  
3897 whichever is later.

3898 3. The felony for which the defendant is to be sentenced,  
3899 and one of the two prior felony convictions, is not a violation  
3900 of s. 893.13 relating to the purchase or the possession of a  
3901 controlled substance.

3902 4. The defendant has not received a pardon for any felony  
3903 or other qualified offense that is necessary for the operation  
3904 of this paragraph.

3905 5. A conviction of a felony or other qualified offense  
3906 necessary to the operation of this paragraph has not been set  
3907 aside in any postconviction proceeding.

3908 Section 42. For the purpose of incorporating the amendment  
3909 made by this act to section 893.13, Florida Statutes, in a  
3910 reference thereto, subsection (3) of section 810.02, Florida  
3911 Statutes, is reenacted to read:

3912 810.02 Burglary.—

3913 (3) Burglary is a felony of the second degree, punishable



3914 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the  
 3915 course of committing the offense, the offender does not make an  
 3916 assault or battery and is not and does not become armed with a  
 3917 dangerous weapon or explosive, and the offender enters or  
 3918 remains in a:

3919 (a) Dwelling, and there is another person in the dwelling  
 3920 at the time the offender enters or remains;

3921 (b) Dwelling, and there is not another person in the  
 3922 dwelling at the time the offender enters or remains;

3923 (c) Structure, and there is another person in the  
 3924 structure at the time the offender enters or remains;

3925 (d) Conveyance, and there is another person in the  
 3926 conveyance at the time the offender enters or remains;

3927 (e) Authorized emergency vehicle, as defined in s.  
 3928 316.003; or

3929 (f) Structure or conveyance when the offense intended to  
 3930 be committed therein is theft of a controlled substance as  
 3931 defined in s. 893.02. Notwithstanding any other law, separate  
 3932 judgments and sentences for burglary with the intent to commit  
 3933 theft of a controlled substance under this paragraph and for any  
 3934 applicable possession of controlled substance offense under s.  
 3935 893.13 or trafficking in controlled substance offense under s.  
 3936 893.135 may be imposed when all such offenses involve the same  
 3937 amount or amounts of a controlled substance.

3938  
 3939 However, if the burglary is committed within a county that is

3940 subject to a state of emergency declared by the Governor under  
3941 chapter 252 after the declaration of emergency is made and the  
3942 perpetration of the burglary is facilitated by conditions  
3943 arising from the emergency, the burglary is a felony of the  
3944 first degree, punishable as provided in s. 775.082, s. 775.083,  
3945 or s. 775.084. As used in this subsection, the term "conditions  
3946 arising from the emergency" means civil unrest, power outages,  
3947 curfews, voluntary or mandatory evacuations, or a reduction in  
3948 the presence of or response time for first responders or  
3949 homeland security personnel. A person arrested for committing a  
3950 burglary within a county that is subject to such a state of  
3951 emergency may not be released until the person appears before a  
3952 committing magistrate at a first appearance hearing. For  
3953 purposes of sentencing under chapter 921, a felony offense that  
3954 is reclassified under this subsection is ranked one level above  
3955 the ranking under s. 921.0022 or s. 921.0023 of the offense  
3956 committed.

3957 Section 43. For the purpose of incorporating the amendment  
3958 made by this act to section 893.13, Florida Statutes, in a  
3959 reference thereto, subsection (2) of section 812.014, Florida  
3960 Statutes, is reenacted to read:

3961 812.014 Theft.—

3962 (2)(a)1. If the property stolen is valued at \$100,000 or  
3963 more or is a semitrailer that was deployed by a law enforcement  
3964 officer; or

3965 2. If the property stolen is cargo valued at \$50,000 or

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3966 more that has entered the stream of interstate or intrastate  
 3967 commerce from the shipper's loading platform to the consignee's  
 3968 receiving dock; or  
 3969 3. If the offender commits any grand theft and:  
 3970 a. In the course of committing the offense the offender  
 3971 uses a motor vehicle as an instrumentality, other than merely as  
 3972 a getaway vehicle, to assist in committing the offense and  
 3973 thereby damages the real property of another; or  
 3974 b. In the course of committing the offense the offender  
 3975 causes damage to the real or personal property of another in  
 3976 excess of \$1,000,  
 3977  
 3978 the offender commits grand theft in the first degree, punishable  
 3979 as a felony of the first degree, as provided in s. 775.082, s.  
 3980 775.083, or s. 775.084.  
 3981 (b)1. If the property stolen is valued at \$20,000 or more,  
 3982 but less than \$100,000;  
 3983 2. The property stolen is cargo valued at less than  
 3984 \$50,000 that has entered the stream of interstate or intrastate  
 3985 commerce from the shipper's loading platform to the consignee's  
 3986 receiving dock;  
 3987 3. The property stolen is emergency medical equipment,  
 3988 valued at \$300 or more, that is taken from a facility licensed  
 3989 under chapter 395 or from an aircraft or vehicle permitted under  
 3990 chapter 401; or  
 3991 4. The property stolen is law enforcement equipment,

3992 | valued at \$300 or more, that is taken from an authorized  
 3993 | emergency vehicle, as defined in s. 316.003,  
 3994 |  
 3995 | the offender commits grand theft in the second degree,  
 3996 | punishable as a felony of the second degree, as provided in s.  
 3997 | 775.082, s. 775.083, or s. 775.084. Emergency medical equipment  
 3998 | means mechanical or electronic apparatus used to provide  
 3999 | emergency services and care as defined in s. 395.002(9) or to  
 4000 | treat medical emergencies. Law enforcement equipment means any  
 4001 | property, device, or apparatus used by any law enforcement  
 4002 | officer as defined in s. 943.10 in the officer's official  
 4003 | business. However, if the property is stolen within a county  
 4004 | that is subject to a state of emergency declared by the Governor  
 4005 | under chapter 252, the theft is committed after the declaration  
 4006 | of emergency is made, and the perpetration of the theft is  
 4007 | facilitated by conditions arising from the emergency, the theft  
 4008 | is a felony of the first degree, punishable as provided in s.  
 4009 | 775.082, s. 775.083, or s. 775.084. As used in this paragraph,  
 4010 | the term "conditions arising from the emergency" means civil  
 4011 | unrest, power outages, curfews, voluntary or mandatory  
 4012 | evacuations, or a reduction in the presence of or response time  
 4013 | for first responders or homeland security personnel. For  
 4014 | purposes of sentencing under chapter 921, a felony offense that  
 4015 | is reclassified under this paragraph is ranked one level above  
 4016 | the ranking under s. 921.0022 or s. 921.0023 of the offense  
 4017 | committed.

4018 (c) It is grand theft of the third degree and a felony of  
 4019 the third degree, punishable as provided in s. 775.082, s.  
 4020 775.083, or s. 775.084, if the property stolen is:

- 4021 1. Valued at \$300 or more, but less than \$5,000.
- 4022 2. Valued at \$5,000 or more, but less than \$10,000.
- 4023 3. Valued at \$10,000 or more, but less than \$20,000.
- 4024 4. A will, codicil, or other testamentary instrument.
- 4025 5. A firearm.
- 4026 6. A motor vehicle, except as provided in paragraph (a).
- 4027 7. Any commercially farmed animal, including any animal of  
 4028 the equine, bovine, or swine class or other grazing animal; a  
 4029 bee colony of a registered beekeeper; and aquaculture species  
 4030 raised at a certified aquaculture facility. If the property  
 4031 stolen is aquaculture species raised at a certified aquaculture  
 4032 facility, then a \$10,000 fine shall be imposed.
- 4033 8. Any fire extinguisher.
- 4034 9. Any amount of citrus fruit consisting of 2,000 or more  
 4035 individual pieces of fruit.
- 4036 10. Taken from a designated construction site identified  
 4037 by the posting of a sign as provided for in s. 810.09(2)(d).
- 4038 11. Any stop sign.
- 4039 12. Anhydrous ammonia.
- 4040 13. Any amount of a controlled substance as defined in s.  
 4041 893.02. Notwithstanding any other law, separate judgments and  
 4042 sentences for theft of a controlled substance under this  
 4043 subparagraph and for any applicable possession of controlled

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4044 substance offense under s. 893.13 or trafficking in controlled  
4045 substance offense under s. 893.135 may be imposed when all such  
4046 offenses involve the same amount or amounts of a controlled  
4047 substance.

4048  
4049 However, if the property is stolen within a county that is  
4050 subject to a state of emergency declared by the Governor under  
4051 chapter 252, the property is stolen after the declaration of  
4052 emergency is made, and the perpetration of the theft is  
4053 facilitated by conditions arising from the emergency, the  
4054 offender commits a felony of the second degree, punishable as  
4055 provided in s. 775.082, s. 775.083, or s. 775.084, if the  
4056 property is valued at \$5,000 or more, but less than \$10,000, as  
4057 provided under subparagraph 2., or if the property is valued at  
4058 \$10,000 or more, but less than \$20,000, as provided under  
4059 subparagraph 3. As used in this paragraph, the term "conditions  
4060 arising from the emergency" means civil unrest, power outages,  
4061 curfews, voluntary or mandatory evacuations, or a reduction in  
4062 the presence of or the response time for first responders or  
4063 homeland security personnel. For purposes of sentencing under  
4064 chapter 921, a felony offense that is reclassified under this  
4065 paragraph is ranked one level above the ranking under s.  
4066 921.0022 or s. 921.0023 of the offense committed.

4067 (d) It is grand theft of the third degree and a felony of  
4068 the third degree, punishable as provided in s. 775.082, s.  
4069 775.083, or s. 775.084, if the property stolen is valued at \$100

4070 or more, but less than \$300, and is taken from a dwelling as  
 4071 defined in s. 810.011(2) or from the unenclosed curtilage of a  
 4072 dwelling pursuant to s. 810.09(1).

4073 (e) Except as provided in paragraph (d), if the property  
 4074 stolen is valued at \$100 or more, but less than \$300, the  
 4075 offender commits petit theft of the first degree, punishable as  
 4076 a misdemeanor of the first degree, as provided in s. 775.082 or  
 4077 s. 775.083.

4078 Section 44. For the purpose of incorporating the amendment  
 4079 made by this act to section 893.13, Florida Statutes, in a  
 4080 reference thereto, subsection (1) of section 831.311, Florida  
 4081 Statutes, is reenacted to read:

4082 831.311 Unlawful sale, manufacture, alteration, delivery,  
 4083 uttering, or possession of counterfeit-resistant prescription  
 4084 blanks for controlled substances.—

4085 (1) It is unlawful for any person having the intent to  
 4086 injure or defraud any person or to facilitate any violation of  
 4087 s. 893.13 to sell, manufacture, alter, deliver, utter, or  
 4088 possess with intent to injure or defraud any person, or to  
 4089 facilitate any violation of s. 893.13, any counterfeit-resistant  
 4090 prescription blanks for controlled substances, the form and  
 4091 content of which are adopted by rule of the Department of Health  
 4092 pursuant to s. 893.065.

4093 Section 45. For the purpose of incorporating the amendment  
 4094 made by this act to section 893.13, Florida Statutes, in a  
 4095 reference thereto, subsection (1) of section 893.1351, Florida

4096 Statutes, is reenacted to read:

4097 893.1351 Ownership, lease, rental, or possession for  
4098 trafficking in or manufacturing a controlled substance.—

4099 (1) A person may not own, lease, or rent any place,  
4100 structure, or part thereof, trailer, or other conveyance with  
4101 the knowledge that the place, structure, trailer, or conveyance  
4102 will be used for the purpose of trafficking in a controlled  
4103 substance, as provided in s. 893.135; for the sale of a  
4104 controlled substance, as provided in s. 893.13; or for the  
4105 manufacture of a controlled substance intended for sale or  
4106 distribution to another. A person who violates this subsection  
4107 commits a felony of the third degree, punishable as provided in  
4108 s. 775.082, s. 775.083, or s. 775.084.

4109 Section 46. For the purpose of incorporating the amendment  
4110 made by this act to section 893.13, Florida Statutes, in a  
4111 reference thereto, subsection (3) of section 893.138, Florida  
4112 Statutes, is reenacted to read:

4113 893.38 Local administrative action to abate drug-related,  
4114 prostitution-related, or stolen-property-related public  
4115 nuisances and criminal gang activity.—

4116 (3) Any pain-management clinic, as described in s.  
4117 458.3265 or s. 459.0137, which has been used on more than two  
4118 occasions within a 6-month period as the site of a violation of:

4119 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,  
4120 relating to assault and battery;

4121 (b) Section 810.02, relating to burglary;



4122 (c) Section 812.014, relating to dealing in theft;  
 4123 (d) Section 812.131, relating to robbery by sudden  
 4124 snatching; or  
 4125 (e) Section 893.13, relating to the unlawful distribution  
 4126 of controlled substances,

4127  
 4128 may be declared to be a public nuisance, and such nuisance may  
 4129 be abated pursuant to the procedures provided in this section.

4130 Section 47. For the purpose of incorporating the amendment  
 4131 made by this act to section 893.13, Florida Statutes, in a  
 4132 reference thereto, section 893.15, Florida Statutes, is  
 4133 reenacted to read:

4134 893.15 Rehabilitation.—Any person who violates s.  
 4135 893.13(6) (a) or (b) relating to possession may, in the  
 4136 discretion of the trial judge, be required to participate in a  
 4137 substance abuse services program approved or regulated by the  
 4138 Department of Children and Families pursuant to the provisions  
 4139 of chapter 397, provided the director of such program approves  
 4140 the placement of the defendant in such program. Such required  
 4141 participation shall be imposed in addition to any penalty or  
 4142 probation otherwise prescribed by law. However, the total time  
 4143 of such penalty, probation, and program participation shall not  
 4144 exceed the maximum length of sentence possible for the offense.

4145 Section 48. For the purpose of incorporating the amendment  
 4146 made by this act to section 893.13, Florida Statutes, in a  
 4147 reference thereto, section 903.133, Florida Statutes, is

4148 reenacted to read:

4149 903.133 Bail on appeal; prohibited for certain felony  
 4150 convictions.—Notwithstanding the provisions of s. 903.132, no  
 4151 person adjudged guilty of a felony of the first degree for a  
 4152 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.  
 4153 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a  
 4154 violation of s. 794.011(2) or (3), shall be admitted to bail  
 4155 pending review either by posttrial motion or appeal.

4156 Section 49. For the purpose of incorporating the amendment  
 4157 made by this act to section 893.13, Florida Statutes, in a  
 4158 reference thereto, paragraph (1) of subsection (1) of section  
 4159 921.187, Florida Statutes, is reenacted to read:

4160 921.187 Disposition and sentencing; alternatives;  
 4161 restitution.—

4162 (1) The alternatives provided in this section for the  
 4163 disposition of criminal cases shall be used in a manner that  
 4164 will best serve the needs of society, punish criminal offenders,  
 4165 and provide the opportunity for rehabilitation. If the offender  
 4166 does not receive a state prison sentence, the court may:

4167 (1)1. Require the offender who violates any criminal  
 4168 provision of chapter 893 to pay an additional assessment in an  
 4169 amount up to the amount of any fine imposed, pursuant to ss.  
 4170 938.21 and 938.23.

4171 2. Require the offender who violates any provision of s.  
 4172 893.13 to pay an additional assessment in an amount of \$100,  
 4173 pursuant to ss. 938.055 and 943.361.

4174 Section 50. For the purpose of incorporating the amendment  
 4175 made by this act to section 893.145, Florida Statutes, in a  
 4176 reference thereto, paragraph (a) of subsection (2) of section  
 4177 893.12, Florida Statutes, is reenacted to read:

4178 893.12 Contraband; seizure, forfeiture, sale.—

4179 (2) (a) Any vessel, vehicle, aircraft, or drug  
 4180 paraphernalia as defined in s. 893.145 which has been or is  
 4181 being used in violation of any provision of this chapter or in,  
 4182 upon, or by means of which any violation of this chapter has  
 4183 taken or is taking place may be seized and forfeited as provided  
 4184 by the Florida Contraband Forfeiture Act.

4185 Section 51. For the purpose of incorporating the amendment  
 4186 made by this act to section 893.145, Florida Statutes, in a  
 4187 reference thereto, paragraph (a) of subsection (6) of section  
 4188 893.147, Florida Statutes, is reenacted to read:

4189 893.147 Use, possession, manufacture, delivery,  
 4190 transportation, advertisement, or retail sale of drug  
 4191 paraphernalia.—

4192 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

4193 (a) It is unlawful for a person to knowingly and willfully  
 4194 sell or offer for sale at retail any drug paraphernalia  
 4195 described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe  
 4196 that is primarily made of briar, meerschaum, clay, or corn cob.

4197 Section 52. For the purpose of incorporating the amendment  
 4198 made by this act to section 895.02, Florida Statutes, in a  
 4199 reference thereto, paragraph (a) of subsection (1) of section

4200 16.56, Florida Statutes, is reenacted to read:

4201 16.56 Office of Statewide Prosecution.—

4202 (1) There is created in the Department of Legal Affairs an  
 4203 Office of Statewide Prosecution. The office shall be a separate  
 4204 "budget entity" as that term is defined in chapter 216. The  
 4205 office may:

4206 (a) Investigate and prosecute the offenses of:

4207 1. Bribery, burglary, criminal usury, extortion, gambling,  
 4208 kidnapping, larceny, murder, prostitution, perjury, robbery,  
 4209 carjacking, and home-invasion robbery;

4210 2. Any crime involving narcotic or other dangerous drugs;

4211 3. Any violation of the Florida RICO (Racketeer Influenced  
 4212 and Corrupt Organization) Act, including any offense listed in  
 4213 the definition of racketeering activity in s. 895.02(1)(a),  
 4214 providing such listed offense is investigated in connection with  
 4215 a violation of s. 895.03 and is charged in a separate count of  
 4216 an information or indictment containing a count charging a  
 4217 violation of s. 895.03, the prosecution of which listed offense  
 4218 may continue independently if the prosecution of the violation  
 4219 of s. 895.03 is terminated for any reason;

4220 4. Any violation of the Florida Anti-Fencing Act;

4221 5. Any violation of the Florida Antitrust Act of 1980, as  
 4222 amended;

4223 6. Any crime involving, or resulting in, fraud or deceit  
 4224 upon any person;

4225 7. Any violation of s. 847.0135, relating to computer

4226 pornography and child exploitation prevention, or any offense  
 4227 related to a violation of s. 847.0135 or any violation of  
 4228 chapter 827 where the crime is facilitated by or connected to  
 4229 the use of the Internet or any device capable of electronic data  
 4230 storage or transmission;

4231 8. Any violation of chapter 815;

4232 9. Any criminal violation of part I of chapter 499;

4233 10. Any violation of the Florida Motor Fuel Tax Relief Act  
 4234 of 2004;

4235 11. Any criminal violation of s. 409.920 or s. 409.9201;

4236 12. Any crime involving voter registration, voting, or  
 4237 candidate or issue petition activities;

4238 13. Any criminal violation of the Florida Money Laundering  
 4239 Act;

4240 14. Any criminal violation of the Florida Securities and  
 4241 Investor Protection Act; or

4242 15. Any violation of chapter 787, as well as any and all  
 4243 offenses related to a violation of chapter 787;

4244  
 4245 or any attempt, solicitation, or conspiracy to commit any of the  
 4246 crimes specifically enumerated above. The office shall have such  
 4247 power only when any such offense is occurring, or has occurred,  
 4248 in two or more judicial circuits as part of a related  
 4249 transaction, or when any such offense is connected with an  
 4250 organized criminal conspiracy affecting two or more judicial  
 4251 circuits. Informations or indictments charging such offenses

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4252 shall contain general allegations stating the judicial circuits  
4253 and counties in which crimes are alleged to have occurred or the  
4254 judicial circuits and counties in which crimes affecting such  
4255 circuits or counties are alleged to have been connected with an  
4256 organized criminal conspiracy.

4257 Section 53. For the purpose of incorporating the amendment  
4258 made by this act to section 895.02, Florida Statutes, in a  
4259 reference thereto, paragraph (g) of subsection (3) of section  
4260 655.50, Florida Statutes, is reenacted to read:

4261 655.50 Florida Control of Money Laundering and Terrorist  
4262 Financing in Financial Institutions Act.—

4263 (3) As used in this section, the term:

4264 (g) "Specified unlawful activity" means "racketeering  
4265 activity" as defined in s. 895.02.

4266 Section 54. For the purpose of incorporating the amendment  
4267 made by this act to section 895.02, Florida Statutes, in a  
4268 reference thereto, paragraph (g) of subsection (2) of section  
4269 896.101, Florida Statutes, is reenacted to read:

4270 896.101 Florida Money Laundering Act; definitions;  
4271 penalties; injunctions; seizure warrants; immunity.—

4272 (2) As used in this section, the term:

4273 (g) "Specified unlawful activity" means any "racketeering  
4274 activity" as defined in s. 895.02.

4275 Section 55. For the purpose of incorporating the amendment  
4276 made by this act to section 895.02, Florida Statutes, in a  
4277 reference thereto, section 905.34, Florida Statutes, is

4278 reenacted to read:

4279           905.34 Powers and duties; law applicable.—The jurisdiction  
4280 of a statewide grand jury impaneled under this chapter shall  
4281 extend throughout the state. The subject matter jurisdiction of  
4282 the statewide grand jury shall be limited to the offenses of:

4283           (1) Bribery, burglary, carjacking, home-invasion robbery,  
4284 criminal usury, extortion, gambling, kidnapping, larceny,  
4285 murder, prostitution, perjury, and robbery;

4286           (2) Crimes involving narcotic or other dangerous drugs;

4287           (3) Any violation of the provisions of the Florida RICO  
4288 (Racketeer Influenced and Corrupt Organization) Act, including  
4289 any offense listed in the definition of racketeering activity in  
4290 s. 895.02(1)(a), providing such listed offense is investigated  
4291 in connection with a violation of s. 895.03 and is charged in a  
4292 separate count of an information or indictment containing a  
4293 count charging a violation of s. 895.03, the prosecution of  
4294 which listed offense may continue independently if the  
4295 prosecution of the violation of s. 895.03 is terminated for any  
4296 reason;

4297           (4) Any violation of the provisions of the Florida Anti-  
4298 Fencing Act;

4299           (5) Any violation of the provisions of the Florida  
4300 Antitrust Act of 1980, as amended;

4301           (6) Any violation of the provisions of chapter 815;

4302           (7) Any crime involving, or resulting in, fraud or deceit  
4303 upon any person;

4304           (8) Any violation of s. 847.0135, s. 847.0137, or s.  
 4305 847.0138 relating to computer pornography and child exploitation  
 4306 prevention, or any offense related to a violation of s.  
 4307 847.0135, s. 847.0137, or s. 847.0138 or any violation of  
 4308 chapter 827 where the crime is facilitated by or connected to  
 4309 the use of the Internet or any device capable of electronic data  
 4310 storage or transmission;

4311           (9) Any criminal violation of part I of chapter 499;

4312           (10) Any criminal violation of s. 409.920 or s. 409.9201;

4313           (11) Any criminal violation of the Florida Money  
 4314 Laundering Act;

4315           (12) Any criminal violation of the Florida Securities and  
 4316 Investor Protection Act; or

4317           (13) Any violation of chapter 787, as well as any and all  
 4318 offenses related to a violation of chapter 787;

4319

4320 or any attempt, solicitation, or conspiracy to commit any  
 4321 violation of the crimes specifically enumerated above, when any  
 4322 such offense is occurring, or has occurred, in two or more  
 4323 judicial circuits as part of a related transaction or when any  
 4324 such offense is connected with an organized criminal conspiracy  
 4325 affecting two or more judicial circuits. The statewide grand  
 4326 jury may return indictments and presentments irrespective of the  
 4327 county or judicial circuit where the offense is committed or  
 4328 triable. If an indictment is returned, it shall be certified and  
 4329 transferred for trial to the county where the offense was



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4330 committed. The powers and duties of, and law applicable to,  
4331 county grand juries shall apply to a statewide grand jury except  
4332 when such powers, duties, and law are inconsistent with the  
4333 provisions of ss. 905.31-905.40.

4334 Section 56. This act shall take effect July 1, 2016.