

1 A bill to be entitled
2 An act relating to illicit drugs; amending s. 893.02,
3 F.S.; defining terms; deleting a definition; revising
4 definitions; amending s. 893.03, F.S.; providing that
5 class designation is a way to reference scheduled
6 controlled substances; adding, deleting, and revising
7 the list of Schedule I controlled substances; revising
8 the list of Schedule III anabolic steroids; amending
9 s. 893.033, F.S.; adding, deleting, and revising the
10 list of precursor and essential chemicals; amending s.
11 893.0356, F.S.; defining the term "substantially
12 similar"; deleting the term "potential for abuse";
13 requiring that a controlled substance analog be
14 treated as the highest scheduled controlled substance
15 of which it is an analog; amending s. 893.13, F.S.;
16 creating a noncriminal penalty for selling,
17 manufacturing, or delivering, or possessing with
18 intent to sell, manufacture, or deliver any unlawful
19 controlled substance in, on, or near an assisted
20 living facility; creating a criminal penalty for a
21 person 18 years of age or older who delivers to a
22 person younger than 18 years of age any illegal
23 controlled substance, who uses or hires a person
24 younger than 18 years of age in the sale or delivery
25 of such substance, or who uses a person younger than
26 18 years of age to assist in avoiding detection for

27 | specified violations; deleting a criminal penalty for
28 | possession of a certain amount of specified controlled
29 | substances; deleting certain exclusions to the
30 | definition of the term "cannabis"; creating a criminal
31 | penalty for possession of specified controlled
32 | substances; correcting a cross-reference; amending s.
33 | 893.135, F.S.; revising a dosage unit to include a
34 | gelatin capsule for the purpose of clarifying
35 | legislative intent regarding the weighing of a mixture
36 | containing a controlled substance; amending s.
37 | 893.138, F.S.; authorizing a place or premises that
38 | has been used on two or more occasions for specified
39 | violations within a certain time period to be declared
40 | a public nuisance; amending s. 893.145, F.S.; revising
41 | the definition of the term "drug paraphernalia";
42 | amending s. 895.02, F.S.; revising the definition of
43 | the term "racketeering activity"; amending s.
44 | 921.0022, F.S.; adding an adult delivering controlled
45 | substances to a minor, using or hiring a minor to sell
46 | controlled substances, or using a minor to avoid
47 | detection or apprehension to level 3 of the offense
48 | severity ranking chart of the Criminal Punishment
49 | Code; making technical changes; reenacting ss.
50 | 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c),
51 | 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3),
52 | 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a),

53 465.0276(1)(b), 499.0121(14) and (15)(a),
 54 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a),
 55 817.563(1), 831.31, 893.0301, 893.035(7)(a),
 56 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b),
 57 (c), and (d), and 944.474(2), F.S., to incorporate the
 58 amendment made to s. 893.03, F.S., in references
 59 thereto; reenacting s. 893.149(4), F.S., to
 60 incorporate the amendment made to s. 893.033, F.S., in
 61 a reference thereto; reenacting ss. 397.451(4)(b),
 62 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3),
 63 812.014(2), 831.311(1), 893.1351(1), 893.138(3),
 64 893.15, 903.133, and 921.187(1)(1), F.S., to
 65 incorporate the amendment made to s. 893.13, F.S., in
 66 references thereto; reenacting ss. 893.12(2)(a) and
 67 893.147(6)(a), F.S., to incorporate the amendment made
 68 to s. 893.145, F.S., in references thereto; reenacting
 69 ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and
 70 905.34, F.S., to incorporate the amendment made to s.
 71 895.02, F.S., in references thereto; providing an
 72 effective date.

73
 74 Be It Enacted by the Legislature of the State of Florida:

75
 76 Section 1. Subsections (2), (11), and (16) of section
 77 893.02, Florida Statutes, are amended, new subsections (17) and
 78 (20) are added to that section, present subsections (17), (18),

79 (19), (20), (21), (22), and (23) of that section are
80 redesignated as subsections (18), (19), (21), (22), (23), (24),
81 and (25), respectively, and subsections (4) and (14) are
82 republished, to read:

83 893.02 Definitions.—The following words and phrases as
84 used in this chapter shall have the following meanings, unless
85 the context otherwise requires:

86 (2) "Cannabinoid receptor agonist" means a chemical
87 compound or substance that, according to scientific or medical
88 research, study, testing, or analysis demonstrates the presence
89 of binding activity at one or more of the CB1 or CB2 cell
90 membrane receptors located within the human body ~~"Analog" or~~
91 ~~"chemical analog" means a structural derivative of a parent~~
92 ~~compound that is a controlled substance.~~

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

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

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

103 (16) "Mixture" means any physical combination of two or
104 more substances, including, but not limited to, a blend, an

105 aggregation, a suspension, an emulsion, a solution, or a dosage
106 unit, whether or not such combination can be separated into its
107 components by physical means, whether mechanical or thermal.

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

111 (20) "Positional isomer" means any substance that
112 possesses the same molecular formula and core structure and that
113 has the same functional group or substituent as those found in
114 the respective controlled substance, attached at any positions
115 on the core structure, but in such manner that no new chemical
116 functionalities are created and no existing chemical
117 functionalities are destroyed relative to the respective
118 controlled substance. Rearrangements of alkyl moieties within or
119 between functional groups or substituents, or divisions or
120 combinations of alkyl moieties, which do not create new chemical
121 functionalities or destroy existing chemical functionalities,
122 are allowed and include resulting compounds that are positional
123 isomers. As used in this definition, the term "core structure"
124 means the parent molecule that is the common basis for the class
125 that includes, but is not limited to, tryptamine,
126 phenethylamine, or ergoline. Examples of rearrangements
127 resulting in creation or destruction of chemical
128 functionalities, and therefore resulting in compounds that are
129 not positional isomers, include, but are not limited to, ethoxy
130 to alpha-hydroxyethyl, hydroxy and methyl to methoxy, or the

131 repositioning of a phenolic or alcoholic hydroxy group to create
132 a hydroxylamine. Examples of rearrangements resulting in
133 compounds that would be positional isomers, include, but are not
134 limited to, tert-butyl to sec-butyl, methoxy and ethyl to
135 isopropoxy, N,N-diethyl to N-methyl-N-propyl, or alpha-
136 methylamino to N-methylamino.

137 Section 2. Section 893.03, Florida Statutes, is amended to
138 read:

139 893.03 Standards and schedules.—The substances enumerated
140 in this section are controlled by this chapter. The controlled
141 substances listed or to be listed in Schedules I, II, III, IV,
142 and V are included by whatever official, common, usual,
143 chemical, ~~or~~ trade name, or class designated. The provisions of
144 this section shall not be construed to include within any of the
145 schedules contained in this section any excluded drugs listed
146 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
147 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
148 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
149 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
150 Anabolic Steroid Products."

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

156 (a) Unless specifically excepted or unless listed in

157 | another schedule, any of the following substances, including
 158 | their isomers, esters, ethers, salts, and salts of isomers,
 159 | esters, and ethers, whenever the existence of such isomers,
 160 | esters, ethers, and salts is possible within the specific
 161 | chemical designation:

- 162 | 1. Acetyl-alpha-methylfentanyl.
- 163 | 2. Acetylmethadol.
- 164 | 3. Allylprodine.
- 165 | 4. Alphacetylmethadol (except levo-alphacetylmethadol,
 166 | also known as levo-alpha-acetylmethadol, levomethadyl acetate,
 167 | or LAAM).
- 168 | 5. Alphamethadol.
- 169 | 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)
 170 | ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
 171 | (N-propanilido) piperidine).
- 172 | 7. Alpha-methylthiofentanyl.
- 173 | 8. Alphameprodine.
- 174 | 9. Benzethidine.
- 175 | 10. Benzylfentanyl.
- 176 | 11. Betacetylmethadol.
- 177 | 12. Beta-hydroxyfentanyl.
- 178 | 13. Beta-hydroxy-3-methylfentanyl.
- 179 | 14. Betameprodine.
- 180 | 15. Betamethadol.
- 181 | 16. Betaprodine.
- 182 | 17. Clonitazene.

- 183 | 18. Dextromoramide.
- 184 | 19. Diampromide.
- 185 | 20. Diethylthiambutene.
- 186 | 21. DifenoXin.
- 187 | 22. Dimenoxadol.
- 188 | 23. Dimepheptanol.
- 189 | 24. Dimethylthiambutene.
- 190 | 25. Dioxaphetyl butyrate.
- 191 | 26. Dipipanone.
- 192 | 27. Ethylmethylthiambutene.
- 193 | 28. Etonitazene.
- 194 | 29. EtoXeridine.
- 195 | 30. Flunitrazepam.
- 196 | 31. Furethidine.
- 197 | 32. Hydroxypethidine.
- 198 | 33. Ketobemidone.
- 199 | 34. Levomoramide.
- 200 | 35. Levophenacylmorphan.
- 201 | 36. Desmethylprodine (1-Methyl-4-Phenyl-4-
- 202 | Propionoxypiperidine) ~~(MPPP)~~.
- 203 | 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 204 | piperidyl]-N-phenylpropanamide).
- 205 | 38. 3-Methylthiofentanyl.
- 206 | 39. Morpheridine.
- 207 | 40. Noracymethadol.
- 208 | 41. Norlevorphanol.

- 209 | 42. Normethadone.
- 210 | 43. Norpipanone.
- 211 | 44. Para-Fluorofentanyl.
- 212 | 45. Phenadoxone.
- 213 | 46. Phenampromide.
- 214 | 47. Phenomorphan.
- 215 | 48. Phenoperidine.
- 216 | 49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
- 217 | Acetyloxypiperidine) ~~(PEPAP)~~.
- 218 | 50. Piritramide.
- 219 | 51. Proheptazine.
- 220 | 52. Properidine.
- 221 | 53. Propiram.
- 222 | 54. Racemoramide.
- 223 | 55. Thenylfentanyl.
- 224 | 56. Thiofentanyl.
- 225 | 57. Tilidine.
- 226 | 58. Trimeperidine.
- 227 | 59. Acetylfentanyl.
- 228 | 60. Butyrylfentanyl.
- 229 | 61. Beta-Hydroxythiofentanyl.

230 | (b) Unless specifically excepted or unless listed in
 231 | another schedule, any of the following substances, their salts,
 232 | isomers, and salts of isomers, whenever the existence of such
 233 | salts, isomers, and salts of isomers is possible within the
 234 | specific chemical designation:

- 235 | 1. Acetorphine.
- 236 | 2. Acetyldihydrocodeine.
- 237 | 3. Benzylmorphine.
- 238 | 4. Codeine methylbromide.
- 239 | 5. Codeine-N-Oxide.
- 240 | 6. Cyprenorphine.
- 241 | 7. Desomorphine.
- 242 | 8. Dihydromorphine.
- 243 | 9. Drotebanol.
- 244 | 10. Etorphine (except hydrochloride salt).
- 245 | 11. Heroin.
- 246 | 12. Hydromorphanol.
- 247 | 13. Methyldesorphine.
- 248 | 14. Methyldihydromorphine.
- 249 | 15. Monoacetylmorphine.
- 250 | 16. Morphine methylbromide.
- 251 | 17. Morphine methylsulfonate.
- 252 | 18. Morphine-N-Oxide.
- 253 | 19. Myrophine.
- 254 | 20. Nicocodine.
- 255 | 21. Nicomorphine.
- 256 | 22. Normorphine.
- 257 | 23. Pholcodine.
- 258 | 24. Thebacon.
- 259 | (c) Unless specifically excepted or unless listed in
- 260 | another schedule, any material, compound, mixture, or

261 preparation that contains any quantity of the following
 262 hallucinogenic substances or that contains any of their salts,
 263 isomers, including optical, positional, or geometric isomers,
 264 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
 265 salts of isomers, homologues, nitrogen-heterocyclic analogs,
 266 esters, or ethers, if the existence of such salts, isomers, and
 267 salts of isomers is possible within the specific chemical
 268 designation or class description:

- 269 1. Alpha-Ethyltryptamine.
- 270 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-
 271 oxazoline) ~~(4-methylaminorex)~~.
- 272 3. Aminorex (2-Amino-5-phenyl-2-oxazoline) ~~(Aminorex)~~.
- 273 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 274 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 275 6. Bufotenine.
- 276 7. Cannabis.
- 277 8. Cathinone.
- 278 9. DET (Diethyltryptamine).
- 279 10. 2,5-Dimethoxyamphetamine.
- 280 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
 281 ~~4-ethylamphetamine (DOET)~~.
- 282 12. DMT (Dimethyltryptamine).
- 283 13. PCE (N-Ethyl-1-phenylcyclohexylamine) ~~(PCE)~~ (Ethylamine
 284 analog of phencyclidine).
- 285 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
- 286 15. N-Ethylamphetamine.

- 287 16. Fenethylamine.
- 288 17. 3,4-Methylenedioxy-N-hydroxyamphetamine ~~N-Hydroxy-3,4-~~
- 289 ~~methylenedioxyamphetamine.~~
- 290 18. Ibogaine.
- 291 19. LSD (Lysergic acid diethylamide) ~~(LSD)~~.
- 292 20. Mescaline.
- 293 21. Methcathinone.
- 294 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 295 23. PMA (4-Methoxyamphetamine).
- 296 24. PMMA (4-Methoxymethamphetamine).
- 297 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 298 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 299 27. MDA (3,4-Methylenedioxyamphetamine).
- 300 28. JB-336 (N-Methyl-3-piperidyl benzilate).
- 301 29. N,N-Dimethylamphetamine.
- 302 30. Parahexyl.
- 303 31. Peyote.
- 304 32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) ~~(PCPY)~~
- 305 (Pyrrolidine analog of phencyclidine).
- 306 33. Psilocybin.
- 307 34. Psilocyn.
- 308 35. *Salvia divinorum*, except for any drug product approved
- 309 by the United States Food and Drug Administration which contains
- 310 *Salvia divinorum* or its isomers, esters, ethers, salts, and
- 311 salts of isomers, esters, and ethers, if the existence of such
- 312 isomers, esters, ethers, and salts is possible within the

313 specific chemical designation.

314 36. Salvinorin A, except for any drug product approved by
315 the United States Food and Drug Administration which contains
316 Salvinorin A or its isomers, esters, ethers, salts, and salts of
317 isomers, esters, and ethers, if the existence of such isomers,
318 esters, ethers, and salts is possible within the specific
319 chemical designation.

320 ~~37. Tetrahydrocannabinols.~~

321 37. Xylazine.

322 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) ~~(TCP)~~
323 (Thiophene analog of phencyclidine).

324 39. 3,4,5-Trimethoxyamphetamine.

325 40. Methylone (3,4-Methylenedioxyamfetamine).

326 41. MDPV (3,4-Methylenedioxypropylamphetamine) ~~(MDPV)~~.

327 42. Methylmethcathinone.

328 43. Methoxymethcathinone.

329 44. Fluoromethcathinone.

330 45. Methylethcathinone.

331 46. CP 47,497 (2-((1R,3S)-3-Hydroxycyclohexyl)-5-(2-
332 methyloctan-2-yl)phenol), ~~also known as CP 47,497~~ and its
333 dimethyloctyl (C8) homologue.

334 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
335 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
336 ol], ~~also known as HU-210.~~

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

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- 339 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole), ~~also known as~~
 340 ~~JWH-073~~.
- 341 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
 342 naphthoyl)indole), ~~also known as JWH-200~~.
- 343 51. BZP (Benzylpiperazine).
- 344 52. Fluorophenylpiperazine.
- 345 53. Methylphenylpiperazine.
- 346 54. Chlorophenylpiperazine.
- 347 55. Methoxyphenylpiperazine.
- 348 56. DBZP (1,4-Dibenzylpiperazine).
- 349 57. TFMPP (~~3~~-Trifluoromethylphenylpiperazine).
- 350 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
 351 Methylenedioxy-N-methylbutanamine).
- 352 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 353 60. 5-Hydroxy-N-methyltryptamine.
- 354 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 355 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 356 63. Methyltryptamine.
- 357 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 358 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 359 66. Tyramine (4-Hydroxyphenethylamine).
- 360 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 361 68. DiPT (N,N-Diisopropyltryptamine).
- 362 69. DPT (N,N-Dipropyltryptamine).
- 363 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 364 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine) ~~N,N-~~

- 365 ~~Diallyl-5-Methoxytryptamine.~~
- 366 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 367 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 368 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 369 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine)
- 370 ~~2,5-Dimethoxy-4-isopropylthiophenethylamine).~~
- 371 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 372 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
- 373 ~~Dimethoxy-4-methylthiophenethylamine).~~
- 374 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
- 375 ~~Dimethoxy-4-ethylthiophenethylamine).~~
- 376 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine)
- 377 ~~2,5-Dimethoxy-4-(n)-propylthiophenethylamine).~~
- 378 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 379 81. Butylone (3,4-Methylenedioxy-alpha-
- 380 methylaminobutyrophenone) ~~beta-keto-N-~~
- 381 ~~methylbenzodioxolylpropylamine).~~
- 382 82. Ethcathinone.
- 383 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 384 84. Naphyrone (Naphthylpyrovalerone).
- 385 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone)
- 386 ~~N-N-Dimethyl-3,4-methylenedioxycathinone.~~
- 387 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~
- 388 ~~3,4-methylenedioxycathinone.~~
- 389 87. 3,4-Methylenedioxy-propiofenone.
- 390 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~

- 391 ~~3,4-Methylenedioxypropio~~phenone.
- 392 89. ~~3,4-Methylenedioxy-propio~~phenone-2-oxime.
- 393 90. 3,4-Methylenedioxy-N-acetylcathinone ~~N-Acetyl-3,4-~~
- 394 ~~methylenedioxy~~cathinone.
- 395 91. 3,4-Methylenedioxy-N-acetylmethcathinone ~~N-Acetyl-N-~~
- 396 ~~Methyl-3,4-Methylenedioxy~~cathinone.
- 397 92. 3,4-Methylenedioxy-N-acetylethcathinone ~~N-Acetyl-N-~~
- 398 ~~Ethyl-3,4-Methylenedioxy~~cathinone.
- 399 93. Bromomethcathinone.
- 400 94. Buphedrone (~~alpha-Methylamino-butyro~~phenone).
- 401 95. Eutylone (3,4-Methylenedioxy-alpha-
- 402 ethylaminobutyrophenone) ~~beta-Keto-~~
- 403 ~~Ethylbenzodioxoly~~butanamine).
- 404 96. Dimethylcathinone.
- 405 97. Dimethylmethcathinone.
- 406 98. Pentylone (3,4-Methylenedioxy-alpha-
- 407 methylaminovalerophenone) ~~(beta-Keto-~~
- 408 ~~Methylbenzodioxoly~~pentanamine).
- 409 99. MDPPP (3,4-Methylenedioxy-alpha-
- 410 pyrrolidinopropiophenone) ~~(MDPPP)-3,4-Methylenedioxy-alpha-~~
- 411 ~~pyrrolidinopropio~~phenone.
- 412 100. MDPBP (3,4-Methylenedioxy-alpha-
- 413 pyrrolidinobutyrophenone) ~~(MDPBP)-3,4-Methylenedioxy-alpha-~~
- 414 ~~pyrrolidinobuti~~phenone.
- 415 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone)
- 416 ~~(MOPPP)~~.

- 417 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone) ~~Methyl-~~
 418 ~~alpha-pyrrolidinohexiophenone (MPHP).~~
- 419 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 420 (Benocyclidine) Benocyclidine ~~(BCP) or~~
 421 ~~benzothiophenylcyclohexylpiperidine (BTCP).~~
- 422 104. F-MABP (Fluoromethylaminobutyrophenone) ~~(F-MABP).~~
- 423 105. MeO-PBP (Methoxypyrrolidinobutyrophenone) ~~(MeO-PBP).~~
- 424 106. Et-PBP (Ethyl-pyrrolidinobutyrophenone) ~~(Et-PBP).~~
- 425 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone) ~~(3-~~
 426 ~~Me-4-MeO-MCAT).~~
- 427 108. Me-EABP (Methylethylaminobutyrophenone) ~~(Me-EABP).~~
- 428 109. Etizolam ~~Methylamino-butyrophenone (MABP).~~
- 429 110. PPP (Pyrrolidinopropiophenone) ~~(PPP).~~
- 430 111. PBP (Pyrrolidinobutyrophenone)
 431 ~~Pyrrolidinobutiophenone (PBP).~~
- 432 112. PVP (Pyrrolidinovalerophenone) or
 433 (Pyrrolidinopentiophenone) ~~(PVP).~~
- 434 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone) ~~(MPPP).~~
- 435 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 436 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole) ~~2-~~
 437 ~~Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).~~
- 438 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
 439 ~~yl-(1-hexylindol-3-yl)methanone).~~
- 440 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 441 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole) ~~Naphthalen-~~
 442 ~~1-yl-(1-propyl-1H-indol-3-yl)methanone).~~

- 443 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole) ~~4-~~
444 ~~methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone~~).
- 445 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 446 121. JWH-133 (((6aR,10aR)-6,6,9-Trimethyl-3-(2-
447 methylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene)
448 ~~((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-~~
449 ~~trimethyl-6H-dibenzo[b,d]pyran))~~).
- 450 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole) ~~3-~~
451 ~~(naphthalen-1-ylmethyl)-1-pentyl-1H-indole~~).
- 452 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 453 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole) ~~2-~~
454 ~~(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone~~).
- 455 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole) ~~4-~~
456 ~~ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone~~).
- 457 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole) ~~2-~~
458 ~~(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone~~).
- 459 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole) ~~2-~~
460 ~~(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone~~).
- 461 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 462 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 463 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
464 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
465 ol).
- 466 131. HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-
467 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
468 enyl] methanol).

- 469 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
470 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
471 1,4-dione).
- 472 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene)
473 ~~Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone~~).
- 474 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
475 undecanamide).
- 476 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
477 undecanamide).
- 478 136. CP 55,940 (2-[3-Hydroxy-5-propanol-cyclohexyl]-5-(2-
479 methyloctan-2-yl)phenol) ~~2-[(1R,2R,5R)-5-hydroxy-2-(3-~~
480 ~~hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol~~).
- 481 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole)
482 ~~1-[(5-fluoropentyl)-1H-indol-3-yl]-2-iodophenyl)methanone~~).
- 483 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole) ~~1-~~
484 ~~[(5-fluoropentyl)-1H-indol-3-yl]-naphthalen-1-yl)methanone~~).
- 485 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole) ~~(4-~~
486 ~~methoxyphenyl)-(1-pentyl-1H-indol-3-yl)methanone~~).
- 487 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
488 methoxyphenylacetyl)indole) ~~1-(1-(2-cyclohexylethyl)-1H-indol-3-~~
489 ~~yl)-2-(2-methoxyphenylethanone)~~).
- 490 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
491 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
492 naphthalenylmethanone).
- 493 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
494 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-

- 495 naphthalenylmethanone).
- 496 143. Pentedrone (alpha-Methylaminovalerophenone) ~~2-~~
- 497 ~~(methylamino)-1-phenyl-1-pentanone).~~
- 498 144. Fluoroamphetamine.
- 499 145. Fluoromethamphetamine.
- 500 146. Methoxetamine.
- 501 147. Methiopropamine.
- 502 148. ~~4-Methylbuphedrone~~ (Methyl-alpha-
- 503 methylaminobutyrophenone) ~~2-Methylamino-1-(4-methylphenyl)butan-~~
- 504 ~~1-one).~~
- 505 149. APB ((2-Aminopropyl)benzofuran).
- 506 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 507 151. UR-144 (1-Pentyl-3-(2,2,3,3-
- 508 tetramethylcyclopropanoyl)indole) ~~(1-pentyl-1H-indol-3-~~
- 509 ~~yl)(2,2,3,3-tetramethylcyclopropyl)methanone).~~
- 510 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 511 tetramethylcyclopropanoyl)indole) ~~(1-(5-fluoropentyl)-1H-indol-~~
- 512 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone).~~
- 513 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
- 514 tetramethylcyclopropanoyl)indole) ~~(1-(5-chloropentyl)-1H-indol-~~
- 515 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone.~~
- 516 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide)
- 517 ~~1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-~~
- 518 ~~carboxamide).~~
- 519 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 520 iodobenzoyl)indole) ~~(2-iodophenyl)[1-[(1-methyl-2-~~

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- 521 ~~piperidinyl)methyl]-1H-indol-3-yl]-methanone).~~
- 522 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
- 523 carboxamide) 1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-
- 524 ~~1H-indole-3-carboxamide).~~
- 525 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
- 526 cyclohexylcarbamate).
- 527 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
- 528 cyclohexyl ester).
- 529 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
- 530 benzoxazin-4-one).
- 531 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) 2-(2,5-
- 532 ~~Dimethoxy-4-methylphenyl)ethanamine).~~
- 533 161. 2C-H (2,5-Dimethoxyphenethylamine) 2-(2,5-
- 534 ~~Dimethoxyphenyl)ethanamine).~~
- 535 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) 2-(2,5-
- 536 ~~Dimethoxy-4-nitrophenyl)ethanamine).~~
- 537 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) 2-
- 538 ~~(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).~~
- 539 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
- 540 methoxybenzyl)]phenethylamine) 4-iodo-2,5-dimethoxy-N-[(2-
- 541 methoxyphenyl)methyl]-benzeneethanamine).
- 542 165. MDMA (3,4-Methylenedioxymethamphetamine) (MDMA).
- 543 166. PB-22 (8-Quinoliny 1-pentylindole-3-carboxylate) 1-
- 544 ~~pentyl-8-quinoliny ester-1H-indole-3-carboxylic acid).~~
- 545 167. 5-Fluoro PB-22 (8-Quinoliny 1-(fluoropentyl)indole-
- 546 3-carboxylate) 8-quinoliny ester-1-(5-fluoropentyl)-1H-indole-

547 ~~3-carboxylic acid).~~

548 168. BB-22 (8-Quinoliny 1-(cyclohexylmethyl)indole-3-
549 carboxylate) 1-(cyclohexylmethyl)-8-quinoliny ester-1H-indole-
550 ~~3-carboxylic acid).~~

551 169. ~~5-Fluoro~~ AKB48 (N-Adamant-1-yl 1-
552 (fluoropentyl)indazole-3-carboxamide) N-((3s,5s,7s)-adamantan-1-
553 yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide).

554 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
555 pentylindazole-3-carboxamide) N-(1-Amino-3-methyl-1-oxobutan-2-
556 yl)-1-pentyl-1H-indazole-3-carboxamide).

557 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
558 (4-fluorobenzyl)indazole-3-carboxamide) N-(1-Amino-3-methyl-1-
559 oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).

560 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
561 1-pentylindazole-3-carboxamide) N-(1-Amino-3,3-dimethyl-1-
562 oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide).

563 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
564 yl)-1-(fluoropentyl)indole-3-carboxamide) N-(1-Amino-3,3-
565 dimethyl-1-oxobutan-2-yl)-1-(fluoropentyl)-1H-indole-3-
566 carboxamide).

567 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
568 methoxybenzyl)]phenethylamine) 4-bromo-2,5-dimethoxy-N-[(2-
569 methoxyphenyl)methyl]-benzeneethanamine).

570 175. ~~25C-C~~-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
571 methoxybenzyl)]phenethylamine) 4-chloro-2,5-dimethoxy-N-[(2-
572 methoxyphenyl)methyl]-benzeneethanamine).

- 573 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
574 (cyclohexylmethyl)indazole-3-carboxamide): ~~N-[1-(aminocarbonyl)-~~
575 ~~2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.~~
576 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-
577 carboxylate): ~~Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-~~
578 ~~carboxylate.~~
579 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-
580 (fluoropentyl)indole-3-carboxamide): ~~1-(Fluoropentyl)-N-~~
581 ~~(naphthalen-1-yl)-1H-indole-3-carboxamide.~~
582 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
583 (fluoropentyl)indazole-3-carboxamide): ~~Methyl 2-(1-~~
584 ~~(fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate.~~
585 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-
586 naphthoyl)indazole): ~~[1-(5-Fluoropentyl)-1H-indazol-3-~~
587 ~~yl](naphthalen-1-yl)methanone.~~
588 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
589 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).
590 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
591 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
592 hexahydrobenzo[c]chromen-1-ol).
593 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
594 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
595 hexahydrobenzo[c]chromen-1-ol).
596 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
597 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
598 diol).

- 599 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
 600 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
 601 tetrahydro-6aH-benzo[c]chromen-1-ol).
- 602 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
 603 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).
- 604 187. MAPB ((2-Methylaminopropyl)benzofuran).
- 605 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).
- 606 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).
- 607 190. Synthetic Cannabinoids.—Unless specifically excepted
 608 or unless listed in another schedule or contained within a
 609 pharmaceutical product approved by the United States Food and
 610 Drug Administration, any material, compound, mixture, or
 611 preparation that contains any quantity of a synthetic
 612 cannabinoid found to be in any of the following chemical class
 613 descriptions, or homologues, nitrogen-heterocyclic analogs,
 614 isomers (including optical, positional, or geometric), esters,
 615 ethers, salts, and salts of homologues, nitrogen-heterocyclic
 616 analogues, isomers, esters, or ethers, whenever the existence of
 617 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
 618 ethers, salts, and salts of isomers, esters, or ethers is
 619 possible within the specific chemical class or designation.
 620 Since nomenclature of these synthetically produced cannabinoids
 621 is not internationally standardized and may continually evolve,
 622 these structures or the compounds of these structures shall be
 623 included under this subparagraph, regardless of their specific
 624 numerical designation of atomic positions covered, if it can be

625 determined through a recognized method of scientific testing or
626 analysis that the substance contains properties that fit within
627 one or more of the following categories:

628 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols
629 naturally contained in a plant of the genus *Cannabis*, the
630 synthetic equivalents of the substances contained in the plant
631 or in the resinous extracts of the genus *Cannabis*, or synthetic
632 substances, derivatives, and their isomers with similar chemical
633 structure and pharmacological activity, including, but not
634 limited to, Delta 9 tetrahydrocannabinols and their optical
635 isomers, Delta 8 tetrahydrocannabinols and their optical
636 isomers, Delta 6a,10a tetrahydrocannabinols and their optical
637 isomers, or any compound containing a tetrahydrobenzo[c]chromene
638 structure with substitution at either or both the 3-position or
639 9-position, with or without substitution at the 1-position with
640 hydroxyl or alkoxy groups, including, but not limited to:

641 (I) Tetrahydrocannabinol.

642 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
643 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
644 ol).

645 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
646 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
647 ol).

648 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
649 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

650 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-

- 651 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 652 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
- 653 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 654 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-
- 655 (2,3-dimethylpentan-2-yl)-6a,7,10,10a-
- 656 tetrahydrobenzo[c]chromene).
- 657 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
- 658 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 659 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
- 660 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 661 (X) Parahexyl.
- 662 b. Naphthoylindoles, Naphthoylindazoles,
- 663 Naphthoylcarbazoles, Naphthylmethylindoles,
- 664 Naphthylmethylindazoles, and Naphthylmethylcarbazoles. Any
- 665 compound containing a naphthoylindole, naphthoylindazole,
- 666 naphthoylcarbazole, naphthylmethylindole,
- 667 naphthylmethylindazole, or naphthylmethylcarbazole structure,
- 668 with or without substitution on the indole, indazole, or
- 669 carbazole ring to any extent, whether or not substituted on the
- 670 naphthyl ring to any extent, including, but not limited to:
- 671 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 672 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
- 673 naphthoyl)indole).
- 674 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
- 675 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
- 676 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).

- 677 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
- 678 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 679 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
- 680 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
- 681 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
- 682 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
- 683 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
- 684 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
- 685 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
- 686 naphthoyl)indole).
- 687 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
- 688 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 689 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
- 690 naphthoyl)indole).
- 691 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-
- 692 naphthoyl)indole).
- 693 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
- 694 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).
- 695 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).
- 696 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
- 697 naphthylmethyl]indole).
- 698 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-
- 699 naphthoyl)indole).
- 700 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-
- 701 naphthoyl)indole).
- 702 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)

703 indole).

704 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).

705 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).

706 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-

707 naphthoyl)indole).

708 (XXVIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).

709 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).

710 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-

711 naphthoyl)indole).

712 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-

713 naphthoyl)indole).

714 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-

715 naphthoyl)indole).

716 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-

717 naphthoyl)indole).

718 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-

719 naphthoyl)indole).

720 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).

721 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-

722 naphthoyl)indazole).

723 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-

724 naphthoyl)indole).

725 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-

726 naphthoyl)indole).

727 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).

728 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-

729 naphthoyl) carbazole).

730 c. Naphthoylpyrroles. Any compound containing a
731 naphthoylpyrrole structure, with or without substitution on the
732 pyrrole ring to any extent, whether or not substituted on the
733 naphthyl ring to any extent, including, but not limited to:

734 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).

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

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

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

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

739 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-
740 naphthoyl)pyrrole).

741 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
742 naphthoyl)pyrrole).

743 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
744 naphthoyl)pyrrole).

745 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
746 naphthoyl)pyrrole).

747 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
748 naphthoyl)pyrrole).

749 d. Naphthylmethylenindenes.—Any compound containing a
750 naphthylmethylenindene structure, with or without substitution
751 at the 3-position of the indene ring to any extent, whether or
752 not substituted on the naphthyl ring to any extent, including,
753 but not limited to, JWH-176 (3-Pentyl-1-
754 (naphthylmethylene)indene).

755 e. Phenylacetylindoles and Phenylacetylindazoles.—Any
756 compound containing a phenylacetylindole or phenylacetylindazole
757 structure, with or without substitution on the indole or
758 indazole ring to any extent, whether or not substituted on the
759 phenyl ring to any extent, including, but not limited to:

- 760 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).
761 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
762 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
763 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
764 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
765 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
766 (VII) Cannabipiperidiethanone.
767 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
768 methoxyphenylacetyl)indole).

769 f. Cyclohexylphenols.—Any compound containing a
770 cyclohexylphenol structure, with or without substitution at the
771 5-position of the phenolic ring to any extent, whether or not
772 substituted on the cyclohexyl ring to any extent, including, but
773 not limited to:

- 774 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
775 yl)phenol).
776 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
777 homologue).
778 (III) CP-55,940 (2-(3-Hydroxy-5-propanol-cyclohexyl)-5-(2-
779 methyloctan-2-yl)phenol).

780 g. Benzoylindoles and Benzoylindazoles.—Any compound

781 containing a benzoylindole or benzoylindazole structure, with or
782 without substitution on the indole or indazole ring to any
783 extent, whether or not substituted on the phenyl ring to any
784 extent, including, but not limited to:

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

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

787 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
788 iodo-5-nitrobenzoyl)indole).

789 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-
790 (4-methoxybenzoyl)indole).

791 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
792 iodobenzoyl)indole).

793 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).

794 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-
795 methoxybenzoyl)indole).

796 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-
797 3-(4-methoxybenzoyl)indole).

798 h. Tetramethylcyclopropanoylindoles and
799 Tetramethylcyclopropanoylindazoles.—Any compound containing a
800 tetramethylcyclopropanoylindole or
801 tetramethylcyclopropanoylindazole structure, with or without
802 substitution on the indole or indazole ring to any extent,
803 whether or not substituted on the tetramethylcyclopropyl group
804 to any extent, including, but not limited to:

805 (I) UR-144 (1-Pentyl-3-(2,2,3,3-
806 tetramethylcyclopropanoyl)indole).

- 807 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
808 tetramethylcyclopropanoyl)indole).
- 809 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
810 tetramethylcyclopropanoyl)indole).
- 811 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-
812 tetramethylcyclopropanoyl)indole).
- 813 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-
814 tetramethylcyclopropanoyl)indole).
- 815 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
816 tetramethylcyclopropanoyl)indole).
- 817 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
818 tetramethylcyclopropanoyl)indole).
- 819 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-
820 tetramethylcyclopropanoyl)indazole).
- 821 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
822 tetramethylcyclopropanoyl)indole).
- 823 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-
824 tetramethylcyclopropanoyl)indole).
- 825 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
826 carboxamides, and Adamantylindazole carboxamides.—Any compound
827 containing an adamantoyl indole, adamantoyl indazole, adamantyl
828 indole carboxamide, or adamantyl indazole carboxamide structure,
829 with or without substitution on the indole or indazole ring to
830 any extent, whether or not substituted on the adamantyl ring to
831 any extent, including, but not limited to:
- 832 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).

833 (II) Fluoro AKB48 (N-Adamant-1-yl 1-
 834 (fluoropentyl)indazole-3-carboxamide).

835 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
 836 carboxamide).

837 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-
 838 adamantoyl)indole).

839 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).

840 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).

841 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
 842 adamantoyl)indole).

843 j. Quinoliny lindolecarboxylates,
 844 Quinoliny lindazolecarboxylates, Quinoliny lindolecarboxamides,
 845 and Quinoliny lindazolecarboxamides.—Any compound containing a
 846 quinoliny lindole carboxylate, quinoliny lindazole carboxylate,
 847 isoquinoliny lindole carboxylate, isoquinoliny lindazole
 848 carboxylate, quinoliny lindole carboxamide, quinoliny lindazole
 849 carboxamide, isoquinoliny lindole carboxamide, or
 850 isoquinoliny lindazole carboxamide structure, with or without
 851 substitution on the indole or indazole ring to any extent,
 852 whether or not substituted on the quinoline or isoquinoline ring
 853 to any extent, including, but not limited to:

854 (I) PB-22 (8-Quinoliny l 1-pentylindole-3-carboxylate).

855 (II) Fluoro PB-22 (8-Quinoliny l 1-(fluoropentyl)indole-3-
 856 carboxylate).

857 (III) BB-22 (8-Quinoliny l 1-(cyclohexylmethyl)indole-3-
 858 carboxylate).

- 859 (IV) FUB-PB-22 (8-Quinoliny1 1-(4-fluorobenzyl)indole-3-
860 carboxylate).
- 861 (V) NPB-22 (8-Quinoliny1 1-pentylindazole-3-carboxylate).
- 862 (VI) Fluoro NPB-22 (8-Quinoliny1 1-(fluoropentyl)indazole-
863 3-carboxylate).
- 864 (VII) FUB-NPB-22 (8-Quinoliny1 1-(4-fluorobenzyl)indazole-
865 3-carboxylate).
- 866 (VIII) THJ (8-Quinoliny1 1-pentylindazole-3-carboxamide).
- 867 (IX) Fluoro THJ (8-Quinoliny1 1-(fluoropentyl)indazole-3-
868 carboxamide).
- 869 k. Naphthylindolecarboxylates and
870 Naphthylindazolecarboxylates.—Any compound containing a
871 naphthylindole carboxylate or naphthylindazole carboxylate
872 structure, with or without substitution on the indole or
873 indazole ring to any extent, whether or not substituted on the
874 naphthyl ring to any extent, including, but not limited to:
- 875 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-
876 carboxylate).
- 877 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-
878 carboxylate).
- 879 (III) Fluoro SDB-005 (1-Naphthalenyl 1-
880 (fluoropentyl)indazole-3-carboxylate).
- 881 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-
882 carboxylate).
- 883 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-
884 carboxylate).

885 1. Naphthylindole carboxamides and Naphthylindazole
886 carboxamides.—Any compound containing a naphthylindole
887 carboxamide or naphthylindazole carboxamide structure, with or
888 without substitution on the indole or indazole ring to any
889 extent, whether or not substituted on the naphthyl ring to any
890 extent, including, but not limited to:

891 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).
892 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-
893 (fluoropentyl)indole-3-carboxamide).

894 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-(chloropentyl)
895 indole-3-carboxamide).

896 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
897 carboxamide).

898 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-
899 (fluoropentyl)indazole-3-carboxamide).

900 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
901 indazole carboxamides, Alkylcarbonyl indole carboxylates, and
902 Alkylcarbonyl indazole carboxylates.—Any compound containing an
903 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,
904 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-
905 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
906 indole carboxamide, indazole carboxamide, indole carboxylate, or
907 indazole carboxylate, with or without substitution on the indole
908 or indazole ring to any extent, whether or not substituted on
909 the alkylcarbonyl group to any extent, including, but not
910 limited to:

- 911 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
912 pentylindole-3-carboxamide).
- 913 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
914 yl)-1-(fluoropentyl)indole-3-carboxamide).
- 915 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
916 1-(fluoropentyl)indole-3-carboxamide).
- 917 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
918 pentylindazole-3-carboxamide).
- 919 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
920 yl)-1-(fluoropentyl)indazole-3-carboxamide).
- 921 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
922 1-pentylindazole-3-carboxamide).
- 923 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
924 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).
- 925 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
926 1-(4-fluorobenzyl)indazole-3-carboxamide).
- 927 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
928 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 929 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
930 (cyclohexylmethyl)indazole-3-carboxamide).
- 931 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-
932 1-(cyclohexylmethyl)indazole-3-carboxamide).
- 933 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
934 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 935 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
936 pentylindazole-3-carboxamide).

- 937 (XIV) Fluoro AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-
 938 1-(fluoropentyl)indazole-3-carboxamide).
- 939 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
 940 fluorobenzyl)indazole-3-carboxamide).
- 941 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 942 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 943 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-
 944 oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 945 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 946 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).
- 947 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
 948 fluoropentyl)indole-3-carboxamide).
- 949 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
 950 fluoropentyl)indazole-3-carboxamide).
- 951 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
 952 (cyclohexylmethyl)indazole-3-carboxamide).
- 953 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
 954 fluorobenzyl)indazole-3-carboxamide).
- 955 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 956 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).
- 957 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-
 958 Any compound containing a N-(2-phenylpropan-2-yl) indole
 959 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide
 960 structure, with or without substitution on the indole or
 961 indazole ring to any extent, whether or not substituted on the
 962 phenyl ring of the cumyl group to any extent, including, but not

963 limited to:

964 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-
965 carboxamide).

966 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-
967 (fluoropentyl)indole-3-carboxamide).

968 o. Other Synthetic Cannabinoids. Any material, compound,
969 mixture, or preparation that contains any quantity of a
970 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

971 (I) With or without modification or replacement of a
972 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage
973 between either two core rings, or linkage between a core ring
974 and group structure, with or without the addition of a carbon or
975 replacement of a carbon;

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

979 (III) Is a cannabinoid receptor agonist, unless
980 specifically excepted or unless listed in another schedule or
981 contained within a pharmaceutical product approved by the United
982 States Food and Drug Administration.

983 191. Substituted Cathinones.—Unless specifically excepted,
984 listed in another schedule, or contained within a pharmaceutical
985 product approved by the United States Food and Drug
986 Administration, any material, compound, mixture, or preparation,
987 including its salts, isomers, esters, or ethers, and salts of
988 isomers, esters, or ethers, whenever the existence of such salts

989 is possible within any of the following specific chemical
990 designations:

991 a. Any compound containing a 2-amino-1-phenyl-1 propanone
992 structure;

993 b. Any compound containing a 2-amino-1-naphthyl-1-
994 propanone structure; or

995 c. Any compound containing a 2-amino-1-thiophene-1-
996 propanone structure,

997
998 whether or not the compound is further modified:

999 (I) With or without substitution on the ring system to any
1000 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
1001 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
1002 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
1003 substituents;

1004 (II) With or without substitution at the 3-propanone
1005 position with an alkyl substituent or removal of the methyl
1006 group at the 3-propanone position;

1007 (III) With or without substitution at the 2-amino nitrogen
1008 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1009 not further substituted in the ring system; or

1010 (IV) With or without inclusion of the 2-amino nitrogen
1011 atom in a cyclic structure, including, but not limited to:

1012 (A) Methcathinone.

1013 (B) Ethcathinone.

1014 (C) Methylone (3,4-Methylenedioxy-methcathinone).

- 1015 | (D) 2,3-Methylenedioxy-methcathinone.
- 1016 | (E) MDPV (3,4-Methylenedioxy-pyrovalerone).
- 1017 | (F) Methylenedioxy-methcathinone.
- 1018 | (G) Methoxy-methcathinone.
- 1019 | (H) Fluoro-methcathinone.
- 1020 | (I) Methylethcathinone.
- 1021 | (J) Butylone (3,4-Methylenedioxy-alpha-
- 1022 | methylenamino-pyrocathinone).
- 1023 | (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1024 | (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1025 | (M) Naphyrone (Naphthylpyrovalerone).
- 1026 | (N) Bromomethcathinone.
- 1027 | (O) Buphedrone (alpha-Methylenamino-pyrocathinone).
- 1028 | (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1029 | ethylamino-pyrocathinone).
- 1030 | (Q) Dimethylcathinone.
- 1031 | (R) Dimethylmethcathinone.
- 1032 | (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1033 | methylenaminovalerophenone).
- 1034 | (T) Pentadrone (alpha-Methylenaminovalerophenone).
- 1035 | (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1036 | pyrrolidinopropiophenone).
- 1037 | (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1038 | pyrrolidinobutyrocathinone).
- 1039 | (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1040 | (X) PPP (Pyrrolidinopropiophenone).

- 1041 (Y) PVP (Pyrrolidinovalerophenone) or
- 1042 (Pyrrolidinopentiophenone).
- 1043 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1044 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1045 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1046 (CC) Me-EABP (Methylethylaminobutyrophenone).
- 1047 (DD) PBP (Pyrrolidinobutyrophenone).
- 1048 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 1049 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 1050 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
- 1051 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
- 1052 dimethylcathinone).
- 1053 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
- 1054 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
- 1055 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
- 1056 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
- 1057 (MM) Methylbuphedrone (Methyl-alpha-
- 1058 methylaminobutyrophenone).
- 1059 (NN) Methyl-alpha-methylaminohexanophenone.
- 1060 (OO) N-Ethyl-N-methylcathinone.
- 1061 (PP) PHP (Pyrrolidinohexanophenone).
- 1062 (QQ) PV8 (Pyrrolidinoheptanophenone).
- 1063 (RR) Chloromethcathinone.
- 1064 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
- 1065 192. Substituted Phenethylamines.—Unless specifically
- 1066 excepted or unless listed in another schedule, or contained

1067 within a pharmaceutical product approved by the United States
1068 Food and Drug Administration, any material, compound, mixture,
1069 or preparation, including its salts, isomers, esters, or ethers,
1070 and salts of isomers, esters, or ethers, whenever the existence
1071 of such salts is possible within any of the following specific
1072 chemical designations, any compound containing a phenethylamine
1073 structure, without a beta-keto group, and without a benzyl group
1074 attached to the amine group, whether or not the compound is
1075 further modified with or without substitution on the phenyl ring
1076 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
1077 halide, fused alkylenedioxy, fused furan, fused benzofuran,
1078 fused dihydrofuran, or fused tetrahydropyran substituents,
1079 whether or not further substituted on a ring to any extent, with
1080 or without substitution at the alpha or beta position by any
1081 alkyl substituent, with or without substitution at the nitrogen
1082 atom, and with or without inclusion of the 2-amino nitrogen atom
1083 in a cyclic structure, including, but not limited to:

- 1084 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 1085 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 1086 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 1087 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 1088 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 1089 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 1090 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1091 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1092 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).

- 1093 | j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1094 | k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1095 | l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1096 | m. MDMA (3,4-Methylenedioxyamphetamine).
- 1097 | n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 1098 | Methylenedioxy-N-methylbutanamine).
- 1099 | o. MDA (3,4-Methylenedioxyamphetamine).
- 1100 | p. 2,5-Dimethoxyamphetamine.
- 1101 | q. Fluoroamphetamine.
- 1102 | r. Fluoromethamphetamine.
- 1103 | s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1104 | t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 1105 | u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1106 | v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1107 | w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1108 | x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1109 | y. PMA (4-Methoxyamphetamine).
- 1110 | z. N-Ethylamphetamine.
- 1111 | aa. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 1112 | bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1113 | cc. PMMA (4-Methoxymethamphetamine).
- 1114 | dd. N,N-Dimethylamphetamine.
- 1115 | ee. 3,4,5-Trimethoxyamphetamine.
- 1116 | ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1117 | gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1118 | hh. 6-APB (6-(2-Aminopropyl)benzofuran).

- 1119 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1120 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1121 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1122 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1123 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1124 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1125 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1126 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1127 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1128 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1129 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1130 dihydrobenzofuran),

1131

1132 which does not include phenethylamine, mescaline as described in

1133 subparagraph (1)(c)20., substituted cathinones as described in

1134 subparagraph (1)(c)191., N-Benzyl phenethylamine compounds as

1135 described in subparagraph (1)(c)193., or methamphetamine as

1136 described in subparagraph (2)(c)4.

1137 193. N-Benzyl Phenethylamine Compounds.—Unless

1138 specifically excepted or unless listed in another schedule, or

1139 contained within a pharmaceutical product approved by the United

1140 States Food and Drug Administration, any material, compound,

1141 mixture, or preparation, including its salts, isomers, esters,

1142 or ethers, and salts of isomers, esters, or ethers, whenever the

1143 existence of such salts is possible within any of the following

1144 specific chemical designations, any compound containing a

1145 phenethylamine structure without a beta-keto group, with
1146 substitution on the nitrogen atom of the amino group with a
1147 benzyl substituent, with or without substitution on the phenyl
1148 or benzyl ring to any extent with alkyl, alkoxy, thio,
1149 alkylthio, halide, fused alkylendioxy, fused furan, fused
1150 benzofuran, or fused tetrahydropyran substituents, whether or
1151 not further substituted on a ring to any extent, with or without
1152 substitution at the alpha position by any alkyl substituent,
1153 including, but not limited to:

1154 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1155 methoxybenzyl)]phenethylamine).

1156 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1157 hydroxybenzyl)]phenethylamine).

1158 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1159 fluorobenzyl)]phenethylamine).

1160 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1161 methylenedioxybenzyl)]phenethylamine).

1162 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1163 methoxybenzyl)]phenethylamine).

1164 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1165 hydroxybenzyl)]phenethylamine).

1166 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1167 fluorobenzyl)]phenethylamine).

1168 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1169 methylenedioxybenzyl)]phenethylamine).

1170 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-

1171 methoxybenzyl)]phenethylanamine).
1172 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1173 methoxybenzyl)]phenethylanamine).
1174 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1175 methoxybenzyl)]phenethylanamine).
1176 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1177 methoxybenzyl)]phenethylamine).
1178 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1179 hydroxybenzyl)]phenethylamine).
1180 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1181 fluorobenzyl)]phenethylamine).
1182 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1183 methylenedioxybenzyl)]phenethylamine).
1184 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
1185 methoxybenzyl)]phenethylamine).
1186 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1187 hydroxybenzyl)]phenethylamine).
1188 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
1189 fluorobenzyl)]phenethylamine).
1190 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1191 methoxybenzyl)]phenethylamine),
1192
1193 which does not include substituted cathinones as described in
1194 subparagraph (1)(c)191.
1195 194. Substituted Tryptamines.—Unless specifically excepted
1196 or unless listed in another schedule, or contained within a

1197 pharmaceutical product approved by the United States Food and
 1198 Drug Administration, any material, compound, mixture, or
 1199 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
 1200 example tryptamine, structure with or without mono- or di-
 1201 substitution of the amine nitrogen with alkyl or alkenyl groups,
 1202 or by inclusion of the amino nitrogen atom in a cyclic
 1203 structure, whether or not substituted at the alpha position with
 1204 an alkyl group, whether or not substituted on the indole ring to
 1205 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
 1206 groups, including, but not limited to:

- 1207 a. Alpha-Ethyltryptamine.
- 1208 b. Bufotenine.
- 1209 c. DET (Diethyltryptamine).
- 1210 d. DMT (Dimethyltryptamine).
- 1211 e. MET (N-Methyl-N-ethyltryptamine).
- 1212 f. DALT (N,N-Diallyltryptamine).
- 1213 g. EiPT (N-Ethyl-N-isopropyltryptamine).
- 1214 h. MiPT (N-Methyl-N-isopropyltryptamine).
- 1215 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 1216 j. 5-Hydroxy-N-methyltryptamine.
- 1217 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 1218 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 1219 m. Methyltryptamine.
- 1220 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 1221 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1222 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).

- 1223 q. DiPT (N,N-Diisopropyltryptamine).
- 1224 r. DPT (N,N-Dipropyltryptamine).
- 1225 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1226 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1227 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1228 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1229 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1230 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1231 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1232 isopropyltryptamine).
- 1233 z. Methyl-alpha-ethyltryptamine.
- 1234 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1235

1236 which does not include tryptamine, psilocyn as described in

1237 subparagraph (1)(c)34., or psilocybin as described in

1238 subparagraph (1)(c)33.

1239 195. Substituted Phenylcyclohexylamines.—Unless

1240 specifically excepted or unless listed in another schedule, or

1241 contained within a pharmaceutical product approved by the United

1242 States Food and Drug Administration, any material, compound,

1243 mixture, or preparation containing a phenylcyclohexylamine

1244 structure, with or without any substitution on the phenyl ring,

1245 any substitution on the cyclohexyl ring, any replacement of the

1246 phenyl ring with a thiophenyl or benzothiophenyl ring, with or

1247 without substitution on the amine with alkyl, dialkyl, or alkoxy

1248 substituents, inclusion of the nitrogen in a cyclic structure,

1249 or any combination of the above, including, but not limited to:

1250 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP

1251 (Benocyclidine).

1252 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog

1253 of phencyclidine).

1254 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine

1255 analog of phencyclidine).

1256 d. PCPr (Phenylcyclohexylpropylamine).

1257 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene

1258 analog of phencyclidine).

1259 f. PCEEA (Phenylcyclohexyl (ethoxyethylamine)).

1260 g. PCMPA (Phenylcyclohexyl (methoxypropylamine)).

1261 h. Methoxetamine.

1262 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).

1263 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).

1264 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).

1265 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).

1266 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).

1267 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).

1268 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).

1269 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).

1270 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).

1271 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).

1272 (d) Unless specifically excepted or unless listed in

1273 another schedule, any material, compound, mixture, or

1274 preparation that ~~which~~ contains any quantity of the following

1275 substances, including any of its salts, isomers, optical
 1276 isomers, salts of their isomers, and salts of these optical
 1277 isomers whenever the existence of such isomers and salts is
 1278 possible within the specific chemical designation:

- 1279 1. 1,4-Butanediol.
- 1280 2. Gamma-butyrolactone (GBL).
- 1281 3. Gamma-hydroxybutyric acid (GHB).
- 1282 4. Methaqualone.
- 1283 5. Mecloqualone.

1284 (2) SCHEDULE II.—A substance in Schedule II has a high
 1285 potential for abuse and has a currently accepted but severely
 1286 restricted medical use in treatment in the United States, and
 1287 abuse of the substance may lead to severe psychological or
 1288 physical dependence. The following substances are controlled in
 1289 Schedule II:

1290 (a) Unless specifically excepted or unless listed in
 1291 another schedule, any of the following substances, whether
 1292 produced directly or indirectly by extraction from substances of
 1293 vegetable origin or independently by means of chemical
 1294 synthesis:

- 1295 1. Opium and any salt, compound, derivative, or
 1296 preparation of opium, except nalmefene or isoquinoline alkaloids
 1297 of opium, including, but not limited to the following:
 - 1298 a. Raw opium.
 - 1299 b. Opium extracts.
 - 1300 c. Opium fluid extracts.

- 1301 d. Powdered opium.
- 1302 e. Granulated opium.
- 1303 f. Tincture of opium.
- 1304 g. Codeine.
- 1305 h. Ethylmorphine.
- 1306 i. Etorphine hydrochloride.
- 1307 j. Hydrocodone.
- 1308 k. Hydromorphone.
- 1309 l. Levo-alphaacetylmethadol (also known as levo-alpha-
- 1310 acetylmethadol, levomethadyl acetate, or LAAM).
- 1311 m. Metopon (methyldihydromorphinone).
- 1312 n. Morphine.
- 1313 o. Oxycodone.
- 1314 p. Oxymorphone.
- 1315 q. Thebaine.
- 1316 2. Any salt, compound, derivative, or preparation of a
- 1317 substance which is chemically equivalent to or identical with
- 1318 any of the substances referred to in subparagraph 1., except
- 1319 that these substances shall not include the isoquinoline
- 1320 alkaloids of opium.
- 1321 3. Any part of the plant of the species *Papaver*
- 1322 *somniferum*, L.
- 1323 4. Cocaine or ecgonine, including any of their
- 1324 stereoisomers, and any salt, compound, derivative, or
- 1325 preparation of cocaine or ecgonine.
- 1326 (b) Unless specifically excepted or unless listed in

1327 another schedule, any of the following substances, including
 1328 their isomers, esters, ethers, salts, and salts of isomers,
 1329 esters, and ethers, whenever the existence of such isomers,
 1330 esters, ethers, and salts is possible within the specific
 1331 chemical designation:

- 1332 1. Alfentanil.
- 1333 2. Alphaprodine.
- 1334 3. Anileridine.
- 1335 4. Bezitramide.
- 1336 5. Bulk propoxyphene (nondosage forms).
- 1337 6. Carfentanil.
- 1338 7. Dihydrocodeine.
- 1339 8. Diphenoxylate.
- 1340 9. Fentanyl.
- 1341 10. Isomethadone.
- 1342 11. Levomethorphan.
- 1343 12. Levorphanol.
- 1344 13. Metazocine.
- 1345 14. Methadone.
- 1346 15. Methadone-Intermediate, 4-cyano-2-
 1347 dimethylamino-4,4-diphenylbutane.
- 1348 16. Moramide-Intermediate, 2-methyl-
 1349 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1350 17. Nabilone.
- 1351 18. Pethidine (meperidine).
- 1352 19. Pethidine-Intermediate-A, 4-cyano-1-

- 1353 methyl-4-phenylpiperidine.
- 1354 20. Pethidine-Intermediate-B, ethyl-4-
- 1355 phenylpiperidine-4-carboxylate.
- 1356 21. Pethidine-Intermediate-C, 1-methyl-4- phenylpiperidine-
- 1357 4-carboxylic acid.
- 1358 22. Phenazocine.
- 1359 23. Phencyclidine.
- 1360 24. 1-Phenylcyclohexylamine.
- 1361 25. Piminodine.
- 1362 26. 1-Piperidinocyclohexanecarbonitrile.
- 1363 27. Racemethorphan.
- 1364 28. Racemorphan.
- 1365 29. Sufentanil.
- 1366 (c) Unless specifically excepted or unless listed in
- 1367 another schedule, any material, compound, mixture, or
- 1368 preparation which contains any quantity of the following
- 1369 substances, including their salts, isomers, optical isomers,
- 1370 salts of their isomers, and salts of their optical isomers:
- 1371 1. Amobarbital.
- 1372 2. Amphetamine.
- 1373 3. Glutethimide.
- 1374 4. Methamphetamine.
- 1375 5. Methylphenidate.
- 1376 6. Pentobarbital.
- 1377 7. Phenmetrazine.
- 1378 8. Phenylacetone.

1379 9. Secobarbital.

1380 (3) SCHEDULE III.—A substance in Schedule III has a

1381 potential for abuse less than the substances contained in

1382 Schedules I and II and has a currently accepted medical use in

1383 treatment in the United States, and abuse of the substance may

1384 lead to moderate or low physical dependence or high

1385 psychological dependence or, in the case of anabolic steroids,

1386 may lead to physical damage. The following substances are

1387 controlled in Schedule III:

1388 (a) Unless specifically excepted or unless listed in

1389 another schedule, any material, compound, mixture, or

1390 preparation which contains any quantity of the following

1391 substances having a depressant or stimulant effect on the

1392 nervous system:

1393 1. Any substance which contains any quantity of a

1394 derivative of barbituric acid, including thiobarbituric acid, or

1395 any salt of a derivative of barbituric acid or thiobarbituric

1396 acid, including, but not limited to, butabarbital and

1397 butalbital.

1398 2. Benzphetamine.

1399 3. Chlorhexadol.

1400 4. Chlorphentermine.

1401 5. Clortermine.

1402 6. Lysergic acid.

1403 7. Lysergic acid amide.

1404 8. Methyprylon.

- 1405 9. Phendimetrazine.
- 1406 10. Sulfondiethylmethane.
- 1407 11. Sulfonethylmethane.
- 1408 12. Sulfonmethane.
- 1409 13. Tiletamine and zolazepam or any salt thereof.
- 1410 (b) Nalorphine.
- 1411 (c) Unless specifically excepted or unless listed in
- 1412 another schedule, any material, compound, mixture, or
- 1413 preparation containing limited quantities of any of the
- 1414 following controlled substances or any salts thereof:
- 1415 1. Not more than 1.8 grams of codeine per 100 milliliters
- 1416 or not more than 90 milligrams per dosage unit, with an equal or
- 1417 greater quantity of an isoquinoline alkaloid of opium.
- 1418 2. Not more than 1.8 grams of codeine per 100 milliliters
- 1419 or not more than 90 milligrams per dosage unit, with recognized
- 1420 therapeutic amounts of one or more active ingredients which are
- 1421 not controlled substances.
- 1422 3. Not more than 300 milligrams of hydrocodone per 100
- 1423 milliliters or not more than 15 milligrams per dosage unit, with
- 1424 a fourfold or greater quantity of an isoquinoline alkaloid of
- 1425 opium.
- 1426 4. Not more than 300 milligrams of hydrocodone per 100
- 1427 milliliters or not more than 15 milligrams per dosage unit, with
- 1428 recognized therapeutic amounts of one or more active ingredients
- 1429 that are not controlled substances.
- 1430 5. Not more than 1.8 grams of dihydrocodeine per 100

1431 milliliters or not more than 90 milligrams per dosage unit, with
 1432 recognized therapeutic amounts of one or more active ingredients
 1433 which are not controlled substances.

1434 6. Not more than 300 milligrams of ethylmorphine per 100
 1435 milliliters or not more than 15 milligrams per dosage unit, with
 1436 one or more active, nonnarcotic ingredients in recognized
 1437 therapeutic amounts.

1438 7. Not more than 50 milligrams of morphine per 100
 1439 milliliters or per 100 grams, with recognized therapeutic
 1440 amounts of one or more active ingredients which are not
 1441 controlled substances.

1442
 1443 For purposes of charging a person with a violation of s. 893.135
 1444 involving any controlled substance described in subparagraph 3.
 1445 or subparagraph 4., the controlled substance is a Schedule III
 1446 controlled substance pursuant to this paragraph but the weight
 1447 of the controlled substance per milliliters or per dosage unit
 1448 is not relevant to the charging of a violation of s. 893.135.
 1449 The weight of the controlled substance shall be determined
 1450 pursuant to s. 893.135(6).

1451 (d) Anabolic steroids.

1452 1. The term "anabolic steroid" means any drug or hormonal
 1453 substance, chemically and pharmacologically related to
 1454 testosterone, other than estrogens, progestins, and
 1455 corticosteroids, that promotes muscle growth and includes:

1456 a. Androsterone.

- 1457 | b. Androsterone acetate.
- 1458 | c. Boldenone.
- 1459 | d. Boldenone acetate.
- 1460 | e. Boldenone benzoate.
- 1461 | f. Boldenone undecylenate.
- 1462 | g. Chlorotestosterone (Clostebol) ~~(4-chlorotestosterone)~~.
- 1463 | ~~h. Clostebol.~~
- 1464 | h.i. Dehydrochlormethyltestosterone.
- 1465 | i.j. Dihydrotestosterone (Stanolone) ~~(4-~~
- 1466 | ~~dihydrotestosterone)~~.
- 1467 | j.k. Drostanolone.
- 1468 | k.l. Ethylestrenol.
- 1469 | l.m. Fluoxymesterone.
- 1470 | m.n. Formebolone (Formebolone).
- 1471 | n.o. Mesterolone.
- 1472 | o.p. Methandrostenolone (Methandienone).
- 1473 | p.q. Methandranone.
- 1474 | q.r. Methandriol.
- 1475 | ~~s. Methandrostenolone.~~
- 1476 | r.t. Methenolone.
- 1477 | s.u. Methyltestosterone.
- 1478 | t.v. Mibolerone.
- 1479 | u.w. Nortestosterone (Nandrolone).
- 1480 | v.x. Norethandrolone.
- 1481 | ~~y. Nortestosterone.~~
- 1482 | w.z. Nortestosterone decanoate.

- 1483 ~~x.aa.~~ Nortestosterone phenylpropionate.
- 1484 y.bb. Nortestosterone propionate.
- 1485 z.aa. Oxandrolone.
- 1486 aa.dd. Oxymesterone.
- 1487 bb.aa. Oxymetholone.
- 1488 ~~ff.~~ ~~Stanolone.~~
- 1489 cc.aa. Stanozolol.
- 1490 dd.bb. Testolactone.
- 1491 ee.ii. Testosterone.
- 1492 ff.jj. Testosterone acetate.
- 1493 gg.kk. Testosterone benzoate.
- 1494 hh.ll. Testosterone cypionate.
- 1495 ii.mm. Testosterone decanoate.
- 1496 jj.nn. Testosterone enanthate.
- 1497 kk.oo. Testosterone isocaproate.
- 1498 ll.pp. Testosterone oleate.
- 1499 mm.aa. Testosterone phenylpropionate.
- 1500 nn.rr. Testosterone propionate.
- 1501 oo.ss. Testosterone undecanoate.
- 1502 pp.tt. Trenbolone.
- 1503 qq.uu. Trenbolone acetate.
- 1504 rr.vv. Any salt, ester, or isomer of a drug or substance
- 1505 described or listed in this subparagraph if that salt, ester, or
- 1506 isomer promotes muscle growth.
- 1507 2. The term does not include an anabolic steroid that is
- 1508 expressly intended for administration through implants to cattle

1509 or other nonhuman species and that has been approved by the
1510 United States Secretary of Health and Human Services for such
1511 administration. However, any person who prescribes, dispenses,
1512 or distributes such a steroid for human use is considered to
1513 have prescribed, dispensed, or distributed an anabolic steroid
1514 within the meaning of this paragraph.

1515 (e) Ketamine, including any isomers, esters, ethers,
1516 salts, and salts of isomers, esters, and ethers, whenever the
1517 existence of such isomers, esters, ethers, and salts is possible
1518 within the specific chemical designation.

1519 (f) Dronabinol (synthetic THC) in sesame oil and
1520 encapsulated in a soft gelatin capsule in a drug product
1521 approved by the United States Food and Drug Administration.

1522 (g) Any drug product containing gamma-hydroxybutyric acid,
1523 including its salts, isomers, and salts of isomers, for which an
1524 application is approved under s. 505 of the Federal Food, Drug,
1525 and Cosmetic Act.

1526 (4) SCHEDULE IV.—A substance in Schedule IV has a low
1527 potential for abuse relative to the substances in Schedule III
1528 and has a currently accepted medical use in treatment in the
1529 United States, and abuse of the substance may lead to limited
1530 physical or psychological dependence relative to the substances
1531 in Schedule III. Unless specifically excepted or unless listed
1532 in another schedule, any material, compound, mixture, or
1533 preparation which contains any quantity of the following
1534 substances, including its salts, isomers, and salts of isomers

1535 whenever the existence of such salts, isomers, and salts of
 1536 isomers is possible within the specific chemical designation,
 1537 are controlled in Schedule IV:

- 1538 (a) Alprazolam.
- 1539 (b) Barbital.
- 1540 (c) Bromazepam.
- 1541 (d) Camazepam.
- 1542 (e) Cathine.
- 1543 (f) Chloral betaine.
- 1544 (g) Chloral hydrate.
- 1545 (h) Chlordiazepoxide.
- 1546 (i) Clobazam.
- 1547 (j) Clonazepam.
- 1548 (k) Clorazepate.
- 1549 (l) Clotiazepam.
- 1550 (m) Cloxazolam.
- 1551 (n) Delorazepam.
- 1552 (o) Propoxyphene (dosage forms).
- 1553 (p) Diazepam.
- 1554 (q) Diethylpropion.
- 1555 (r) Estazolam.
- 1556 (s) Ethchlorvynol.
- 1557 (t) Ethinamate.
- 1558 (u) Ethyl loflazepate.
- 1559 (v) Fencamfamin.
- 1560 (w) Fenfluramine.

- 1561 (x) Fenproporex.
- 1562 (y) Fludiazepam.
- 1563 (z) Flurazepam.
- 1564 (aa) Halazepam.
- 1565 (bb) Haloxazolam.
- 1566 (cc) Ketazolam.
- 1567 (dd) Loprazolam.
- 1568 (ee) Lorazepam.
- 1569 (ff) Lormetazepam.
- 1570 (gg) Mazindol.
- 1571 (hh) Mebutamate.
- 1572 (ii) Medazepam.
- 1573 (jj) Mefenorex.
- 1574 (kk) Meprobamate.
- 1575 (ll) Methohexital.
- 1576 (mm) Methylphenobarbital.
- 1577 (nn) Midazolam.
- 1578 (oo) Nimetazepam.
- 1579 (pp) Nitrazepam.
- 1580 (qq) Nordiazepam.
- 1581 (rr) Oxazepam.
- 1582 (ss) Oxazolam.
- 1583 (tt) Paraldehyde.
- 1584 (uu) Pemoline.
- 1585 (vv) Pentazocine.
- 1586 (ww) Phenobarbital.

1587 (xx) Phentermine.
 1588 (yy) Pinazepam.
 1589 (zz) Pipradrol.
 1590 (aaa) Prazepam.
 1591 (bbb) Propylhexedrine, excluding any patent or proprietary
 1592 preparation containing propylhexedrine, unless otherwise
 1593 provided by federal law.
 1594 (ccc) Quazepam.
 1595 (ddd) Tetrazepam.
 1596 (eee) SPA[(-)-1 dimethylamino-1, 2
 1597 diphenylethane].
 1598 (fff) Temazepam.
 1599 (ggg) Triazolam.
 1600 (hhh) Not more than 1 milligram of difenoxin and not less
 1601 than 25 micrograms of atropine sulfate per dosage unit.
 1602 (iii) Butorphanol tartrate.
 1603 (jjj) Carisoprodol.
 1604 (5) SCHEDULE V.—A substance, compound, mixture, or
 1605 preparation of a substance in Schedule V has a low potential for
 1606 abuse relative to the substances in Schedule IV and has a
 1607 currently accepted medical use in treatment in the United
 1608 States, and abuse of such compound, mixture, or preparation may
 1609 lead to limited physical or psychological dependence relative to
 1610 the substances in Schedule IV.
 1611 (a) Substances controlled in Schedule V include any
 1612 compound, mixture, or preparation containing any of the

1613 following limited quantities of controlled substances, which
1614 shall include one or more active medicinal ingredients which are
1615 not controlled substances in sufficient proportion to confer
1616 upon the compound, mixture, or preparation valuable medicinal
1617 qualities other than those possessed by the controlled substance
1618 alone:

1619 1. Not more than 200 milligrams of codeine per 100
1620 milliliters or per 100 grams.

1621 2. Not more than 100 milligrams of dihydrocodeine per 100
1622 milliliters or per 100 grams.

1623 3. Not more than 100 milligrams of ethylmorphine per 100
1624 milliliters or per 100 grams.

1625 4. Not more than 2.5 milligrams of diphenoxylate and not
1626 less than 25 micrograms of atropine sulfate per dosage unit.

1627 5. Not more than 100 milligrams of opium per 100
1628 milliliters or per 100 grams.

1629 (b) Narcotic drugs. Unless specifically excepted or unless
1630 listed in another schedule, any material, compound, mixture, or
1631 preparation containing any of the following narcotic drugs and
1632 their salts: Buprenorphine.

1633 (c) Stimulants. Unless specifically excepted or unless
1634 listed in another schedule, any material, compound, mixture, or
1635 preparation which contains any quantity of the following
1636 substances having a stimulant effect on the central nervous
1637 system, including its salts, isomers, and salts of isomers:
1638 Pyrovalerone.

1639 Section 3. Section 893.033, Florida Statutes, is amended
 1640 to read:

1641 893.033 Listed chemicals.—The chemicals listed in this
 1642 section are included by whatever official, common, usual,
 1643 chemical, or trade name designated.

1644 (1) PRECURSOR CHEMICALS.—The term "listed precursor
 1645 chemical" means a chemical that may be used in manufacturing a
 1646 controlled substance in violation of this chapter and is
 1647 critical to the creation of the controlled substance, and such
 1648 term includes any salt, optical isomer, or salt of an optical
 1649 isomer, whenever the existence of such salt, optical isomer, or
 1650 salt of optical isomer is possible within the specific chemical
 1651 designation. The following are "listed precursor chemicals":

- 1652 (a) Anthranilic acid.
- 1653 (b) Benzaldehyde.
- 1654 (c) Benzyl cyanide.
- 1655 (d) Chloroephedrine.
- 1656 (e) Chloropseudoephedrine.
- 1657 (f) Ephedrine.
- 1658 (g) Ergonovine.
- 1659 (h) Ergotamine.
- 1660 (i) Ergocristine.
- 1661 ~~(i) Hydriodic acid.~~
- 1662 (j) Ethylamine.
- 1663 (k) Iodine tincture above 2.2 percent.
- 1664 (l) ~~(*)~~ Isosafrole.

- 1665 (m)~~(l)~~ Methylamine.
- 1666 (n)~~(m)~~ 3, 4-Methylenedioxyphenyl-2-propanone.
- 1667 (o)~~(n)~~ N-Acetylanthranilic acid.
- 1668 (p)~~(o)~~ N-Ethylephedrine.
- 1669 (q)~~(p)~~ N-Ethylpseudoephedrine.
- 1670 (r)~~(q)~~ N-Methylephedrine.
- 1671 (s)~~(r)~~ N-Methylpseudoephedrine.
- 1672 (t) ANPP (4-Anilino-N-phenethyl-4-piperidine).
- 1673 (u) NPP (N-Phenethyl-4-piperidone).
- 1674 (v)~~(s)~~ Nitroethane.
- 1675 (w)~~(t)~~ Norpseudoephedrine.
- 1676 (x)~~(u)~~ Phenylacetic acid.
- 1677 (y)~~(v)~~ Phenylpropanolamine.
- 1678 (z)~~(w)~~ Piperidine.
- 1679 (aa)~~(x)~~ Piperonal.
- 1680 (bb)~~(y)~~ Propionic anhydride.
- 1681 (cc)~~(z)~~ Pseudoephedrine.
- 1682 (dd)~~(aa)~~ Safrole.
- 1683 (2) ESSENTIAL CHEMICALS.—The term "listed essential
- 1684 chemical" means a chemical that may be used as a solvent,
- 1685 reagent, or catalyst in manufacturing a controlled substance in
- 1686 violation of this chapter. The following are "listed essential
- 1687 chemicals":
- 1688 (a) Acetic anhydride.
- 1689 (b) Acetone.
- 1690 (c) Ammonium salts, including, but not limited to,

1691 | nitrate, sulfate, phosphate, or chloride.

1692 | (d)~~(e)~~ Anhydrous ammonia.

1693 | (e) Benzoquinone.

1694 | (f)~~(d)~~ Benzyl chloride.

1695 | (g)~~(e)~~ 2-Butanone.

1696 | (h)~~(f)~~ Ethyl ether.

1697 | (i) Formic acid.

1698 | (j)~~(g)~~ Hydrochloric acid ~~gas~~.

1699 | (k)~~(h)~~ Hydriodic acid.

1700 | (l)~~(i)~~ Iodine.

1701 | (m) Lithium.

1702 | (n) Organic solvents, including, but not limited to,

1703 | Coleman Fuel, camping fuel, ether, toluene, or lighter fluid.

1704 | (o) Organic cosolvents, including, but not limited to,

1705 | glycerol, propylene glycol, or polyethylene glycol.

1706 | (p) Potassium dichromate.

1707 | (q)~~(j)~~ Potassium permanganate.

1708 | (r) Sodium.

1709 | (s) Sodium dichromate.

1710 | (t) Sodium borohydride.

1711 | (u) Sodium cyanoborohydride.

1712 | (v) Sodium hydroxide.

1713 | (w) Sulfuric acid.

1714 | ~~(k) Toluene.~~

1715 | Section 4. Subsections (3) and (5) of section 893.0356,

1716 | Florida Statutes, are amended, paragraph (j) is added to

1717 subsection (4) of that section, and paragraph (a) of subsection
 1718 (2) of that section is republished, to read:

1719 893.0356 Control of new substances; findings of fact;
 1720 "controlled substance analog" defined.—

1721 (2) (a) As used in this section, "controlled substance
 1722 analog" means a substance which, due to its chemical structure
 1723 and potential for abuse, meets the following criteria:

1724 1. Is substantially similar to that of a controlled
 1725 substance listed in Schedule I or Schedule II of s. 893.03; and

1726 2. Has a stimulant, depressant, or hallucinogenic effect
 1727 on the central nervous system or is represented or intended to
 1728 have a stimulant, depressant, or hallucinogenic effect on the
 1729 central nervous system substantially similar to or greater than
 1730 that of a controlled substance listed in Schedule I or Schedule
 1731 II of s. 893.03.

1732 (3) As used in this section, the term "substantially
 1733 similar," as the term applies to the chemical structure of a
 1734 substance, means that the chemical structure of the substance
 1735 compared to the structure of a controlled substance has a single
 1736 difference in the structural formula that substitutes one atom
 1737 or functional group for another, including, but not limited to,
 1738 one halogen for another halogen, one hydrogen for a halogen or
 1739 vice versa, an alkyl group added or deleted as a side chain to
 1740 or from a molecule, or an alkyl group added or deleted from a
 1741 side chain of a molecule. ~~"potential for abuse" in this section~~
 1742 ~~means that a substance has properties as a central nervous~~

1743 ~~system stimulant or depressant or a hallucinogen that create a~~
1744 ~~substantial likelihood of its being:~~

1745 ~~(a) Used in amounts that create a hazard to the user's~~
1746 ~~health or the safety of the community;~~

1747 ~~(b) Diverted from legal channels and distributed through~~
1748 ~~illegal channels; or~~

1749 ~~(c) Taken on the user's own initiative rather than on the~~
1750 ~~basis of professional medical advice.~~

1751
1752 ~~Proof of potential for abuse can be based upon a showing that~~
1753 ~~these activities are already taking place, or upon a showing~~
1754 ~~that the nature and properties of the substance make it~~
1755 ~~reasonable to assume that there is a substantial likelihood that~~
1756 ~~such activities will take place, in other than isolated or~~
1757 ~~occasional instances.~~

1758 (4) The following factors shall be relevant to a finding
1759 that a substance is a controlled substance analog within the
1760 purview of this section:

1761 (j) Comparisons to the accepted methods of marketing,
1762 distribution, and sales of the substance and that which the
1763 substance is purported to be, including, but not limited to:

1764 1. The difference in price at which the substance is sold
1765 and the price at which the substance it is purported to be or
1766 advertised as is normally sold;

1767 2. The difference in how the substance is imported,
1768 manufactured, or distributed compared to how the substance it is

1769 purported to be or advertised as is normally imported,
 1770 manufactured, or distributed;

1771 3. The difference in the appearance of the substance in
 1772 overall finished dosage form compared to the substance it is
 1773 purported to be or advertised as normally appears in overall
 1774 finished dosage form; and

1775 4. The difference in how the substance is labeled for
 1776 sale, packaged for sale, or the method of sale, including, but
 1777 not limited to, the placement of the substance in an area
 1778 commonly viewable to the public for purchase consideration
 1779 compared to how the substance it is purported to be or
 1780 advertised as is normally labeled for sale, packaged for sale,
 1781 or sold to the public.

1782 (5) A controlled substance analog shall, for purposes of
 1783 drug abuse prevention and control, be treated as the highest
 1784 scheduled ~~a~~ controlled substance of which it is a controlled
 1785 substance analog to in ~~Schedule I~~ of s. 893.03.

1786 Section 5. Subsections (1), (4), and (6), and paragraph
 1787 (d) of subsection (8) of section 893.13, Florida Statutes, are
 1788 amended, and subsection (2), paragraphs (a) and (b) of
 1789 subsection (5), and paragraph (a) of subsection (7) of that
 1790 section are republished, to read:

1791 893.13 Prohibited acts; penalties.—

1792 (1) (a) Except as authorized by this chapter and chapter
 1793 499, a person may not sell, manufacture, or deliver, or possess
 1794 with intent to sell, manufacture, or deliver, a controlled

1795 substance. A person who violates this provision with respect to:

1796 1. A controlled substance named or described in s.
 1797 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1798 commits a felony of the second degree, punishable as provided in
 1799 s. 775.082, s. 775.083, or s. 775.084.

1800 2. A controlled substance named or described in s.
 1801 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1802 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1803 the third degree, punishable as provided in s. 775.082, s.
 1804 775.083, or s. 775.084.

1805 3. A controlled substance named or described in s.
 1806 893.03(5) commits a misdemeanor of the first degree, punishable
 1807 as provided in s. 775.082 or s. 775.083.

1808 (b) Except as provided in this chapter, a person may not
 1809 sell or deliver in excess of 10 grams of any substance named or
 1810 described in s. 893.03(1)(a) or (1)(b), or any combination
 1811 thereof, or any mixture containing any such substance. A person
 1812 who violates this paragraph commits a felony of the first
 1813 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 1814 775.084.

1815 (c) Except as authorized by this chapter, a person may not
 1816 sell, manufacture, or deliver, or possess with intent to sell,
 1817 manufacture, or deliver, a controlled substance in, on, or
 1818 within 1,000 feet of the real property comprising a child care
 1819 facility as defined in s. 402.302 or a public or private
 1820 elementary, middle, or secondary school between the hours of 6

1821 a.m. and 12 midnight, or at any time in, on, or within 1,000
 1822 feet of real property comprising a state, county, or municipal
 1823 park, a community center, or a publicly owned recreational
 1824 facility. As used in this paragraph, the term "community center"
 1825 means a facility operated by a nonprofit community-based
 1826 organization for the provision of recreational, social, or
 1827 educational services to the public. A person who violates this
 1828 paragraph with respect to:

1829 1. A controlled substance named or described in s.
 1830 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1831 commits a felony of the first degree, punishable as provided in
 1832 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
 1833 sentenced to a minimum term of imprisonment of 3 calendar years
 1834 unless the offense was committed within 1,000 feet of the real
 1835 property comprising a child care facility as defined in s.
 1836 402.302.

1837 2. A controlled substance named or described in s.
 1838 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1839 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1840 the second degree, punishable as provided in s. 775.082, s.
 1841 775.083, or s. 775.084.

1842 3. Any other controlled substance, except as lawfully
 1843 sold, manufactured, or delivered, must be sentenced to pay a
 1844 \$500 fine and to serve 100 hours of public service in addition
 1845 to any other penalty prescribed by law.

1846

1847 This paragraph does not apply to a child care facility unless
 1848 the owner or operator of the facility posts a sign that is not
 1849 less than 2 square feet in size with a word legend identifying
 1850 the facility as a licensed child care facility and that is
 1851 posted on the property of the child care facility in a
 1852 conspicuous place where the sign is reasonably visible to the
 1853 public.

1854 (d) Except as authorized by this chapter, a person may not
 1855 sell, manufacture, or deliver, or possess with intent to sell,
 1856 manufacture, or deliver, a controlled substance in, on, or
 1857 within 1,000 feet of the real property comprising a public or
 1858 private college, university, or other postsecondary educational
 1859 institution. A person who violates this paragraph with respect
 1860 to:

1861 1. A controlled substance named or described in s.
 1862 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1863 commits a felony of the first degree, punishable as provided in
 1864 s. 775.082, s. 775.083, or s. 775.084.

1865 2. A controlled substance named or described in s.
 1866 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1867 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1868 the second degree, punishable as provided in s. 775.082, s.
 1869 775.083, or s. 775.084.

1870 3. Any other controlled substance, except as lawfully
 1871 sold, manufactured, or delivered, must be sentenced to pay a
 1872 \$500 fine and to serve 100 hours of public service in addition

1873 to any other penalty prescribed by law.

1874 (e) Except as authorized by this chapter, a person may not
 1875 sell, manufacture, or deliver, or possess with intent to sell,
 1876 manufacture, or deliver, a controlled substance not authorized
 1877 by law in, on, or within 1,000 feet of a physical place for
 1878 worship at which a church or religious organization regularly
 1879 conducts religious services or within 1,000 feet of a
 1880 convenience business as defined in s. 812.171. A person who
 1881 violates this paragraph with respect to:

1882 1. A controlled substance named or described in s.
 1883 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1884 commits a felony of the first degree, punishable as provided in
 1885 s. 775.082, s. 775.083, or s. 775.084.

1886 2. A controlled substance named or described in s.
 1887 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1888 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1889 the second degree, punishable as provided in s. 775.082, s.
 1890 775.083, or s. 775.084.

1891 3. Any other controlled substance, except as lawfully
 1892 sold, manufactured, or delivered, must be sentenced to pay a
 1893 \$500 fine and to serve 100 hours of public service in addition
 1894 to any other penalty prescribed by law.

1895 (f) Except as authorized by this chapter, a person may not
 1896 sell, manufacture, or deliver, or possess with intent to sell,
 1897 manufacture, or deliver, a controlled substance in, on, or
 1898 within 1,000 feet of the real property comprising a public

1899 housing facility at any time. As used in this section, the term
 1900 "real property comprising a public housing facility" means real
 1901 property, as defined in s. 421.03(12), of a public corporation
 1902 created as a housing authority pursuant to part I of chapter
 1903 421. A person who violates this paragraph with respect to:

1904 1. A controlled substance named or described in s.
 1905 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1906 commits a felony of the first degree, punishable as provided in
 1907 s. 775.082, s. 775.083, or s. 775.084.

1908 2. A controlled substance named or described in s.
 1909 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1910 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1911 the second degree, punishable as provided in s. 775.082, s.
 1912 775.083, or s. 775.084.

1913 3. Any other controlled substance, except as lawfully
 1914 sold, manufactured, or delivered, must be sentenced to pay a
 1915 \$500 fine and to serve 100 hours of public service in addition
 1916 to any other penalty prescribed by law.

1917 (g) Except as authorized by this chapter, a person may not
 1918 manufacture methamphetamine or phencyclidine, or possess any
 1919 listed chemical as defined in s. 893.033 in violation of s.
 1920 893.149 and with intent to manufacture methamphetamine or
 1921 phencyclidine. If a person violates this paragraph and:

1922 1. The commission or attempted commission of the crime
 1923 occurs in a structure or conveyance where any child younger than
 1924 16 years of age is present, the person commits a felony of the

1925 first degree, punishable as provided in s. 775.082, s. 775.083,
 1926 or s. 775.084. In addition, the defendant must be sentenced to a
 1927 minimum term of imprisonment of 5 calendar years.

1928 2. The commission of the crime causes any child younger
 1929 than 16 years of age to suffer great bodily harm, the person
 1930 commits a felony of the first degree, punishable as provided in
 1931 s. 775.082, s. 775.083, or s. 775.084. In addition, the
 1932 defendant must be sentenced to a minimum term of imprisonment of
 1933 10 calendar years.

1934 (h) Except as authorized by this chapter, a person may not
 1935 sell, manufacture, or deliver, or possess with intent to sell,
 1936 manufacture, or deliver, a controlled substance in, on, or
 1937 within 1,000 feet of the real property comprising an assisted
 1938 living facility, as that term is used in chapter 429. A person
 1939 who violates this paragraph with respect to:

1940 1. A controlled substance named or described in s.
 1941 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1942 commits a felony of the first degree, punishable as provided in
 1943 s. 775.082, s. 775.083, or s. 775.084.

1944 2. A controlled substance named or described in s.
 1945 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1946 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1947 the second degree, punishable as provided in s. 775.082, s.
 1948 775.083, or s. 775.084.

1949 3. Any other controlled substance, except as lawfully
 1950 sold, manufactured, or delivered, must be sentenced to pay a

1951 \$500 fine and to serve 100 hours of public service in addition
1952 to any other penalty prescribed by law.

1953 (2) (a) Except as authorized by this chapter and chapter
1954 499, a person may not purchase, or possess with intent to
1955 purchase, a controlled substance. A person who violates this
1956 provision with respect to:

1957 1. A controlled substance named or described in s.
1958 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1959 commits a felony of the second degree, punishable as provided in
1960 s. 775.082, s. 775.083, or s. 775.084.

1961 2. A controlled substance named or described in s.
1962 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
1963 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1964 the third degree, punishable as provided in s. 775.082, s.
1965 775.083, or s. 775.084.

1966 3. A controlled substance named or described in s.
1967 893.03(5) commits a misdemeanor of the first degree, punishable
1968 as provided in s. 775.082 or s. 775.083.

1969 (b) Except as provided in this chapter, a person may not
1970 purchase more than 10 grams of any substance named or described
1971 in s. 893.03(1) (a) or (1) (b), or any combination thereof, or any
1972 mixture containing any such substance. A person who violates
1973 this paragraph commits a felony of the first degree, punishable
1974 as provided in s. 775.082, s. 775.083, or s. 775.084.

1975 (4) Except as authorized by this chapter, a person 18
1976 years of age or older may not deliver any controlled substance

1977 to a person younger than 18 years of age, use or hire a person
 1978 younger than 18 years of age as an agent or employee in the sale
 1979 or delivery of such a substance, or use such person to assist in
 1980 avoiding detection or apprehension for a violation of this
 1981 chapter. A person who violates this paragraph ~~provision~~ with
 1982 respect to:

1983 (a) A controlled substance named or described in s.
 1984 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
 1985 commits a felony of the first degree, punishable as provided in
 1986 s. 775.082, s. 775.083, or s. 775.084.

1987 (b) A controlled substance named or described in s.
 1988 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 1989 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 1990 the second degree, punishable as provided in s. 775.082, s.
 1991 775.083, or s. 775.084.

1992 (c) Any other controlled substance, except as lawfully
 1993 sold, manufactured, or delivered, commits a felony of the third
 1994 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 1995 775.084.

1996
 1997 Imposition of sentence may not be suspended or deferred, and the
 1998 person so convicted may not be placed on probation.

1999 (5) A person may not bring into this state any controlled
 2000 substance unless the possession of such controlled substance is
 2001 authorized by this chapter or unless such person is licensed to
 2002 do so by the appropriate federal agency. A person who violates

2003 | this provision with respect to:

2004 | (a) 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 second degree, punishable as provided in
 2007 | s. 775.082, s. 775.083, or s. 775.084.

2008 | (b) A controlled substance named or described in s.
 2009 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 2010 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 2011 | the third degree, punishable as provided in s. 775.082, s.
 2012 | 775.083, or s. 775.084.

2013 | (6)(a) A person may not be in actual or constructive
 2014 | possession of a controlled substance unless such controlled
 2015 | substance was lawfully obtained from a practitioner or pursuant
 2016 | to a valid prescription or order of a practitioner while acting
 2017 | in the course of his or her professional practice or to be in
 2018 | actual or constructive possession of a controlled substance
 2019 | except as otherwise authorized by this chapter. A person who
 2020 | violates this provision commits a felony of the third degree,
 2021 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2022 | (b) If the offense is the possession of 20 grams or less
 2023 | of cannabis, as defined in this chapter, ~~or 3 grams or less of a~~
 2024 | ~~controlled substance described in s. 893.03(1)(c)46.-50., 114.-~~
 2025 | ~~142., 151.-159., or 166.-173.,~~ the person commits a misdemeanor
 2026 | of the first degree, punishable as provided in s. 775.082 or s.
 2027 | 775.083. As used in this subsection, the term "cannabis" does
 2028 | not include the resin extracted from the plants of the genus

2029 *Cannabis*, or any compound manufacture, salt, derivative,
 2030 mixture, or preparation of such resin, ~~and a controlled~~
 2031 ~~substance described in s. 893.03(1)(c) 46., 50., 114., 142., 151.,~~
 2032 ~~159., or 166.-173. does not include the substance in a powdered~~
 2033 ~~form.~~

2034 (c) Except as provided in this chapter, a person may not
 2035 possess more than 10 grams of any substance named or described
 2036 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any
 2037 mixture containing any such substance. A person who violates
 2038 this paragraph commits a felony of the first degree, punishable
 2039 as provided in s. 775.082, s. 775.083, or s. 775.084.

2040 (d) If the offense is possession of a controlled substance
 2041 named or described in s. 893.03(5), the person commits a
 2042 misdemeanor of the second degree, punishable as provided in s.
 2043 775.082 or s. 775.083.

2044 (e) ~~(d)~~ Notwithstanding any provision to the contrary of
 2045 the laws of this state relating to arrest, a law enforcement
 2046 officer may arrest without warrant any person who the officer
 2047 has probable cause to believe is violating the provisions of
 2048 this chapter relating to possession of cannabis.

2049 (7) (a) A person may not:

2050 1. Distribute or dispense a controlled substance in
 2051 violation of this chapter.

2052 2. Refuse or fail to make, keep, or furnish any record,
 2053 notification, order form, statement, invoice, or information
 2054 required under this chapter.

- 2055 3. Refuse entry into any premises for any inspection or
 2056 refuse to allow any inspection authorized by this chapter.
- 2057 4. Distribute a controlled substance named or described in
 2058 s. 893.03(1) or (2) except pursuant to an order form as required
 2059 by s. 893.06.
- 2060 5. Keep or maintain any store, shop, warehouse, dwelling,
 2061 building, vehicle, boat, aircraft, or other structure or place
 2062 which is resorted to by persons using controlled substances in
 2063 violation of this chapter for the purpose of using these
 2064 substances, or which is used for keeping or selling them in
 2065 violation of this chapter.
- 2066 6. Use to his or her own personal advantage, or reveal,
 2067 any information obtained in enforcement of this chapter except
 2068 in a prosecution or administrative hearing for a violation of
 2069 this chapter.
- 2070 7. Possess a prescription form unless it has been signed
 2071 by the practitioner whose name appears printed thereon and
 2072 completed. This subparagraph does not apply if the person in
 2073 possession of the form is the practitioner whose name appears
 2074 printed thereon, an agent or employee of that practitioner, a
 2075 pharmacist, or a supplier of prescription forms who is
 2076 authorized by that practitioner to possess those forms.
- 2077 8. Withhold information from a practitioner from whom the
 2078 person seeks to obtain a controlled substance or a prescription
 2079 for a controlled substance that the person making the request
 2080 has received a controlled substance or a prescription for a

2081 controlled substance of like therapeutic use from another
 2082 practitioner within the previous 30 days.

2083 9. Acquire or obtain, or attempt to acquire or obtain,
 2084 possession of a controlled substance by misrepresentation,
 2085 fraud, forgery, deception, or subterfuge.

2086 10. Affix any false or forged label to a package or
 2087 receptacle containing a controlled substance.

2088 11. Furnish false or fraudulent material information in,
 2089 or omit any material information from, any report or other
 2090 document required to be kept or filed under this chapter or any
 2091 record required to be kept by this chapter.

2092 12. Store anhydrous ammonia in a container that is not
 2093 approved by the United States Department of Transportation to
 2094 hold anhydrous ammonia or is not constructed in accordance with
 2095 sound engineering, agricultural, or commercial practices.

2096 13. With the intent to obtain a controlled substance or
 2097 combination of controlled substances that are not medically
 2098 necessary for the person or an amount of a controlled substance
 2099 or substances that is not medically necessary for the person,
 2100 obtain or attempt to obtain from a practitioner a controlled
 2101 substance or a prescription for a controlled substance by
 2102 misrepresentation, fraud, forgery, deception, subterfuge, or
 2103 concealment of a material fact. For purposes of this
 2104 subparagraph, a material fact includes whether the person has an
 2105 existing prescription for a controlled substance issued for the
 2106 same period of time by another practitioner or as described in

2107 | subparagraph 8.

2108 | (8)

2109 | (d) Notwithstanding paragraph (c), if a prescribing
 2110 | practitioner has violated paragraph (a) and received \$1,000 or
 2111 | more in payment for writing one or more prescriptions or, in the
 2112 | case of a prescription written for a controlled substance
 2113 | described in s. 893.135, has written one or more prescriptions
 2114 | for a quantity of a controlled substance which, individually or
 2115 | in the aggregate, meets the threshold for the offense of
 2116 | trafficking in a controlled substance under s. 893.135 ~~s.~~
 2117 | ~~893.15~~, the violation is reclassified as a felony of the second
 2118 | degree and ranked in level 4 of the Criminal Punishment Code.

2119 | Section 6. Paragraphs (g) and (l) of subsection (1) of
 2120 | section 893.135, Florida Statutes, are republished, paragraph
 2121 | (k) of that subsection is amended, and subsection (6) of that
 2122 | section is amended, to read:

2123 | 893.135 Trafficking; mandatory sentences; suspension or
 2124 | reduction of sentences; conspiracy to engage in trafficking.—

2125 | (1) Except as authorized in this chapter or in chapter 499
 2126 | and notwithstanding the provisions of s. 893.13:

2127 | (g)1. Any person who knowingly sells, purchases,
 2128 | manufactures, delivers, or brings into this state, or who is
 2129 | knowingly in actual or constructive possession of, 4 grams or
 2130 | more of flunitrazepam or any mixture containing flunitrazepam as
 2131 | described in s. 893.03(1)(a) commits a felony of the first
 2132 | degree, which felony shall be known as "trafficking in

2133 flunitrazepam," punishable as provided in s. 775.082, s.
 2134 775.083, or s. 775.084. If the quantity involved:
 2135 a. Is 4 grams or more but less than 14 grams, such person
 2136 shall be sentenced to a mandatory minimum term of imprisonment
 2137 of 3 years, and the defendant shall be ordered to pay a fine of
 2138 \$50,000.
 2139 b. Is 14 grams or more but less than 28 grams, such person
 2140 shall be sentenced to a mandatory minimum term of imprisonment
 2141 of 7 years, and the defendant shall be ordered to pay a fine of
 2142 \$100,000.
 2143 c. Is 28 grams or more but less than 30 kilograms, such
 2144 person shall be sentenced to a mandatory minimum term of
 2145 imprisonment of 25 calendar years and pay a fine of \$500,000.
 2146 2. Any person who knowingly sells, purchases,
 2147 manufactures, delivers, or brings into this state or who is
 2148 knowingly in actual or constructive possession of 30 kilograms
 2149 or more of flunitrazepam or any mixture containing flunitrazepam
 2150 as described in s. 893.03(1)(a) commits the first degree felony
 2151 of trafficking in flunitrazepam. A person who has been convicted
 2152 of the first degree felony of trafficking in flunitrazepam under
 2153 this subparagraph shall be punished by life imprisonment and is
 2154 ineligible for any form of discretionary early release except
 2155 pardon or executive clemency or conditional medical release
 2156 under s. 947.149. However, if the court determines that, in
 2157 addition to committing any act specified in this paragraph:
 2158 a. The person intentionally killed an individual or

2159 counseled, commanded, induced, procured, or caused the
 2160 intentional killing of an individual and such killing was the
 2161 result; or

2162 b. The person's conduct in committing that act led to a
 2163 natural, though not inevitable, lethal result,

2164
 2165 such person commits the capital felony of trafficking in
 2166 flunitrazepam, punishable as provided in ss. 775.082 and
 2167 921.142. Any person sentenced for a capital felony under this
 2168 paragraph shall also be sentenced to pay the maximum fine
 2169 provided under subparagraph 1.

2170 (k)1. A person who knowingly sells, purchases,
 2171 manufactures, delivers, or brings into this state, or who is
 2172 knowingly in actual or constructive possession of, 10 grams or
 2173 more of any of the following substances described in s.
 2174 893.03(1)(c):

- 2175 a. (MDMA) 3,4-Methylenedioxymethamphetamine ~~(MDMA)~~;
- 2176 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);
- 2177 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2178 d. 2,5-Dimethoxyamphetamine;
- 2179 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
 2180 ~~4-ethylamphetamine (DOET)~~;
- 2181 f. N-ethylamphetamine;
- 2182 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2183 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2184 i. PMA (4-methoxyamphetamine);

- 2185 j. PMMA (4-methoxymethamphetamine);
- 2186 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2187 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2188 m. MDA (3,4-Methylenedioxyamphetamine);
- 2189 n. N,N-dimethylamphetamine;
- 2190 o. 3,4,5-Trimethoxyamphetamine;
- 2191 p. Methylone (3,4-Methylenedioxymethcathinone);
- 2192 q. MDPV (3,4-Methylenedioxypropylvalerone) ~~(MDPV)~~; or
- 2193 r. Methylnmethcathinone,

2194
 2195 individually or analogs thereto or isomers thereto or in any
 2196 combination of or any mixture containing any substance listed in
 2197 sub-subparagraphs a.-r., commits a felony of the first degree,
 2198 which felony shall be known as "trafficking in Phenethylamines,"
 2199 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2200 2. If the quantity involved:

2201 a. Is 10 grams or more, but less than 200 grams, such
 2202 person shall be sentenced to a mandatory minimum term of
 2203 imprisonment of 3 years and shall be ordered to pay a fine of
 2204 \$50,000.

2205 b. Is 200 grams or more, but less than 400 grams, such
 2206 person shall be sentenced to a mandatory minimum term of
 2207 imprisonment of 7 years and shall be ordered to pay a fine of
 2208 \$100,000.

2209 c. Is 400 grams or more, such person shall be sentenced to
 2210 a mandatory minimum term of imprisonment of 15 years and shall

2211 be ordered to pay a fine of \$250,000.

2212 3. A person who knowingly manufactures or brings into this
 2213 state 30 kilograms or more of any of the following substances
 2214 described in s. 893.03(1)(c):

- 2215 a. MDMA (3,4-Methylenedioxyamphetamine) ~~(MDMA)~~;
- 2216 b. 2C-B (4-Bromo-2,5-dimethoxyamphetamine);
- 2217 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2218 d. 2,5-Dimethoxyamphetamine;
- 2219 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
 2220 ~~4-ethylamphetamine (DOET)~~;
- 2221 f. N-ethylamphetamine;
- 2222 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2223 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2224 i. PMA (4-methoxyamphetamine);
- 2225 j. PMMA (4-methoxymethamphetamine);
- 2226 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2227 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2228 m. MDA (3,4-Methylenedioxyamphetamine);
- 2229 n. N,N-dimethylamphetamine;
- 2230 o. 3,4,5-Trimethoxyamphetamine;
- 2231 p. Methylone (3,4-Methylenedioxy-methcathinone);
- 2232 q. MDPV (3,4-Methylenedioxy-pyrovalerone) ~~(MDPV)~~; or
- 2233 r. Methylmethcathinone,

2234
 2235 individually or analogs thereto or isomers thereto or in any
 2236 combination of or any mixture containing any substance listed in

2237 sub-subparagraphs a.-r., and who knows that the probable result
 2238 of such manufacture or importation would be the death of any
 2239 person commits capital manufacture or importation of
 2240 Phenethylamines, a capital felony punishable as provided in ss.
 2241 775.082 and 921.142. A person sentenced for a capital felony
 2242 under this paragraph shall also be sentenced to pay the maximum
 2243 fine provided under subparagraph 1.

2244 (l)1. Any person who knowingly sells, purchases,
 2245 manufactures, delivers, or brings into this state, or who is
 2246 knowingly in actual or constructive possession of, 1 gram or
 2247 more of lysergic acid diethylamide (LSD) as described in s.
 2248 893.03(1)(c), or of any mixture containing lysergic acid
 2249 diethylamide (LSD), commits a felony of the first degree, which
 2250 felony shall be known as "trafficking in lysergic acid
 2251 diethylamide (LSD)," punishable as provided in s. 775.082, s.
 2252 775.083, or s. 775.084. If the quantity involved:

2253 a. Is 1 gram or more, but less than 5 grams, such person
 2254 shall be sentenced to a mandatory minimum term of imprisonment
 2255 of 3 years, and the defendant shall be ordered to pay a fine of
 2256 \$50,000.

2257 b. Is 5 grams or more, but less than 7 grams, such person
 2258 shall be sentenced to a mandatory minimum term of imprisonment
 2259 of 7 years, and the defendant shall be ordered to pay a fine of
 2260 \$100,000.

2261 c. Is 7 grams or more, such person shall be sentenced to a
 2262 mandatory minimum term of imprisonment of 15 calendar years and

2263 pay a fine of \$500,000.

2264 2. Any person who knowingly manufactures or brings into
2265 this state 7 grams or more of lysergic acid diethylamide (LSD)
2266 as described in s. 893.03(1)(c), or any mixture containing
2267 lysergic acid diethylamide (LSD), and who knows that the
2268 probable result of such manufacture or importation would be the
2269 death of any person commits capital manufacture or importation
2270 of lysergic acid diethylamide (LSD), a capital felony punishable
2271 as provided in ss. 775.082 and 921.142. Any person sentenced for
2272 a capital felony under this paragraph shall also be sentenced to
2273 pay the maximum fine provided under subparagraph 1.

2274 (6) A mixture, as defined in s. 893.02, containing any
2275 controlled substance described in this section includes, but is
2276 not limited to, a solution or a dosage unit, including but not
2277 limited to, a gelatin capsule, pill, or tablet, containing a
2278 controlled substance. For the purpose of clarifying legislative
2279 intent regarding the weighing of a mixture containing a
2280 controlled substance described in this section, the weight of
2281 the controlled substance is the total weight of the mixture,
2282 including the controlled substance and any other substance in
2283 the mixture. If there is more than one mixture containing the
2284 same controlled substance, the weight of the controlled
2285 substance is calculated by aggregating the total weight of each
2286 mixture.

2287 Section 7. Subsection (2) of section 893.138, Florida
2288 Statutes, is amended to read:

2289 893.138 Local administrative action to abate drug-related,
 2290 prostitution-related, or stolen-property-related public
 2291 nuisances and criminal gang activity.—

2292 (2) Any place or premises that has been used:

2293 (a) On more than two occasions within a 6-month period, as
 2294 the site of a violation of s. 796.07;

2295 (b) On more than two occasions within a 6-month period, as
 2296 the site of the unlawful sale, delivery, manufacture, or
 2297 cultivation of any controlled substance;

2298 (c) On one occasion as the site of the unlawful possession
 2299 of a controlled substance, where such possession constitutes a
 2300 felony and that has been previously used on more than one
 2301 occasion as the site of the unlawful sale, delivery,
 2302 manufacture, or cultivation of any controlled substance;

2303 (d) By a criminal gang for the purpose of conducting
 2304 criminal gang activity as defined by s. 874.03; ~~or~~

2305 (e) On more than two occasions within a 6-month period, as
 2306 the site of a violation of s. 812.019 relating to dealing in
 2307 stolen property; or

2308 (f) On two or more occasions within a 6-month period, as
 2309 the site of a violation of chapter 499,

2310
 2311 may be declared to be a public nuisance, and such nuisance may
 2312 be abated pursuant to the procedures provided in this section.

2313 Section 8. Subsections (6) and (12) of section 893.145,
 2314 Florida Statutes, are amended to read:

2315 893.145 "Drug paraphernalia" defined.—The term "drug
 2316 paraphernalia" means all equipment, products, and materials of
 2317 any kind which are used, intended for use, or designed for use
 2318 in planting, propagating, cultivating, growing, harvesting,
 2319 manufacturing, compounding, converting, producing, processing,
 2320 preparing, testing, analyzing, packaging, repackaging, storing,
 2321 containing, concealing, transporting, injecting, ingesting,
 2322 inhaling, or otherwise introducing into the human body a
 2323 controlled substance in violation of this chapter or s. 877.111.
 2324 Drug paraphernalia is deemed to be contraband which shall be
 2325 subject to civil forfeiture. The term includes, but is not
 2326 limited to:

2327 (6) Diluents and adulterants, such as quinine
 2328 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,
 2329 dextrose, and lactose, used, intended for use, or designed for
 2330 use in diluting ~~cutting~~ controlled substances; or substances
 2331 such as damiana leaf, marshmallow leaf, and mullein leaf, used,
 2332 intended for use, or designed for use as carrier mediums of
 2333 controlled substances.

2334 (12) Objects used, intended for use, or designed for use
 2335 in ingesting, inhaling, or otherwise introducing controlled
 2336 substances, as described in s. 893.03, or substances described
 2337 in s. 877.111(1) ~~cannabis, cocaine, hashish, hashish oil, or~~
 2338 ~~nitrous oxide~~ into the human body, such as:

2339 (a) Metal, wooden, acrylic, glass, stone, plastic, or
 2340 ceramic pipes, with or without screens, permanent screens,

- 2341 hashish heads, or punctured metal bowls.
- 2342 (b) Water pipes.
- 2343 (c) Carburetion tubes and devices.
- 2344 (d) Smoking and carburetion masks.
- 2345 (e) Roach clips: meaning objects used to hold burning
- 2346 material, such as a cannabis cigarette, that has become too
- 2347 small or too short to be held in the hand.
- 2348 (f) Miniature cocaine spoons, and cocaine vials.
- 2349 (g) Chamber pipes.
- 2350 (h) Carburetor pipes.
- 2351 (i) Electric pipes.
- 2352 (j) Air-driven pipes.
- 2353 (k) Chillums.
- 2354 (l) Bongs.
- 2355 (m) Ice pipes or chillers.
- 2356 (n) A cartridge or canister, which means a small metal
- 2357 device used to contain nitrous oxide.
- 2358 (o) A charger, sometimes referred to as a "cracker," which
- 2359 means a small metal or plastic device that contains an interior
- 2360 pin that may be used to expel nitrous oxide from a cartridge or
- 2361 container.
- 2362 (p) A charging bottle, which means a device that may be
- 2363 used to expel nitrous oxide from a cartridge or canister.
- 2364 (q) A whip-it, which means a device that may be used to
- 2365 expel nitrous oxide.
- 2366 (r) A tank.

- 2367 (s) A balloon.
- 2368 (t) A hose or tube.
- 2369 (u) A 2-liter-type soda bottle.
- 2370 (v) Duct tape.

2371 Section 9. Paragraph (a) of subsection (1) of section
 2372 895.02, Florida Statutes, is amended to read:

2373 895.02 Definitions.—As used in ss. 895.01-895.08, the
 2374 term:

2375 (1) "Racketeering activity" means to commit, to attempt to
 2376 commit, to conspire to commit, or to solicit, coerce, or
 2377 intimidate another person to commit:

2378 (a) Any crime that is chargeable by petition, indictment,
 2379 or information under the following provisions of the Florida
 2380 Statutes:

2381 1. Section 210.18, relating to evasion of payment of
 2382 cigarette taxes.

2383 2. Section 316.1935, relating to fleeing or attempting to
 2384 elude a law enforcement officer and aggravated fleeing or
 2385 eluding.

2386 3. Section 403.727(3)(b), relating to environmental
 2387 control.

2388 4. Section 409.920 or s. 409.9201, relating to Medicaid
 2389 fraud.

2390 5. Section 414.39, relating to public assistance fraud.

2391 6. Section 440.105 or s. 440.106, relating to workers'
 2392 compensation.

- 2393 7. Section 443.071(4), relating to creation of a
 2394 fictitious employer scheme to commit reemployment assistance
 2395 fraud.
- 2396 8. Section 465.0161, relating to distribution of medicinal
 2397 drugs without a permit as an Internet pharmacy.
- 2398 9. Section 499.0051, relating to crimes involving
 2399 contraband, ~~and~~ adulterated, or misbranded drugs.
- 2400 10. Part IV of chapter 501, relating to telemarketing.
- 2401 11. Chapter 517, relating to sale of securities and
 2402 investor protection.
- 2403 12. Section 550.235 or s. 550.3551, relating to dogracing
 2404 and horseracing.
- 2405 13. Chapter 550, relating to jai alai frontons.
- 2406 14. Section 551.109, relating to slot machine gaming.
- 2407 15. Chapter 552, relating to the manufacture,
 2408 distribution, and use of explosives.
- 2409 16. Chapter 560, relating to money transmitters, if the
 2410 violation is punishable as a felony.
- 2411 17. Chapter 562, relating to beverage law enforcement.
- 2412 18. Section 624.401, relating to transacting insurance
 2413 without a certificate of authority, s. 624.437(4)(c)1., relating
 2414 to operating an unauthorized multiple-employer welfare
 2415 arrangement, or s. 626.902(1)(b), relating to representing or
 2416 aiding an unauthorized insurer.
- 2417 19. Section 655.50, relating to reports of currency
 2418 transactions, when such violation is punishable as a felony.

- 2419 20. Chapter 687, relating to interest and usurious
 2420 practices.
- 2421 21. Section 721.08, s. 721.09, or s. 721.13, relating to
 2422 real estate timeshare plans.
- 2423 22. Section 775.13(5)(b), relating to registration of
 2424 persons found to have committed any offense for the purpose of
 2425 benefiting, promoting, or furthering the interests of a criminal
 2426 gang.
- 2427 23. Section 777.03, relating to commission of crimes by
 2428 accessories after the fact.
- 2429 24. Chapter 782, relating to homicide.
- 2430 25. Chapter 784, relating to assault and battery.
- 2431 26. Chapter 787, relating to kidnapping or human
 2432 trafficking.
- 2433 27. Chapter 790, relating to weapons and firearms.
- 2434 28. Chapter 794, relating to sexual battery, but only if
 2435 such crime was committed with the intent to benefit, promote, or
 2436 further the interests of a criminal gang, or for the purpose of
 2437 increasing a criminal gang member's own standing or position
 2438 within a criminal gang.
- 2439 29. Former s. 796.03, former s. 796.035, s. 796.04, s.
 2440 796.05, or s. 796.07, relating to prostitution.
- 2441 30. Chapter 806, relating to arson and criminal mischief.
- 2442 31. Chapter 810, relating to burglary and trespass.
- 2443 32. Chapter 812, relating to theft, robbery, and related
 2444 crimes.

- 2445 | 33. Chapter 815, relating to computer-related crimes.
- 2446 | 34. Chapter 817, relating to fraudulent practices, false
- 2447 | pretenses, fraud generally, and credit card crimes.
- 2448 | 35. Chapter 825, relating to abuse, neglect, or
- 2449 | exploitation of an elderly person or disabled adult.
- 2450 | 36. Section 827.071, relating to commercial sexual
- 2451 | exploitation of children.
- 2452 | 37. Section 828.122, relating to fighting or baiting
- 2453 | animals.
- 2454 | 38. Chapter 831, relating to forgery and counterfeiting.
- 2455 | 39. Chapter 832, relating to issuance of worthless checks
- 2456 | and drafts.
- 2457 | 40. Section 836.05, relating to extortion.
- 2458 | 41. Chapter 837, relating to perjury.
- 2459 | 42. Chapter 838, relating to bribery and misuse of public
- 2460 | office.
- 2461 | 43. Chapter 843, relating to obstruction of justice.
- 2462 | 44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
- 2463 | s. 847.07, relating to obscene literature and profanity.
- 2464 | 45. Chapter 849, relating to gambling, lottery, gambling
- 2465 | or gaming devices, slot machines, or any of the provisions
- 2466 | within that chapter.
- 2467 | 46. Chapter 874, relating to criminal gangs.
- 2468 | 47. Chapter 893, relating to drug abuse prevention and
- 2469 | control.
- 2470 | 48. Chapter 896, relating to offenses related to financial

2471 transactions.

2472 49. Sections 914.22 and 914.23, relating to tampering with
 2473 or harassing a witness, victim, or informant, and retaliation
 2474 against a witness, victim, or informant.

2475 50. Sections 918.12 and 918.13, relating to tampering with
 2476 jurors and evidence.

2477 Section 10. Paragraphs (c), (e), and (g) of subsection (3)
 2478 of section 921.0022, Florida Statutes, are amended, and
 2479 paragraphs (b), (d), and (h) of that subsection are republished,
 2480 to read:

2481 921.0022 Criminal Punishment Code; offense severity
 2482 ranking chart.—

2483 (3) OFFENSE SEVERITY RANKING CHART

2484 (b) LEVEL 2

2485

Florida	Felony	Description
Statute	Degree	
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

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2488			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 purposes, or hazardous waste.
2489	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
2490	590.28 (1)	3rd	Intentional burning of lands.
2491	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
2492	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.

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2493	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
2494	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
2495	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
2496	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
2497	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
2498			

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2499	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
2500	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
2501	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
2502	817.52 (3)	3rd	Failure to redeliver hired vehicle.
2503	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
2504	817.60 (5)	3rd	Dealing in credit cards of another.
	817.60 (6) (a)	3rd	Forgery; purchase goods, services with

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			false card.
2505	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
2506	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
2507	831.01	3rd	Forgery.
2508	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2509	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2510	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2511	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.

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2512	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
2513	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
2514	843.08	3rd	False personation.
2515	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.
2516	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
2517			
2518			
2519	(c) LEVEL 3		
2520			

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	Florida Statute	Felony Degree	Description
2521	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2522	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2523	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2524	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2525	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2526	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile

2527			home.
	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2528			
	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2529			
	327.35 (2) (b)	3rd	Felony BUI.
2530			
	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2531			
	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2532			
	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2533			

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	<p>379.2431 (1) (e) 5.</p>	<p>3rd</p>	<p>Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.</p>
<p>2534</p>	<p>379.2431 (1) (e) 6.</p>	<p>3rd</p>	<p>Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.</p>
<p>2535</p>	<p>400.9935 (4) (a) or (b)</p>	<p>3rd</p>	<p>Operating a clinic, or offering services requiring licensure, without a license.</p>
<p>2536</p>	<p>400.9935 (4) (e)</p>	<p>3rd</p>	<p>Filing a false license application or other required information or failing to report information.</p>
<p>2537</p>			

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2538	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2539	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2540	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2541	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2542	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2543	697.08	3rd	Equity skimming.
	790.15 (3)	3rd	Person directs another to

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			discharge firearm from a vehicle.
2544	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2545	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2546	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2547	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2548	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

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2549	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2550	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2551	817.233	3rd	Burning to defraud insurer.
2552	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2553	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2554	817.236	3rd	Filing a false motor vehicle insurance application.
2555	817.2361	3rd	Creating, marketing, or

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2556			presenting a false or fraudulent motor vehicle insurance card.
	817.413 (2)	3rd	Sale of used goods as new.
2557			
	817.505 (4)	3rd	Patient brokering.
2558			
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2559			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2560			
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2561			
	838.021 (3) (b)	3rd	Threatens unlawful

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			harm to public servant.
2562	843.19	3rd	Injure, disable, or kill police dog or horse.
2563	860.15 (3)	3rd	Overcharging for repairs and parts.
2564	870.01 (2)	3rd	Riot; inciting or encouraging.
2565	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).
2566	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.,

2567	893.13 (1) (f) 2.	2nd	<p>(2) (c) 8., (2) (c) 9., (3), or (4) drugs within 1,000 feet of university.</p> <p>Sell, manufacture, or deliver s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs within 1,000 feet of public housing facility.</p>
2568	<u>893.13 (4) (c)</u>	<u>3rd</u>	<p><u>Use or hire of minor;</u> <u>deliver to minor other</u> <u>controlled substances.</u></p>
2569	893.13 (6) (a)	3rd	<p>Possession of any controlled substance other than felony possession of cannabis.</p>
2570	893.13 (7) (a) 8.	3rd	<p>Withhold information from practitioner regarding previous receipt of or</p>

2571	893.13 (7) (a) 9.	3rd	<p>prescription for a controlled substance.</p> <p>Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.</p>
2572	893.13 (7) (a) 10.	3rd	<p>Affix false or forged label to package of controlled substance.</p>
2573	893.13 (7) (a) 11.	3rd	<p>Furnish false or fraudulent material information on any document or record required by chapter 893.</p>
2574	893.13 (8) (a) 1.	3rd	<p>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</p>

2575	893.13 (8) (a) 2.	3rd	practitioner's practice.
2576	893.13 (8) (a) 3.	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.
2577	893.13 (8) (a) 4.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2578	918.13 (1) (a)	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.
2579			Alter, destroy, or conceal investigation evidence.

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2580	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
2581	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2582	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2583	(d) LEVEL 4		
2584	Florida	Felony	
2585	Statute	Degree	Description
2586	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

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2587	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
2588	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
2589	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
2590	517.07 (1)	3rd	Failure to register securities.
2591	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
2592	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.

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2593	784.075	3rd	Battery on detention or commitment facility staff.
2594	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
2595	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2596	784.081 (3)	3rd	Battery on specified official or employee.
2597	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2598	784.083 (3)	3rd	Battery on code inspector.
2599	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

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2600	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2601	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
2602	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
2603	787.07	3rd	Human smuggling.
2604	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
2605	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or

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2606			other weapon on school property.
	790.115 (2) (c)	3rd	Possessing firearm on school property.
2607			
	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
2608			
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2609			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2610			
	810.06	3rd	Burglary; possession of tools.
2611			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or

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2612	812.014 (2) (c) 3.	3rd	dangerous weapon. Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2613	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2614	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2615	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
2616	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
2617	817.625 (2) (a)	3rd	Fraudulent use of

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2618			scanning device or reencoder.
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
2619			
	837.02 (1)	3rd	Perjury in official proceedings.
2620			
	837.021 (1)	3rd	Make contradictory statements in official proceedings.
2621			
	838.022	3rd	Official misconduct.
2622			
	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
2623			
	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
2624			

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2625	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
2626	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
2627	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
2628	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
2629	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
2629	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a),

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2630			(2) (b), or (2) (c) 4. drugs).
2631	914.14 (2)	3rd	Witnesses accepting bribes.
2632	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
2633	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2634	918.12	3rd	Tampering with jurors.
2635	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
2636	(e) LEVEL 5		
2637	Florida Statute	Felony Degree	Description
2638	316.027 (2) (a)	3rd	Accidents involving

2639	316.1935 (4) (a)	2nd	<p>personal injuries other than serious bodily injury, failure to stop; leaving scene.</p>
2640	322.34 (6)	3rd	<p>Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.</p>
2641	327.30 (5)	3rd	<p>Vessel accidents involving personal injury; leaving scene.</p>
2642	379.367 (4)	3rd	<p>Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.</p>
2643	<p>379.3671 (2) (c) 3.</p>	3rd	<p>Willful molestation, possession, or removal of a</p>

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2644	381.0041 (11) (b)	3rd	commercial harvester's trap contents or trap gear by another harvester. Donate blood, plasma, or organs knowing HIV positive.
2645	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
2646	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
2647	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
2648	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate

			or authority; premium collected \$20,000 or more but less than \$100,000.
2649	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
2650	790.01 (2)	3rd	Carrying a concealed firearm.
2651	790.162	2nd	Threat to throw or discharge destructive device.
2652	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2653	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2654	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.

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2655	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2656	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2657	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2658	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2659	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2660	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more

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2661			specified acts.
2662	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
2663	812.131 (2) (b)	3rd	Robbery by sudden snatching.
2664	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
2665	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
2666	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.

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2667	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
2668	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
2669	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
2670	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

2671	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
2672	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
2673	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
2674	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
2675	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
2676	847.0138	3rd	Transmission of material

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2677	(2) & (3)		harmful to minors to a minor by electronic device or equipment.
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
2678	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
2679	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).
2680	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)

2681	893.13(1)(d)1.	1st	<p>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.</p>
2682	893.13(1)(e)2.	2nd	<p>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.</p> <p>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</p>

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2683	893.13(1)(f)1.	1st	specified business site.
			Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)4. drugs) within 1,000 feet of public housing facility.
2684	893.13(4)(b)	2nd	<u>Use or hire of minor;</u> deliver to minor <u>other controlled substance</u> cannabis (or other s. 893.03(1)(e), (2)(e)1., (2)(e)2., (2)(e)3., (2)(e)5., (2)(e)6., (2)(e)7., (2)(e)8., (2)(e)9., (3), or (4) drugs).
2685	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
2686			

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2687	(g) LEVEL 7		
2688			
	Florida	Felony	
	Statute	Degree	Description
2689			
	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
2690			
	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
2691			
	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.
2692			
	327.35 (3) (c) 2.	3rd	Vessel BUI resulting

2693			in serious bodily injury.
	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2694			
	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2695			
	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2696			
	456.065 (2)	3rd	Practicing a health care profession without a license.
2697			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
2698			

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2699	458.327 (1)	3rd	Practicing medicine without a license.
2700	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2701	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2702	461.012 (1)	3rd	Practicing podiatric medicine without a license.
2703	462.17	3rd	Practicing naturopathy without a license.
2704	463.015 (1)	3rd	Practicing optometry without a license.
2705	464.016 (1)	3rd	Practicing nursing without a license.
2706	465.015 (2)	3rd	Practicing pharmacy without a license.
	466.026 (1)	3rd	Practicing dentistry or

2707			dental hygiene without a license.
	467.201	3rd	Practicing midwifery without a license.
2708			
	468.366	3rd	Delivering respiratory care services without a license.
2709			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2710			
	483.901 (9)	3rd	Practicing medical physics without a license.
2711			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
2712			
	484.053	3rd	Dispensing hearing aids without a license.
2713			
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money

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2714	560.123 (8) (b) 1.	3rd	and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2715	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2716	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2717	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
			Sexual predator; failure to register; failure to renew

2718	775.21 (10) (b)	3rd	<p>driver license or identification card; other registration violations.</p> <p>Sexual predator working where children regularly congregate.</p>
2719	775.21 (10) (g)	3rd	<p>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.</p>
2720	782.051 (3)	2nd	<p>Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.</p>
2721	782.07 (1)	2nd	<p>Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).</p>
2722			

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2723	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 a reckless manner (vessel homicide).
2724	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2725	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2726	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2727	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.

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2728	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2729	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2730	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2731	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2732	784.081 (1)	1st	Aggravated battery on specified official or employee.
2733	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2734	784.083 (1)	1st	Aggravated battery on code inspector.

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2735	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
2736	787.06(3)(e)2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
2737	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
2738	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2739	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2740	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or

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2741	790.166 (3)	2nd	attempting to commit a felony.
2742	790.166 (4)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2743	790.23	1st, PBL	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
2744	794.08 (4)	3rd	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2745			Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.

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2746	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2747	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2748	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2749	800.04 (5) (c) 2.	2nd	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.
2749	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction

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2750			for specified sex offense.
2751	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
2752	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2753	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2754	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2755	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	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

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2756	812.014 (2) (b) 2.	2nd	other property damage; 1st degree grand theft.
2757	812.014 (2) (b) 3.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
2758	812.014 (2) (b) 4.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
2759	812.0145 (2) (a)	1st	Property stolen, law enforcement equipment from authorized emergency vehicle.
2760	812.019 (2)	1st	Stolen property; initiates, organizes,

2761	812.131 (2) (a)	2nd	plans, etc., the theft of property and traffics in stolen property. Robbery by sudden snatching.
2762	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2763	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2764	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2765	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2766	817.234 (11) (c)	1st	Insurance fraud; property value

2767	817.2341 (2) (b) & (3) (b)	1st			<p style="text-align: right;">\$100,000 or more.</p> <p>Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.</p>
2768	817.535 (2) (a)	3rd			<p>Filing false lien or other unauthorized document.</p>
2769	825.102 (3) (b)	2nd			<p>Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.</p>
2770	825.103 (3) (b)	2nd			<p>Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.</p>

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2771	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2772	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2773	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2774	838.015	2nd	Bribery.
2775	838.016	2nd	Unlawful compensation or reward for official behavior.
2776	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2777	838.22	2nd	Bid tampering.
2778	843.0855 (2)	3rd	Impersonation of a public officer or employee.

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2779	843.0855 (3)	3rd	Unlawful simulation of legal process.
2780	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2781	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2782	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2783	872.06	2nd	Abuse of a dead human body.
2784	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2785	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs,

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2786	893.13(1)(c)1.	1st	manages, or supervises criminal gang-related activity.
2787	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
			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

2788			specified business site.
	893.13 (4) (a)	1st	<u>Use or hire of minor;</u> deliver to minor <u>other</u> <u>controlled substance cocaine</u> (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
2789	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2790	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2791	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2792	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
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2794	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2795	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2796	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2797	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2798	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.

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2799	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2800	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2801	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2802	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
2803	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2804	896.101 (5) (a)	3rd	Money laundering, financial transactions

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2805	896.104 (4) (a) 1.	3rd	<p>exceeding \$300 but less than \$20,000.</p> <p>Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.</p>
2806	943.0435 (4) (c)	2nd	<p>Sexual offender vacating permanent residence; failure to comply with reporting requirements.</p>
2807	943.0435 (8)	2nd	<p>Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.</p>
2808	943.0435 (9) (a)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
2809	943.0435 (13)	3rd	<p>Failure to report or</p>

2810	943.0435 (14)	3rd	<p>providing false information about a sexual offender; harbor or conceal a sexual offender.</p> <p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p>
2811	944.607 (9)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
2812	944.607 (10) (a)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
2813	944.607 (12)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or</p>

2814	944.607(13)	3rd	conceal a sexual offender. Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2815	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2816	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2817	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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(h) LEVEL 8

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
560.123 (8) (b) 2.	2nd	Failure to report currency or payment

2827	560.125 (5) (b)	2nd	<p>instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.</p> <p>Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.</p>
2828	655.50 (10) (b) 2.	2nd	<p>Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.</p>
2829	777.03 (2) (a)	1st	<p>Accessory after the fact, capital felony.</p>
2830	782.04 (4)	2nd	<p>Killing of human without design when engaged in act or attempt of any felony other than arson, sexual</p>

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2831	782.051 (2)	1st	<p>battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.</p> <p>Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).</p>
2832	782.071 (1) (b)	1st	<p>Committing vehicular homicide and failing to render aid or give information.</p>
2833	782.072 (2)	1st	<p>Committing vessel homicide and failing to render aid or give information.</p>
2834	787.06 (3) (a) 1.	1st	<p>Human trafficking for labor and services of a child.</p>
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2836	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
2837	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
2838	787.06 (3) (e) 1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
2839	787.06 (3) (f) 2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
	790.161 (3)	1st	Discharging a destructive

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2840	794.011 (5) (a)	1st	device which results in bodily harm or property damage.
2841	794.011 (5) (b)	2nd	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.
2842	794.011 (5) (c)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
			Sexual battery; victim 12 years of

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2843	794.011 (5) (d)	1st	<p>age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.</p> <p>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.</p>
2844	794.08 (3)	2nd	<p>Female genital mutilation, removal of a victim younger than 18 years of age from this state.</p>
2845	800.04 (4) (b)	2nd	<p>Lewd or lascivious battery.</p>
2846	800.04 (4) (c)	1st	<p>Lewd or lascivious</p>

2847	806.01 (1)	1st	<p>battery; offender 18 years of age or older; prior conviction for specified sex offense.</p> <p>Maliciously damage dwelling or structure by fire or explosive, believing person in structure.</p>
2848	810.02 (2) (a)	1st, PBL	<p>Burglary with assault or battery.</p>
2849	810.02 (2) (b)	1st, PBL	<p>Burglary; armed with explosives or dangerous weapon.</p>
2850	810.02 (2) (c)	1st	<p>Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.</p>
2851	812.014 (2) (a) 2.	1st	<p>Property stolen; cargo valued at</p>

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2852	812.13 (2) (b)	1st	\$50,000 or more, grand theft in 1st degree.
2853	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
2854	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
2855	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
2856	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under

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2857			supervision.
2857	817.535 (5) (a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
2858	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
2859	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
2860	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
2861	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or

2862			more.
2862	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
2863	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
2864	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
2865	860.16	1st	Aircraft piracy.
2866	893.13 (1) (b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
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2868	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2869	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2870	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
2871	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
2872	893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
	893.135 (1) (c) 2.c.	1st	Trafficking in hydrocodone, 50 grams or more, less than 200 grams.

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2873	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
2874	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
2875	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
2876	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
2877	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
2878	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
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2880	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
2881	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
2882	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
2883	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
2884	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.

2885

896.101 (5) (b) 2nd Money laundering,
financial transactions
totaling or exceeding
\$20,000, but less than
\$100,000.

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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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2889 Section 11. For the purpose of incorporating the amendment
2890 made by this act to section 893.03, Florida Statutes, in
2891 references thereto, paragraphs (a) and (g) of subsection (30) of
2892 section 39.01, Florida Statutes, are reenacted to read:

2893 39.01 Definitions.—When used in this chapter, unless the
2894 context otherwise requires:

2895 (30) "Harm" to a child's health or welfare can occur when
2896 any person:

2897 (a) Inflicts or allows to be inflicted upon the child
2898 physical, mental, or emotional injury. In determining whether

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2899 | harm has occurred, the following factors must be considered in
2900 | evaluating any physical, mental, or emotional injury to a child:
2901 | the age of the child; any prior history of injuries to the
2902 | child; the location of the injury on the body of the child; the
2903 | multiplicity of the injury; and the type of trauma inflicted.

2904 | Such injury includes, but is not limited to:

- 2905 | 1. Willful acts that produce the following specific
2906 | injuries:
- 2907 | a. Sprains, dislocations, or cartilage damage.
 - 2908 | b. Bone or skull fractures.
 - 2909 | c. Brain or spinal cord damage.
 - 2910 | d. Intracranial hemorrhage or injury to other internal
2911 | organs.
 - 2912 | e. Asphyxiation, suffocation, or drowning.
 - 2913 | f. Injury resulting from the use of a deadly weapon.
 - 2914 | g. Burns or scalding.
 - 2915 | h. Cuts, lacerations, punctures, or bites.
 - 2916 | i. Permanent or temporary disfigurement.
 - 2917 | j. Permanent or temporary loss or impairment of a body
2918 | part or function.

2919 |
2920 | As used in this subparagraph, the term "willful" refers to the
2921 | intent to perform an action, not to the intent to achieve a
2922 | result or to cause an injury.

- 2923 | 2. Purposely giving a child poison, alcohol, drugs, or
2924 | other substances that substantially affect the child's behavior,

2925 motor coordination, or judgment or that result in sickness or
2926 internal injury. For the purposes of this subparagraph, the term
2927 "drugs" means prescription drugs not prescribed for the child or
2928 not administered as prescribed, and controlled substances as
2929 outlined in Schedule I or Schedule II of s. 893.03.

2930 3. Leaving a child without adult supervision or
2931 arrangement appropriate for the child's age or mental or
2932 physical condition, so that the child is unable to care for the
2933 child's own needs or another's basic needs or is unable to
2934 exercise good judgment in responding to any kind of physical or
2935 emotional crisis.

2936 4. Inappropriate or excessively harsh disciplinary action
2937 that is likely to result in physical injury, mental injury as
2938 defined in this section, or emotional injury. The significance
2939 of any injury must be evaluated in light of the following
2940 factors: the age of the child; any prior history of injuries to
2941 the child; the location of the injury on the body of the child;
2942 the multiplicity of the injury; and the type of trauma
2943 inflicted. Corporal discipline may be considered excessive or
2944 abusive when it results in any of the following or other similar
2945 injuries:

- 2946 a. Sprains, dislocations, or cartilage damage.
2947 b. Bone or skull fractures.
2948 c. Brain or spinal cord damage.
2949 d. Intracranial hemorrhage or injury to other internal
2950 organs.

2951 e. Asphyxiation, suffocation, or drowning.
 2952 f. Injury resulting from the use of a deadly weapon.
 2953 g. Burns or scalding.
 2954 h. Cuts, lacerations, punctures, or bites.
 2955 i. Permanent or temporary disfigurement.
 2956 j. Permanent or temporary loss or impairment of a body
 2957 part or function.
 2958 k. Significant bruises or welts.
 2959 (g) Exposes a child to a controlled substance or alcohol.
 2960 Exposure to a controlled substance or alcohol is established by:
 2961 1. A test, administered at birth, which indicated that the
 2962 child's blood, urine, or meconium contained any amount of
 2963 alcohol or a controlled substance or metabolites of such
 2964 substances, the presence of which was not the result of medical
 2965 treatment administered to the mother or the newborn infant; or
 2966 2. Evidence of extensive, abusive, and chronic use of a
 2967 controlled substance or alcohol by a parent when the child is
 2968 demonstrably adversely affected by such usage.
 2969
 2970 As used in this paragraph, the term "controlled substance" means
 2971 prescription drugs not prescribed for the parent or not
 2972 administered as prescribed and controlled substances as outlined
 2973 in Schedule I or Schedule II of s. 893.03.
 2974 Section 12. For the purpose of incorporating the amendment
 2975 made by this act to section 893.03, Florida Statutes, in a
 2976 reference thereto, subsection (5) of section 316.193, Florida

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2977 Statutes, is reenacted to read:

2978 316.193 Driving under the influence; penalties.—

2979 (5) The court shall place all offenders convicted of
2980 violating this section on monthly reporting probation and shall
2981 require completion of a substance abuse course conducted by a
2982 DUI program licensed by the department under s. 322.292, which
2983 must include a psychosocial evaluation of the offender. If the
2984 DUI program refers the offender to an authorized substance abuse
2985 treatment provider for substance abuse treatment, in addition to
2986 any sentence or fine imposed under this section, completion of
2987 all such education, evaluation, and treatment is a condition of
2988 reporting probation. The offender shall assume reasonable costs
2989 for such education, evaluation, and treatment. The referral to
2990 treatment resulting from a psychosocial evaluation shall not be
2991 waived without a supporting independent psychosocial evaluation
2992 conducted by an authorized substance abuse treatment provider
2993 appointed by the court, which shall have access to the DUI
2994 program's psychosocial evaluation before the independent
2995 psychosocial evaluation is conducted. The court shall review the
2996 results and recommendations of both evaluations before
2997 determining the request for waiver. The offender shall bear the
2998 full cost of this procedure. The term "substance abuse" means
2999 the abuse of alcohol or any substance named or described in
3000 Schedules I through V of s. 893.03. If an offender referred to
3001 treatment under this subsection fails to report for or complete
3002 such treatment or fails to complete the DUI program substance

3003 abuse education course and evaluation, the DUI program shall
3004 notify the court and the department of the failure. Upon receipt
3005 of the notice, the department shall cancel the offender's
3006 driving privilege, notwithstanding the terms of the court order
3007 or any suspension or revocation of the driving privilege. The
3008 department may temporarily reinstate the driving privilege on a
3009 restricted basis upon verification from the DUI program that the
3010 offender is currently participating in treatment and the DUI
3011 education course and evaluation requirement has been completed.
3012 If the DUI program notifies the department of the second failure
3013 to complete treatment, the department shall reinstate the
3014 driving privilege only after notice of completion of treatment
3015 from the DUI program. The organization that conducts the
3016 substance abuse education and evaluation may not provide
3017 required substance abuse treatment unless a waiver has been
3018 granted to that organization by the department. A waiver may be
3019 granted only if the department determines, in accordance with
3020 its rules, that the service provider that conducts the substance
3021 abuse education and evaluation is the most appropriate service
3022 provider and is licensed under chapter 397 or is exempt from
3023 such licensure. A statistical referral report shall be submitted
3024 quarterly to the department by each organization authorized to
3025 provide services under this section.

3026 Section 13. For the purpose of incorporating the amendment
3027 made by this act to section 893.03, Florida Statutes, in a
3028 reference thereto, paragraph (c) of subsection (2) of section

3029 322.2616, Florida Statutes, is reenacted to read:

3030 322.2616 Suspension of license; persons under 21 years of
 3031 age; right to review.—

3032 (2)

3033 (c) When a driver subject to this section has a blood-
 3034 alcohol or breath-alcohol level of 0.05 or higher, the
 3035 suspension shall remain in effect until such time as the driver
 3036 has completed a substance abuse course offered by a DUI program
 3037 licensed by the department. The driver shall assume the
 3038 reasonable costs for the substance abuse course. As part of the
 3039 substance abuse course, the program shall conduct a substance
 3040 abuse evaluation of the driver, and notify the parents or legal
 3041 guardians of drivers under the age of 19 years of the results of
 3042 the evaluation. The term "substance abuse" means the abuse of
 3043 alcohol or any substance named or described in Schedules I
 3044 through V of s. 893.03. If a driver fails to complete the
 3045 substance abuse education course and evaluation, the driver
 3046 license shall not be reinstated by the department.

3047 Section 14. For the purpose of incorporating the amendment
 3048 made by this act to section 893.03, Florida Statutes, in a
 3049 reference thereto, subsection (5) of section 327.35, Florida
 3050 Statutes, is reenacted to read:

3051 327.35 Boating under the influence; penalties; "designated
 3052 drivers."—

3053 (5) In addition to any sentence or fine, the court shall
 3054 place any offender convicted of violating this section on

3055 monthly reporting probation and shall require attendance at a
3056 substance abuse course specified by the court; and the agency
3057 conducting the course may refer the offender to an authorized
3058 service provider for substance abuse evaluation and treatment,
3059 in addition to any sentence or fine imposed under this section.
3060 The offender shall assume reasonable costs for such education,
3061 evaluation, and treatment, with completion of all such
3062 education, evaluation, and treatment being a condition of
3063 reporting probation. Treatment resulting from a psychosocial
3064 evaluation may not be waived without a supporting psychosocial
3065 evaluation conducted by an agency appointed by the court and
3066 with access to the original evaluation. The offender shall bear
3067 the cost of this procedure. The term "substance abuse" means the
3068 abuse of alcohol or any substance named or described in
3069 Schedules I-V of s. 893.03.

3070 Section 15. For the purpose of incorporating the amendment
3071 made by this act to section 893.03, Florida Statutes, in a
3072 reference thereto, paragraph (b) of subsection (11) of section
3073 440.102, Florida Statutes, is reenacted to read:

3074 440.102 Drug-free workplace program requirements.—The
3075 following provisions apply to a drug-free workplace program
3076 implemented pursuant to law or to rules adopted by the Agency
3077 for Health Care Administration:

3078 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK
3079 POSITIONS.—

3080 (b) An employee who is employed by a public employer in a

3081 special-risk position may be discharged or disciplined by a
 3082 public employer for the first positive confirmed test result if
 3083 the drug confirmed is an illicit drug under s. 893.03. A
 3084 special-risk employee who is participating in an employee
 3085 assistance program or drug rehabilitation program may not be
 3086 allowed to continue to work in any special-risk or mandatory-
 3087 testing position of the public employer, but may be assigned to
 3088 a position other than a mandatory-testing position or placed on
 3089 leave while the employee is participating in the program.

3090 However, the employee shall be permitted to use any accumulated
 3091 annual leave credits before leave may be ordered without pay.

3092 Section 16. For the purpose of incorporating the amendment
 3093 made by this act to section 893.03, Florida Statutes, in a
 3094 reference thereto, subsection (2) of section 456.44, Florida
 3095 Statutes, is reenacted to read:

3096 456.44 Controlled substance prescribing.—

3097 (2) REGISTRATION.—Effective January 1, 2012, a physician
 3098 licensed under chapter 458, chapter 459, chapter 461, or chapter
 3099 466 who prescribes any controlled substance, listed in Schedule
 3100 II, Schedule III, or Schedule IV as defined in s. 893.03, for
 3101 the treatment of chronic nonmalignant pain, must:

3102 (a) Designate himself or herself as a controlled substance
 3103 prescribing practitioner on the physician's practitioner
 3104 profile.

3105 (b) Comply with the requirements of this section and
 3106 applicable board rules.

3107 Section 17. For the purpose of incorporating the amendment
 3108 made by this act to section 893.03, Florida Statutes, in a
 3109 reference thereto, subsection (3) of section 458.326, Florida
 3110 Statutes, is reenacted to read:

3111 458.326 Intractable pain; authorized treatment.—

3112 (3) Notwithstanding any other provision of law, a
 3113 physician may prescribe or administer any controlled substance
 3114 under Schedules II-V, as provided for in s. 893.03, to a person
 3115 for the treatment of intractable pain, provided the physician
 3116 does so in accordance with that level of care, skill, and
 3117 treatment recognized by a reasonably prudent physician under
 3118 similar conditions and circumstances.

3119 Section 18. For the purpose of incorporating the amendment
 3120 made by this act to section 893.03, Florida Statutes, in a
 3121 reference thereto, paragraph (e) of subsection (1) of section
 3122 458.3265, Florida Statutes, is reenacted to read:

3123 458.3265 Pain-management clinics.—

3124 (1) REGISTRATION.—

3125 (e) The department shall deny registration to any pain-
 3126 management clinic owned by or with any contractual or employment
 3127 relationship with a physician:

3128 1. Whose Drug Enforcement Administration number has ever
 3129 been revoked.

3130 2. Whose application for a license to prescribe, dispense,
 3131 or administer a controlled substance has been denied by any
 3132 jurisdiction.

3133 3. Who has been convicted of or pleaded guilty or nolo
 3134 contendere to, regardless of adjudication, an offense that
 3135 constitutes a felony for receipt of illicit and diverted drugs,
 3136 including a controlled substance listed in Schedule I, Schedule
 3137 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
 3138 this state, any other state, or the United States.

3139 Section 19. For the purpose of incorporating the amendment
 3140 made by this act to section 893.03, Florida Statutes, in a
 3141 reference thereto, paragraph (e) of subsection (1) of section
 3142 459.0137, Florida Statutes, is reenacted to read:

3143 459.0137 Pain-management clinics.—

3144 (1) REGISTRATION.—

3145 (e) The department shall deny registration to any pain-
 3146 management clinic owned by or with any contractual or employment
 3147 relationship with a physician:

3148 1. Whose Drug Enforcement Administration number has ever
 3149 been revoked.

3150 2. Whose application for a license to prescribe, dispense,
 3151 or administer a controlled substance has been denied by any
 3152 jurisdiction.

3153 3. Who has been convicted of or pleaded guilty or nolo
 3154 contendere to, regardless of adjudication, an offense that
 3155 constitutes a felony for receipt of illicit and diverted drugs,
 3156 including a controlled substance listed in Schedule I, Schedule
 3157 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
 3158 this state, any other state, or the United States.

3159 Section 20. For the purpose of incorporating the amendment
 3160 made by this act to section 893.03, Florida Statutes, in a
 3161 reference thereto, paragraph (a) of subsection (4) of section
 3162 463.0055, Florida Statutes, is reenacted to read:

3163 463.0055 Administration and prescription of ocular
 3164 pharmaceutical agents.—

3165 (4) A certified optometrist shall be issued a prescriber
 3166 number by the board. Any prescription written by a certified
 3167 optometrist for an ocular pharmaceutical agent pursuant to this
 3168 section shall have the prescriber number printed thereon. A
 3169 certified optometrist may not administer or prescribe:

3170 (a) A controlled substance listed in Schedule III,
 3171 Schedule IV, or Schedule V of s. 893.03, except for an oral
 3172 analgesic placed on the formulary pursuant to this section for
 3173 the relief of pain due to ocular conditions of the eye and its
 3174 appendages.

3175 Section 21. For the purpose of incorporating the amendment
 3176 made by this act to section 893.03, Florida Statutes, in a
 3177 reference thereto, paragraph (b) of subsection (1) of section
 3178 465.0276, Florida Statutes, is reenacted to read:

3179 465.0276 Dispensing practitioner.—

3180 (1)

3181 (b) A practitioner registered under this section may not
 3182 dispense a controlled substance listed in Schedule II or
 3183 Schedule III as provided in s. 893.03. This paragraph does not
 3184 apply to:

3185 1. The dispensing of complimentary packages of medicinal
 3186 drugs which are labeled as a drug sample or complimentary drug
 3187 as defined in s. 499.028 to the practitioner's own patients in
 3188 the regular course of her or his practice without the payment of
 3189 a fee or remuneration of any kind, whether direct or indirect,
 3190 as provided in subsection (5).

3191 2. The dispensing of controlled substances in the health
 3192 care system of the Department of Corrections.

3193 3. The dispensing of a controlled substance listed in
 3194 Schedule II or Schedule III in connection with the performance
 3195 of a surgical procedure. The amount dispensed pursuant to the
 3196 subparagraph may not exceed a 14-day supply. This exception does
 3197 not allow for the dispensing of a controlled substance listed in
 3198 Schedule II or Schedule III more than 14 days after the
 3199 performance of the surgical procedure. For purposes of this
 3200 subparagraph, the term "surgical procedure" means any procedure
 3201 in any setting which involves, or reasonably should involve:

3202 a. Perioperative medication and sedation that allows the
 3203 patient to tolerate unpleasant procedures while maintaining
 3204 adequate cardiorespiratory function and the ability to respond
 3205 purposefully to verbal or tactile stimulation and makes intra-
 3206 and postoperative monitoring necessary; or

3207 b. The use of general anesthesia or major conduction
 3208 anesthesia and preoperative sedation.

3209 4. The dispensing of a controlled substance listed in
 3210 Schedule II or Schedule III pursuant to an approved clinical

3211 trial. For purposes of this subparagraph, the term "approved
3212 clinical trial" means a clinical research study or clinical
3213 investigation that, in whole or in part, is state or federally
3214 funded or is conducted under an investigational new drug
3215 application that is reviewed by the United States Food and Drug
3216 Administration.

3217 5. The dispensing of methadone in a facility licensed
3218 under s. 397.427 where medication-assisted treatment for opiate
3219 addiction is provided.

3220 6. The dispensing of a controlled substance listed in
3221 Schedule II or Schedule III to a patient of a facility licensed
3222 under part IV of chapter 400.

3223 Section 22. For the purpose of incorporating the amendment
3224 made by this act to section 893.03, Florida Statutes, in
3225 references thereto, subsection (14) and paragraph (a) of
3226 subsection (15) of section 499.0121, Florida Statutes, are
3227 reenacted to read:

3228 499.0121 Storage and handling of prescription drugs;
3229 recordkeeping.—The department shall adopt rules to implement
3230 this section as necessary to protect the public health, safety,
3231 and welfare. Such rules shall include, but not be limited to,
3232 requirements for the storage and handling of prescription drugs
3233 and for the establishment and maintenance of prescription drug
3234 distribution records.

3235 (14) DISTRIBUTION REPORTING.—Each prescription drug
3236 wholesale distributor, out-of-state prescription drug wholesale

3237 distributor, retail pharmacy drug wholesale distributor,
3238 manufacturer, or repackager that engages in the wholesale
3239 distribution of controlled substances as defined in s. 893.02
3240 shall submit a report to the department of its receipts and
3241 distributions of controlled substances listed in Schedule II,
3242 Schedule III, Schedule IV, or Schedule V as provided in s.
3243 893.03. Wholesale distributor facilities located within this
3244 state shall report all transactions involving controlled
3245 substances, and wholesale distributor facilities located outside
3246 this state shall report all distributions to entities located in
3247 this state. If the prescription drug wholesale distributor, out-
3248 of-state prescription drug wholesale distributor, retail
3249 pharmacy drug wholesale distributor, manufacturer, or repackager
3250 does not have any controlled substance distributions for the
3251 month, a report shall be sent indicating that no distributions
3252 occurred in the period. The report shall be submitted monthly by
3253 the 20th of the next month, in the electronic format used for
3254 controlled substance reporting to the Automation of Reports and
3255 Consolidated Orders System division of the federal Drug
3256 Enforcement Administration. Submission of electronic data must
3257 be made in a secured Internet environment that allows for manual
3258 or automated transmission. Upon successful transmission, an
3259 acknowledgment page must be displayed to confirm receipt. The
3260 report must contain the following information:

3261 (a) The federal Drug Enforcement Administration
3262 registration number of the wholesale distributing location.

- 3263 (b) The federal Drug Enforcement Administration
- 3264 registration number of the entity to which the drugs are
- 3265 distributed or from which the drugs are received.
- 3266 (c) The transaction code that indicates the type of
- 3267 transaction.
- 3268 (d) The National Drug Code identifier of the product and
- 3269 the quantity distributed or received.
- 3270 (e) The Drug Enforcement Administration Form 222 number or
- 3271 Controlled Substance Ordering System Identifier on all Schedule
- 3272 II transactions.
- 3273 (f) The date of the transaction.

3274

3275 The department must share the reported data with the Department

3276 of Law Enforcement and local law enforcement agencies upon

3277 request and must monitor purchasing to identify purchasing

3278 levels that are inconsistent with the purchasing entity's

3279 clinical needs. The Department of Law Enforcement shall

3280 investigate purchases at levels that are inconsistent with the

3281 purchasing entity's clinical needs to determine whether

3282 violations of chapter 893 have occurred.

3283 (15) DUE DILIGENCE OF PURCHASERS.—

3284 (a) Each prescription drug wholesale distributor, out-of-

3285 state prescription drug wholesale distributor, and retail

3286 pharmacy drug wholesale distributor must establish and maintain

3287 policies and procedures to credential physicians licensed under

3288 chapter 458, chapter 459, chapter 461, or chapter 466 and

3289 pharmacies that purchase or otherwise receive from the wholesale
 3290 distributor controlled substances listed in Schedule II or
 3291 Schedule III as provided in s. 893.03. The prescription drug
 3292 wholesale distributor, out-of-state prescription drug wholesale
 3293 distributor, or retail pharmacy drug wholesale distributor shall
 3294 maintain records of such credentialing and make the records
 3295 available to the department upon request. Such credentialing
 3296 must, at a minimum, include:

3297 1. A determination of the clinical nature of the receiving
 3298 entity, including any specialty practice area.

3299 2. A review of the receiving entity's history of Schedule
 3300 II and Schedule III controlled substance purchasing from the
 3301 wholesale distributor.

3302 3. A determination that the receiving entity's Schedule II
 3303 and Schedule III controlled substance purchasing history, if
 3304 any, is consistent with and reasonable for that entity's
 3305 clinical business needs.

3306 Section 23. For the purpose of incorporating the amendment
 3307 made by this act to section 893.03, Florida Statutes, in a
 3308 reference thereto, paragraph (a) of subsection (3) of section
 3309 499.029, Florida Statutes, is reenacted to read:

3310 499.029 Cancer Drug Donation Program.—

3311 (3) As used in this section:

3312 (a) "Cancer drug" means a prescription drug that has been
 3313 approved under s. 505 of the federal Food, Drug, and Cosmetic
 3314 Act and is used to treat cancer or its side effects or is used

3315 to treat the side effects of a prescription drug used to treat
 3316 cancer or its side effects. "Cancer drug" does not include a
 3317 substance listed in Schedule II, Schedule III, Schedule IV, or
 3318 Schedule V of s. 893.03.

3319 Section 24. For the purpose of incorporating the amendment
 3320 made by this act to section 893.03, Florida Statutes, in
 3321 references thereto, subsections (1) and (4) of section 782.04,
 3322 Florida Statutes, are reenacted to read:

3323 782.04 Murder.—

3324 (1) (a) The unlawful killing of a human being:

3325 1. When perpetrated from a premeditated design to effect
 3326 the death of the person killed or any human being;

3327 2. When committed by a person engaged in the perpetration
 3328 of, or in the attempt to perpetrate, any:

3329 a. Trafficking offense prohibited by s. 893.135(1),

3330 b. Arson,

3331 c. Sexual battery,

3332 d. Robbery,

3333 e. Burglary,

3334 f. Kidnapping,

3335 g. Escape,

3336 h. Aggravated child abuse,

3337 i. Aggravated abuse of an elderly person or disabled

3338 adult,

3339 j. Aircraft piracy,

3340 k. Unlawful throwing, placing, or discharging of a

3341 destructive device or bomb,
 3342 1. Carjacking,
 3343 m. Home-invasion robbery,
 3344 n. Aggravated stalking,
 3345 o. Murder of another human being,
 3346 p. Resisting an officer with violence to his or her
 3347 person,
 3348 q. Aggravated fleeing or eluding with serious bodily
 3349 injury or death,
 3350 r. Felony that is an act of terrorism or is in furtherance
 3351 of an act of terrorism; or
 3352 3. Which resulted from the unlawful distribution of any
 3353 substance controlled under s. 893.03(1), cocaine as described in
 3354 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
 3355 compound, derivative, or preparation of opium, or methadone by a
 3356 person 18 years of age or older, when such drug is proven to be
 3357 the proximate cause of the death of the user,
 3358
 3359 is murder in the first degree and constitutes a capital felony,
 3360 punishable as provided in s. 775.082.
 3361 (b) In all cases under this section, the procedure set
 3362 forth in s. 921.141 shall be followed in order to determine
 3363 sentence of death or life imprisonment.
 3364 (4) The unlawful killing of a human being, when
 3365 perpetrated without any design to effect death, by a person
 3366 engaged in the perpetration of, or in the attempt to perpetrate,

3367 any felony other than any:

3368 (a) Trafficking offense prohibited by s. 893.135(1),

3369 (b) Arson,

3370 (c) Sexual battery,

3371 (d) Robbery,

3372 (e) Burglary,

3373 (f) Kidnapping,

3374 (g) Escape,

3375 (h) Aggravated child abuse,

3376 (i) Aggravated abuse of an elderly person or disabled

3377 adult,

3378 (j) Aircraft piracy,

3379 (k) Unlawful throwing, placing, or discharging of a

3380 destructive device or bomb,

3381 (l) Unlawful distribution of any substance controlled

3382 under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4.,

3383 or opium or any synthetic or natural salt, compound, derivative,

3384 or preparation of opium by a person 18 years of age or older,

3385 when such drug is proven to be the proximate cause of the death

3386 of the user,

3387 (m) Carjacking,

3388 (n) Home-invasion robbery,

3389 (o) Aggravated stalking,

3390 (p) Murder of another human being,

3391 (q) Aggravated fleeing or eluding with serious bodily

3392 injury or death,

3393 (r) Resisting an officer with violence to his or her
 3394 person, or

3395 (s) Felony that is an act of terrorism or is in
 3396 furtherance of an act of terrorism,

3397
 3398 is murder in the third degree and constitutes a felony of the
 3399 second degree, punishable as provided in s. 775.082, s. 775.083,
 3400 or s. 775.084.

3401 Section 25. For the purpose of incorporating the amendment
 3402 made by this act to section 893.03, Florida Statutes, in a
 3403 reference thereto, paragraph (a) of subsection (2) of section
 3404 787.06, Florida Statutes, is reenacted to read:

3405 787.06 Human trafficking.—

3406 (2) As used in this section, the term:

3407 (a) "Coercion" means:

3408 1. Using or threatening to use physical force against any
 3409 person;

3410 2. Restraining, isolating, or confining or threatening to
 3411 restrain, isolate, or confine any person without lawful
 3412 authority and against her or his will;

3413 3. Using lending or other credit methods to establish a
 3414 debt by any person when labor or services are pledged as a
 3415 security for the debt, if the value of the labor or services as
 3416 reasonably assessed is not applied toward the liquidation of the
 3417 debt, the length and nature of the labor or services are not
 3418 respectively limited and defined;

3419 4. Destroying, concealing, removing, confiscating,
 3420 withholding, or possessing any actual or purported passport,
 3421 visa, or other immigration document, or any other actual or
 3422 purported government identification document, of any person;

3423 5. Causing or threatening to cause financial harm to any
 3424 person;

3425 6. Enticing or luring any person by fraud or deceit; or

3426 7. Providing a controlled substance as outlined in
 3427 Schedule I or Schedule II of s. 893.03 to any person for the
 3428 purpose of exploitation of that person.

3429 Section 26. For the purpose of incorporating the amendment
 3430 made by this act to section 893.03, Florida Statutes, in a
 3431 reference thereto, subsection (1) of section 817.563, Florida
 3432 Statutes, is reenacted to read:

3433 817.563 Controlled substance named or described in s.
 3434 893.03; sale of substance in lieu thereof.—It is unlawful for
 3435 any person to agree, consent, or in any manner offer to
 3436 unlawfully sell to any person a controlled substance named or
 3437 described in s. 893.03 and then sell to such person any other
 3438 substance in lieu of such controlled substance. Any person who
 3439 violates this section with respect to:

3440 (1) A controlled substance named or described in s.
 3441 893.03(1), (2), (3), or (4) is guilty of a felony of the third
 3442 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 3443 775.084.

3444 Section 27. For the purpose of incorporating the amendment

3445 made by this act to section 893.03, Florida Statutes, in a
 3446 reference thereto, section 831.31, Florida Statutes, is
 3447 reenacted to read:

3448 831.31 Counterfeit controlled substance; sale,
 3449 manufacture, delivery, or possession with intent to sell,
 3450 manufacture, or deliver.—

3451 (1) It is unlawful for any person to sell, manufacture, or
 3452 deliver, or to possess with intent to sell, manufacture, or
 3453 deliver, a counterfeit controlled substance. Any person who
 3454 violates this subsection with respect to:

3455 (a) A controlled substance named or described in s.
 3456 893.03(1), (2), (3), or (4) is guilty of a felony of the third
 3457 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 3458 775.084.

3459 (b) A controlled substance named or described in s.
 3460 893.03(5) is guilty of a misdemeanor of the second degree,
 3461 punishable as provided in s. 775.082 or s. 775.083.

3462 (2) For purposes of this section, "counterfeit controlled
 3463 substance" means:

3464 (a) A controlled substance named or described in s. 893.03
 3465 which, or the container or labeling of which, without
 3466 authorization bears the trademark, trade name, or other
 3467 identifying mark, imprint, or number, or any likeness thereof,
 3468 of a manufacturer other than the person who in fact manufactured
 3469 the controlled substance; or

3470 (b) Any substance which is falsely identified as a

3471 controlled substance named or described in s. 893.03.

3472 Section 28. For the purpose of incorporating the amendment
3473 made by this act to section 893.03, Florida Statutes, in a
3474 reference thereto, section 893.0301, Florida Statutes, is
3475 reenacted to read:

3476 893.0301 Death resulting from apparent drug overdose;
3477 reporting requirements.—If a person dies of an apparent drug
3478 overdose:

3479 (1) A law enforcement agency shall prepare a report
3480 identifying each prescribed controlled substance listed in
3481 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is
3482 found on or near the deceased or among the deceased's
3483 possessions. The report must identify the person who prescribed
3484 the controlled substance, if known or ascertainable. Thereafter,
3485 the law enforcement agency shall submit a copy of the report to
3486 the medical examiner.

3487 (2) A medical examiner who is preparing a report pursuant
3488 to s. 406.11 shall include in the report information identifying
3489 each prescribed controlled substance listed in Schedule II,
3490 Schedule III, or Schedule IV of s. 893.03 that was found in, on,
3491 or near the deceased or among the deceased's possessions.

3492 Section 29. For the purpose of incorporating the amendment
3493 made by this act to section 893.03, Florida Statutes, in a
3494 reference thereto, paragraph (a) of subsection (7) of section
3495 893.035, Florida Statutes, is reenacted to read:

3496 893.035 Control of new substances; findings of fact;

3497 | delegation of authority to Attorney General to control
3498 | substances by rule.—

3499 | (7) (a) If the Attorney General finds that the scheduling
3500 | of a substance in Schedule I of s. 893.03 on a temporary basis
3501 | is necessary to avoid an imminent hazard to the public safety,
3502 | he or she may by rule and without regard to the requirements of
3503 | subsection (5) relating to the Department of Health and the
3504 | Department of Law Enforcement schedule such substance in
3505 | Schedule I if the substance is not listed in any other schedule
3506 | of s. 893.03. The Attorney General shall be required to
3507 | consider, with respect to his or her finding of imminent hazard
3508 | to the public safety, only those factors set forth in paragraphs
3509 | (3) (a) and (4) (d), (e), and (f), including actual abuse,
3510 | diversion from legitimate channels, and clandestine importation,
3511 | manufacture, or distribution.

3512 | Section 30. For the purpose of incorporating the amendment
3513 | made by this act to section 893.03, Florida Statutes, in a
3514 | reference thereto, subsection (1) of section 893.05, Florida
3515 | Statutes, is reenacted to read:

3516 | 893.05 Practitioners and persons administering controlled
3517 | substances in their absence.—

3518 | (1) A practitioner, in good faith and in the course of his
3519 | or her professional practice only, may prescribe, administer,
3520 | dispense, mix, or otherwise prepare a controlled substance, or
3521 | the practitioner may cause the same to be administered by a
3522 | licensed nurse or an intern practitioner under his or her

3523 direction and supervision only. A veterinarian may so prescribe,
 3524 administer, dispense, mix, or prepare a controlled substance for
 3525 use on animals only, and may cause it to be administered by an
 3526 assistant or orderly under the veterinarian's direction and
 3527 supervision only. A certified optometrist licensed under chapter
 3528 463 may not administer or prescribe a controlled substance
 3529 listed in Schedule I or Schedule II of s. 893.03.

3530 Section 31. For the purpose of incorporating the amendment
 3531 made by this act to section 893.03, Florida Statutes, in a
 3532 reference thereto, paragraph (b) of subsection (1) of section
 3533 893.055, Florida Statutes, is reenacted to read:

3534 893.055 Prescription drug monitoring program.—

3535 (1) As used in this section, the term:

3536 (b) "Controlled substance" means a controlled substance
 3537 listed in Schedule II, Schedule III, or Schedule IV in s.
 3538 893.03.

3539 Section 32. For the purpose of incorporating the amendment
 3540 made by this act to section 893.03, Florida Statutes, in a
 3541 reference thereto, paragraph (b) of subsection (5) of section
 3542 893.07, Florida Statutes, is reenacted to read:

3543 893.07 Records.—

3544 (5) Each person described in subsection (1) shall:

3545 (b) In the event of the discovery of the theft or
 3546 significant loss of controlled substances, report such theft or
 3547 significant loss to the sheriff of that county within 24 hours
 3548 after discovery. A person who fails to report a theft or

3549 significant loss of a substance listed in s. 893.03(3), (4), or
 3550 (5) within 24 hours after discovery as required in this
 3551 paragraph commits a misdemeanor of the second degree, punishable
 3552 as provided in s. 775.082 or s. 775.083. A person who fails to
 3553 report a theft or significant loss of a substance listed in s.
 3554 893.03(2) within 24 hours after discovery as required in this
 3555 paragraph commits a misdemeanor of the first degree, punishable
 3556 as provided in s. 775.082 or s. 775.083.

3557 Section 33. For the purpose of incorporating the amendment
 3558 made by this act to section 893.03, Florida Statutes, in
 3559 references thereto, paragraphs (b), (c), and (d) of subsection
 3560 (2) of section 893.12, Florida Statutes, are reenacted to read:

3561 893.12 Contraband; seizure, forfeiture, sale.—

3562 (2)

3563 (b) All real property, including any right, title,
 3564 leasehold interest, and other interest in the whole of any lot
 3565 or tract of land and any appurtenances or improvements, which
 3566 real property is used, or intended to be used, in any manner or
 3567 part, to commit or to facilitate the commission of, or which
 3568 real property is acquired with proceeds obtained as a result of,
 3569 a violation of any provision of this chapter related to a
 3570 controlled substance described in s. 893.03(1) or (2) may be
 3571 seized and forfeited as provided by the Florida Contraband
 3572 Forfeiture Act except that no property shall be forfeited under
 3573 this paragraph to the extent of an interest of an owner or
 3574 lienholder by reason of any act or omission established by that

3575 owner or lienholder to have been committed or omitted without
3576 the knowledge or consent of that owner or lienholder.

3577 (c) All moneys, negotiable instruments, securities, and
3578 other things of value furnished or intended to be furnished by
3579 any person in exchange for a controlled substance described in
3580 s. 893.03(1) or (2) or a listed chemical in violation of any
3581 provision of this chapter, all proceeds traceable to such an
3582 exchange, and all moneys, negotiable instruments, and securities
3583 used or intended to be used to facilitate any violation of any
3584 provision of this chapter or which are acquired with proceeds
3585 obtained in violation of any provision of this chapter may be
3586 seized and forfeited as provided by the Florida Contraband
3587 Forfeiture Act, except that no property shall be forfeited under
3588 this paragraph to the extent of an interest of an owner or
3589 lienholder by reason of any act or omission established by that
3590 owner or lienholder to have been committed or omitted without
3591 the knowledge or consent of that owner or lienholder.

3592 (d) All books, records, and research, including formulas,
3593 microfilm, tapes, and data which are used, or intended for use,
3594 or which are acquired with proceeds obtained, in violation of
3595 any provision of this chapter related to a controlled substance
3596 described in s. 893.03(1) or (2) or a listed chemical may be
3597 seized and forfeited as provided by the Florida Contraband
3598 Forfeiture Act.

3599 Section 34. For the purpose of incorporating the amendment
3600 made by this act to section 893.03, Florida Statutes, in a

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3601 reference thereto, subsection (2) of section 944.474, Florida
3602 Statutes, is reenacted to read:

3603 944.474 Legislative intent; employee wellness program;
3604 drug and alcohol testing.—

3605 (2) An employee of the department may not test positive
3606 for illegal use of controlled substances. An employee of the
3607 department may not be under the influence of alcohol while on
3608 duty. In order to ensure that these prohibitions are adhered to
3609 by all employees of the department and notwithstanding s.
3610 112.0455, the department may develop a program for the drug
3611 testing of all job applicants and for the random drug testing of
3612 all employees. The department may randomly evaluate employees
3613 for the contemporaneous use or influence of alcohol through the
3614 use of alcohol tests and observation methods. Notwithstanding s.
3615 112.0455, the department may develop a program for the
3616 reasonable suspicion drug testing of employees who are in
3617 mandatory-testing positions, as defined in s. 440.102(1)(o), or
3618 special risk positions, as defined in s. 112.0455(5), for the
3619 controlled substances listed in s. 893.03(3)(d). The reasonable
3620 suspicion drug testing authorized by this subsection shall be
3621 conducted in accordance with s. 112.0455, but may also include
3622 testing upon reasonable suspicion based on violent acts or
3623 violent behavior of an employee who is on or off duty. The
3624 department shall adopt rules pursuant to ss. 120.536(1) and
3625 120.54 that are necessary to administer this subsection.

3626 Section 35. For the purpose of incorporating the amendment

3627 made by this act to section 893.033, Florida Statutes, in a
 3628 reference thereto, subsection (4) of section 893.149, Florida
 3629 Statutes, is reenacted to read:

3630 893.149 Unlawful possession of listed chemical.—

3631 (4) Any damages arising out of the unlawful possession of,
 3632 storage of, or tampering with a listed chemical, as defined in
 3633 s. 893.033, shall be the sole responsibility of the person or
 3634 persons unlawfully possessing, storing, or tampering with the
 3635 listed chemical. In no case shall liability for damages arising
 3636 out of the unlawful possession of, storage of, or tampering with
 3637 a listed chemical extend to the lawful owner, installer,
 3638 maintainer, designer, manufacturer, possessor, or seller of the
 3639 listed chemical, unless such damages arise out of the acts or
 3640 omissions of the owner, installer, maintainer, designer,
 3641 manufacturer, possessor, or seller which constitute negligent
 3642 misconduct or failure to abide by the laws regarding the
 3643 possession or storage of a listed chemical.

3644 Section 36. For the purpose of incorporating the amendment
 3645 made by this act to section 893.13, Florida Statutes, in a
 3646 reference thereto, paragraph (b) of subsection (4) of section
 3647 397.451, Florida Statutes, is reenacted to read:

3648 397.451 Background checks of service provider personnel.—

3649 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3650 (b) Since rehabilitated substance abuse impaired persons
 3651 are effective in the successful treatment and rehabilitation of
 3652 substance abuse impaired adolescents, for service providers

3653 which treat adolescents 13 years of age and older, service
3654 provider personnel whose background checks indicate crimes under
3655 s. 817.563, s. 893.13, or s. 893.147 may be exempted from
3656 disqualification from employment pursuant to this paragraph.

3657 Section 37. For the purpose of incorporating the amendment
3658 made by this act to section 893.13, Florida Statutes, in a
3659 reference thereto, subsection (2) of section 435.07, Florida
3660 Statutes, is reenacted to read:

3661 435.07 Exemptions from disqualification.—Unless otherwise
3662 provided by law, the provisions of this section apply to
3663 exemptions from disqualification for disqualifying offenses
3664 revealed pursuant to background screenings required under this
3665 chapter, regardless of whether those disqualifying offenses are
3666 listed in this chapter or other laws.

3667 (2) Persons employed, or applicants for employment, by
3668 treatment providers who treat adolescents 13 years of age and
3669 older who are disqualified from employment solely because of
3670 crimes under s. 817.563, s. 893.13, or s. 893.147 may be
3671 exempted from disqualification from employment pursuant to this
3672 chapter without application of the waiting period in
3673 subparagraph (1)(a)1.

3674 Section 38. For the purpose of incorporating the amendment
3675 made by this act to section 893.13, Florida Statutes, in a
3676 reference thereto, subsection (2) of section 772.12, Florida
3677 Statutes, is reenacted to read:

3678 772.12 Drug Dealer Liability Act.—

3679 (2) A person, including any governmental entity, has a
 3680 cause of action for threefold the actual damages sustained and
 3681 is entitled to minimum damages in the amount of \$1,000 and
 3682 reasonable attorney's fees and court costs in the trial and
 3683 appellate courts, if the person proves by the greater weight of
 3684 the evidence that:

3685 (a) The person was injured because of the defendant's
 3686 actions that resulted in the defendant's conviction for:

- 3687 1. A violation of s. 893.13, except for a violation of s.
 3688 893.13(2)(a) or (b), (3), (5), (6)(a), (b), or (c), (7); or
 3689 2. A violation of s. 893.135; and

3690 (b) The person was not injured by reason of his or her
 3691 participation in the same act or transaction that resulted in
 3692 the defendant's conviction for any offense described in
 3693 subparagraph (a)1.

3694 Section 39. For the purpose of incorporating the amendment
 3695 made by this act to section 893.13, Florida Statutes, in a
 3696 reference thereto, paragraph (a) of subsection (1) of section
 3697 775.084, Florida Statutes, is reenacted to read:

3698 775.084 Violent career criminals; habitual felony
 3699 offenders and habitual violent felony offenders; three-time
 3700 violent felony offenders; definitions; procedure; enhanced
 3701 penalties or mandatory minimum prison terms.—

3702 (1) As used in this act:

3703 (a) "Habitual felony offender" means a defendant for whom
 3704 the court may impose an extended term of imprisonment, as

3705 provided in paragraph (4) (a), if it finds that:

3706 1. The defendant has previously been convicted of any
 3707 combination of two or more felonies in this state or other
 3708 qualified offenses.

3709 2. The felony for which the defendant is to be sentenced
 3710 was committed:

3711 a. While the defendant was serving a prison sentence or
 3712 other sentence, or court-ordered or lawfully imposed supervision
 3713 that is imposed as a result of a prior conviction for a felony
 3714 or other qualified offense; or

3715 b. Within 5 years of the date of the conviction of the
 3716 defendant's last prior felony or other qualified offense, or
 3717 within 5 years of the defendant's release from a prison
 3718 sentence, probation, community control, control release,
 3719 conditional release, parole or court-ordered or lawfully imposed
 3720 supervision or other sentence that is imposed as a result of a
 3721 prior conviction for a felony or other qualified offense,
 3722 whichever is later.

3723 3. The felony for which the defendant is to be sentenced,
 3724 and one of the two prior felony convictions, is not a violation
 3725 of s. 893.13 relating to the purchase or the possession of a
 3726 controlled substance.

3727 4. The defendant has not received a pardon for any felony
 3728 or other qualified offense that is necessary for the operation
 3729 of this paragraph.

3730 5. A conviction of a felony or other qualified offense

3731 necessary to the operation of this paragraph has not been set
 3732 aside in any postconviction proceeding.

3733 Section 40. For the purpose of incorporating the amendment
 3734 made by this act to section 893.13, Florida Statutes, in a
 3735 reference thereto, subsection (3) of section 810.02, Florida
 3736 Statutes, is reenacted to read:

3737 810.02 Burglary.—

3738 (3) Burglary is a felony of the second degree, punishable
 3739 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
 3740 course of committing the offense, the offender does not make an
 3741 assault or battery and is not and does not become armed with a
 3742 dangerous weapon or explosive, and the offender enters or
 3743 remains in a:

3744 (a) Dwelling, and there is another person in the dwelling
 3745 at the time the offender enters or remains;

3746 (b) Dwelling, and there is not another person in the
 3747 dwelling at the time the offender enters or remains;

3748 (c) Structure, and there is another person in the
 3749 structure at the time the offender enters or remains;

3750 (d) Conveyance, and there is another person in the
 3751 conveyance at the time the offender enters or remains;

3752 (e) Authorized emergency vehicle, as defined in s.
 3753 316.003; or

3754 (f) Structure or conveyance when the offense intended to
 3755 be committed therein is theft of a controlled substance as
 3756 defined in s. 893.02. Notwithstanding any other law, separate

3757 judgments and sentences for burglary with the intent to commit
3758 theft of a controlled substance under this paragraph and for any
3759 applicable possession of controlled substance offense under s.
3760 893.13 or trafficking in controlled substance offense under s.
3761 893.135 may be imposed when all such offenses involve the same
3762 amount or amounts of a controlled substance.

3763

3764 However, if the burglary is committed within a county that is
3765 subject to a state of emergency declared by the Governor under
3766 chapter 252 after the declaration of emergency is made and the
3767 perpetration of the burglary is facilitated by conditions
3768 arising from the emergency, the burglary is a felony of the
3769 first degree, punishable as provided in s. 775.082, s. 775.083,
3770 or s. 775.084. As used in this subsection, the term "conditions
3771 arising from the emergency" means civil unrest, power outages,
3772 curfews, voluntary or mandatory evacuations, or a reduction in
3773 the presence of or response time for first responders or
3774 homeland security personnel. A person arrested for committing a
3775 burglary within a county that is subject to such a state of
3776 emergency may not be released until the person appears before a
3777 committing magistrate at a first appearance hearing. For
3778 purposes of sentencing under chapter 921, a felony offense that
3779 is reclassified under this subsection is ranked one level above
3780 the ranking under s. 921.0022 or s. 921.0023 of the offense
3781 committed.

3782 Section 41. For the purpose of incorporating the amendment

3783 made by this act to section 893.13, Florida Statutes, in a
 3784 reference thereto, subsection (2) of section 812.014, Florida
 3785 Statutes, is reenacted to read:

3786 812.014 Theft.—

3787 (2)(a)1. If the property stolen is valued at \$100,000 or
 3788 more or is a semitrailer that was deployed by a law enforcement
 3789 officer; or

3790 2. If the property stolen is cargo valued at \$50,000 or
 3791 more that has entered the stream of interstate or intrastate
 3792 commerce from the shipper's loading platform to the consignee's
 3793 receiving dock; or

3794 3. If the offender commits any grand theft and:

3795 a. In the course of committing the offense the offender
 3796 uses a motor vehicle as an instrumentality, other than merely as
 3797 a getaway vehicle, to assist in committing the offense and
 3798 thereby damages the real property of another; or

3799 b. In the course of committing the offense the offender
 3800 causes damage to the real or personal property of another in
 3801 excess of \$1,000,

3802
 3803 the offender commits grand theft in the first degree, punishable
 3804 as a felony of the first degree, as provided in s. 775.082, s.
 3805 775.083, or s. 775.084.

3806 (b)1. If the property stolen is valued at \$20,000 or more,
 3807 but less than \$100,000;

3808 2. The property stolen is cargo valued at less than

3809 \$50,000 that has entered the stream of interstate or intrastate
 3810 commerce from the shipper's loading platform to the consignee's
 3811 receiving dock;

3812 3. The property stolen is emergency medical equipment,
 3813 valued at \$300 or more, that is taken from a facility licensed
 3814 under chapter 395 or from an aircraft or vehicle permitted under
 3815 chapter 401; or

3816 4. The property stolen is law enforcement equipment,
 3817 valued at \$300 or more, that is taken from an authorized
 3818 emergency vehicle, as defined in s. 316.003,

3819
 3820 the offender commits grand theft in the second degree,
 3821 punishable as a felony of the second degree, as provided in s.
 3822 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
 3823 means mechanical or electronic apparatus used to provide
 3824 emergency services and care as defined in s. 395.002(9) or to
 3825 treat medical emergencies. Law enforcement equipment means any
 3826 property, device, or apparatus used by any law enforcement
 3827 officer as defined in s. 943.10 in the officer's official
 3828 business. However, if the property is stolen within a county
 3829 that is subject to a state of emergency declared by the Governor
 3830 under chapter 252, the theft is committed after the declaration
 3831 of emergency is made, and the perpetration of the theft is
 3832 facilitated by conditions arising from the emergency, the theft
 3833 is a felony of the first degree, punishable as provided in s.
 3834 775.082, s. 775.083, or s. 775.084. As used in this paragraph,

3835 the term "conditions arising from the emergency" means civil
 3836 unrest, power outages, curfews, voluntary or mandatory
 3837 evacuations, or a reduction in the presence of or response time
 3838 for first responders or homeland security personnel. For
 3839 purposes of sentencing under chapter 921, a felony offense that
 3840 is reclassified under this paragraph is ranked one level above
 3841 the ranking under s. 921.0022 or s. 921.0023 of the offense
 3842 committed.

3843 (c) It is grand theft of the third degree and a felony of
 3844 the third degree, punishable as provided in s. 775.082, s.
 3845 775.083, or s. 775.084, if the property stolen is:

- 3846 1. Valued at \$300 or more, but less than \$5,000.
- 3847 2. Valued at \$5,000 or more, but less than \$10,000.
- 3848 3. Valued at \$10,000 or more, but less than \$20,000.
- 3849 4. A will, codicil, or other testamentary instrument.
- 3850 5. A firearm.
- 3851 6. A motor vehicle, except as provided in paragraph (a).
- 3852 7. Any commercially farmed animal, including any animal of
 3853 the equine, bovine, or swine class or other grazing animal; a
 3854 bee colony of a registered beekeeper; and aquaculture species
 3855 raised at a certified aquaculture facility. If the property
 3856 stolen is aquaculture species raised at a certified aquaculture
 3857 facility, then a \$10,000 fine shall be imposed.
- 3858 8. Any fire extinguisher.
- 3859 9. Any amount of citrus fruit consisting of 2,000 or more
 3860 individual pieces of fruit.

3861 10. Taken from a designated construction site identified
 3862 by the posting of a sign as provided for in s. 810.09(2)(d).

3863 11. Any stop sign.

3864 12. Anhydrous ammonia.

3865 13. Any amount of a controlled substance as defined in s.
 3866 893.02. Notwithstanding any other law, separate judgments and
 3867 sentences for theft of a controlled substance under this
 3868 subparagraph and for any applicable possession of controlled
 3869 substance offense under s. 893.13 or trafficking in controlled
 3870 substance offense under s. 893.135 may be imposed when all such
 3871 offenses involve the same amount or amounts of a controlled
 3872 substance.

3873
 3874 However, if the property is stolen within a county that is
 3875 subject to a state of emergency declared by the Governor under
 3876 chapter 252, the property is stolen after the declaration of
 3877 emergency is made, and the perpetration of the theft is
 3878 facilitated by conditions arising from the emergency, the
 3879 offender commits a felony of the second degree, punishable as
 3880 provided in s. 775.082, s. 775.083, or s. 775.084, if the
 3881 property is valued at \$5,000 or more, but less than \$10,000, as
 3882 provided under subparagraph 2., or if the property is valued at
 3883 \$10,000 or more, but less than \$20,000, as provided under
 3884 subparagraph 3. As used in this paragraph, the term "conditions
 3885 arising from the emergency" means civil unrest, power outages,
 3886 curfews, voluntary or mandatory evacuations, or a reduction in

3887 the presence of or the response time for first responders or
 3888 homeland security personnel. For purposes of sentencing under
 3889 chapter 921, a felony offense that is reclassified under this
 3890 paragraph is ranked one level above the ranking under s.
 3891 921.0022 or s. 921.0023 of the offense committed.

3892 (d) It is grand theft of the third degree and a felony of
 3893 the third degree, punishable as provided in s. 775.082, s.
 3894 775.083, or s. 775.084, if the property stolen is valued at \$100
 3895 or more, but less than \$300, and is taken from a dwelling as
 3896 defined in s. 810.011(2) or from the unenclosed curtilage of a
 3897 dwelling pursuant to s. 810.09(1).

3898 (e) Except as provided in paragraph (d), if the property
 3899 stolen is valued at \$100 or more, but less than \$300, the
 3900 offender commits petit theft of the first degree, punishable as
 3901 a misdemeanor of the first degree, as provided in s. 775.082 or
 3902 s. 775.083.

3903 Section 42. For the purpose of incorporating the amendment
 3904 made by this act to section 893.13, Florida Statutes, in a
 3905 reference thereto, subsection (1) of section 831.311, Florida
 3906 Statutes, is reenacted to read:

3907 831.311 Unlawful sale, manufacture, alteration, delivery,
 3908 uttering, or possession of counterfeit-resistant prescription
 3909 blanks for controlled substances.—

3910 (1) It is unlawful for any person having the intent to
 3911 injure or defraud any person or to facilitate any violation of
 3912 s. 893.13 to sell, manufacture, alter, deliver, utter, or

3913 possess with intent to injure or defraud any person, or to
3914 facilitate any violation of s. 893.13, any counterfeit-resistant
3915 prescription blanks for controlled substances, the form and
3916 content of which are adopted by rule of the Department of Health
3917 pursuant to s. 893.065.

3918 Section 43. For the purpose of incorporating the amendment
3919 made by this act to section 893.13, Florida Statutes, in a
3920 reference thereto, subsection (1) of section 893.1351, Florida
3921 Statutes, is reenacted to read:

3922 893.1351 Ownership, lease, rental, or possession for
3923 trafficking in or manufacturing a controlled substance.—

3924 (1) A person may not own, lease, or rent any place,
3925 structure, or part thereof, trailer, or other conveyance with
3926 the knowledge that the place, structure, trailer, or conveyance
3927 will be used for the purpose of trafficking in a controlled
3928 substance, as provided in s. 893.135; for the sale of a
3929 controlled substance, as provided in s. 893.13; or for the
3930 manufacture of a controlled substance intended for sale or
3931 distribution to another. A person who violates this subsection
3932 commits a felony of the third degree, punishable as provided in
3933 s. 775.082, s. 775.083, or s. 775.084.

3934 Section 44. For the purpose of incorporating the amendment
3935 made by this act to section 893.13, Florida Statutes, in a
3936 reference thereto, subsection (3) of section 893.138, Florida
3937 Statutes, is reenacted to read:

3938 893.38 Local administrative action to abate drug-related,

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3939 prostitution-related, or stolen-property-related public
 3940 nuisances and criminal gang activity.—
 3941 (3) Any pain-management clinic, as described in s.
 3942 458.3265 or s. 459.0137, which has been used on more than two
 3943 occasions within a 6-month period as the site of a violation of:
 3944 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,
 3945 relating to assault and battery;
 3946 (b) Section 810.02, relating to burglary;
 3947 (c) Section 812.014, relating to dealing in theft;
 3948 (d) Section 812.131, relating to robbery by sudden
 3949 snatching; or
 3950 (e) Section 893.13, relating to the unlawful distribution
 3951 of controlled substances,
 3952
 3953 may be declared to be a public nuisance, and such nuisance may
 3954 be abated pursuant to the procedures provided in this section.
 3955 Section 45. For the purpose of incorporating the amendment
 3956 made by this act to section 893.13, Florida Statutes, in a
 3957 reference thereto, section 893.15, Florida Statutes, is
 3958 reenacted to read:
 3959 893.15 Rehabilitation.—Any person who violates s.
 3960 893.13(6) (a) or (b) relating to possession may, in the
 3961 discretion of the trial judge, be required to participate in a
 3962 substance abuse services program approved or regulated by the
 3963 Department of Children and Families pursuant to the provisions
 3964 of chapter 397, provided the director of such program approves

3965 the placement of the defendant in such program. Such required
3966 participation shall be imposed in addition to any penalty or
3967 probation otherwise prescribed by law. However, the total time
3968 of such penalty, probation, and program participation shall not
3969 exceed the maximum length of sentence possible for the offense.

3970 Section 46. For the purpose of incorporating the amendment
3971 made by this act to section 893.13, Florida Statutes, in a
3972 reference thereto, section 903.133, Florida Statutes, is
3973 reenacted to read:

3974 903.133 Bail on appeal; prohibited for certain felony
3975 convictions.—Notwithstanding the provisions of s. 903.132, no
3976 person adjudged guilty of a felony of the first degree for a
3977 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
3978 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
3979 violation of s. 794.011(2) or (3), shall be admitted to bail
3980 pending review either by posttrial motion or appeal.

3981 Section 47. For the purpose of incorporating the amendment
3982 made by this act to section 893.13, Florida Statutes, in a
3983 reference thereto, paragraph (1) of subsection (1) of section
3984 921.187, Florida Statutes, is reenacted to read:

3985 921.187 Disposition and sentencing; alternatives;
3986 restitution.—

3987 (1) The alternatives provided in this section for the
3988 disposition of criminal cases shall be used in a manner that
3989 will best serve the needs of society, punish criminal offenders,
3990 and provide the opportunity for rehabilitation. If the offender

3991 does not receive a state prison sentence, the court may:

3992 (1)1. Require the offender who violates any criminal
 3993 provision of chapter 893 to pay an additional assessment in an
 3994 amount up to the amount of any fine imposed, pursuant to ss.
 3995 938.21 and 938.23.

3996 2. Require the offender who violates any provision of s.
 3997 893.13 to pay an additional assessment in an amount of \$100,
 3998 pursuant to ss. 938.055 and 943.361.

3999 Section 48. For the purpose of incorporating the amendment
 4000 made by this act to section 893.145, Florida Statutes, in a
 4001 reference thereto, paragraph (a) of subsection (2) of section
 4002 893.12, Florida Statutes, is reenacted to read:

4003 893.12 Contraband; seizure, forfeiture, sale.—

4004 (2) (a) Any vessel, vehicle, aircraft, or drug
 4005 paraphernalia as defined in s. 893.145 which has been or is
 4006 being used in violation of any provision of this chapter or in,
 4007 upon, or by means of which any violation of this chapter has
 4008 taken or is taking place may be seized and forfeited as provided
 4009 by the Florida Contraband Forfeiture Act.

4010 Section 49. For the purpose of incorporating the amendment
 4011 made by this act to section 893.145, Florida Statutes, in a
 4012 reference thereto, paragraph (a) of subsection (6) of section
 4013 893.147, Florida Statutes, is reenacted to read:

4014 893.147 Use, possession, manufacture, delivery,
 4015 transportation, advertisement, or retail sale of drug
 4016 paraphernalia.—

4017 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

4018 (a) It is unlawful for a person to knowingly and willfully
 4019 sell or offer for sale at retail any drug paraphernalia
 4020 described in s. 893.145(12)(a)-(c) or (g)-(m), other than a pipe
 4021 that is primarily made of briar, meerschaum, clay, or corn cob.

4022 Section 50. For the purpose of incorporating the amendment
 4023 made by this act to section 895.02, Florida Statutes, in a
 4024 reference thereto, paragraph (a) of subsection (1) of section
 4025 16.56, Florida Statutes, is reenacted to read:

4026 16.56 Office of Statewide Prosecution.—

4027 (1) There is created in the Department of Legal Affairs an
 4028 Office of Statewide Prosecution. The office shall be a separate
 4029 "budget entity" as that term is defined in chapter 216. The
 4030 office may:

4031 (a) Investigate and prosecute the offenses of:

4032 1. Bribery, burglary, criminal usury, extortion, gambling,
 4033 kidnapping, larceny, murder, prostitution, perjury, robbery,
 4034 carjacking, and home-invasion robbery;

4035 2. Any crime involving narcotic or other dangerous drugs;

4036 3. Any violation of the Florida RICO (Racketeer Influenced
 4037 and Corrupt Organization) Act, including any offense listed in
 4038 the definition of racketeering activity in s. 895.02(1)(a),
 4039 providing such listed offense is investigated in connection with
 4040 a violation of s. 895.03 and is charged in a separate count of
 4041 an information or indictment containing a count charging a
 4042 violation of s. 895.03, the prosecution of which listed offense

4043 may continue independently if the prosecution of the violation
 4044 of s. 895.03 is terminated for any reason;

4045 4. Any violation of the Florida Anti-Fencing Act;

4046 5. Any violation of the Florida Antitrust Act of 1980, as
 4047 amended;

4048 6. Any crime involving, or resulting in, fraud or deceit
 4049 upon any person;

4050 7. Any violation of s. 847.0135, relating to computer
 4051 pornography and child exploitation prevention, or any offense
 4052 related to a violation of s. 847.0135 or any violation of
 4053 chapter 827 where the crime is facilitated by or connected to
 4054 the use of the Internet or any device capable of electronic data
 4055 storage or transmission;

4056 8. Any violation of chapter 815;

4057 9. Any criminal violation of part I of chapter 499;

4058 10. Any violation of the Florida Motor Fuel Tax Relief Act
 4059 of 2004;

4060 11. Any criminal violation of s. 409.920 or s. 409.9201;

4061 12. Any crime involving voter registration, voting, or
 4062 candidate or issue petition activities;

4063 13. Any criminal violation of the Florida Money Laundering
 4064 Act;

4065 14. Any criminal violation of the Florida Securities and
 4066 Investor Protection Act; or

4067 15. Any violation of chapter 787, as well as any and all
 4068 offenses related to a violation of chapter 787;

4069
 4070 or any attempt, solicitation, or conspiracy to commit any of the
 4071 crimes specifically enumerated above. The office shall have such
 4072 power only when any such offense is occurring, or has occurred,
 4073 in two or more judicial circuits as part of a related
 4074 transaction, or when any such offense is connected with an
 4075 organized criminal conspiracy affecting two or more judicial
 4076 circuits. Informations or indictments charging such offenses
 4077 shall contain general allegations stating the judicial circuits
 4078 and counties in which crimes are alleged to have occurred or the
 4079 judicial circuits and counties in which crimes affecting such
 4080 circuits or counties are alleged to have been connected with an
 4081 organized criminal conspiracy.

4082 Section 51. For the purpose of incorporating the amendment
 4083 made by this act to section 895.02, Florida Statutes, in a
 4084 reference thereto, paragraph (g) of subsection (3) of section
 4085 655.50, Florida Statutes, is reenacted to read:

4086 655.50 Florida Control of Money Laundering and Terrorist
 4087 Financing in Financial Institutions Act.—

4088 (3) As used in this section, the term:

4089 (g) "Specified unlawful activity" means "racketeering
 4090 activity" as defined in s. 895.02.

4091 Section 52. For the purpose of incorporating the amendment
 4092 made by this act to section 895.02, Florida Statutes, in a
 4093 reference thereto, paragraph (g) of subsection (2) of section
 4094 896.101, Florida Statutes, is reenacted to read:

4095 896.101 Florida Money Laundering Act; definitions;
 4096 penalties; injunctions; seizure warrants; immunity.—

4097 (2) As used in this section, the term:

4098 (g) "Specified unlawful activity" means any "racketeering
 4099 activity" as defined in s. 895.02.

4100 Section 53. For the purpose of incorporating the amendment
 4101 made by this act to section 895.02, Florida Statutes, in a
 4102 reference thereto, section 905.34, Florida Statutes, is
 4103 reenacted to read:

4104 905.34 Powers and duties; law applicable.—The jurisdiction
 4105 of a statewide grand jury impaneled under this chapter shall
 4106 extend throughout the state. The subject matter jurisdiction of
 4107 the statewide grand jury shall be limited to the offenses of:

4108 (1) Bribery, burglary, carjacking, home-invasion robbery,
 4109 criminal usury, extortion, gambling, kidnapping, larceny,
 4110 murder, prostitution, perjury, and robbery;

4111 (2) Crimes involving narcotic or other dangerous drugs;

4112 (3) Any violation of the provisions of the Florida RICO
 4113 (Racketeer Influenced and Corrupt Organization) Act, including
 4114 any offense listed in the definition of racketeering activity in
 4115 s. 895.02(1)(a), providing such listed offense is investigated
 4116 in connection with a violation of s. 895.03 and is charged in a
 4117 separate count of an information or indictment containing a
 4118 count charging a violation of s. 895.03, the prosecution of
 4119 which listed offense may continue independently if the
 4120 prosecution of the violation of s. 895.03 is terminated for any

4121 | reason;

4122 | (4) Any violation of the provisions of the Florida Anti-

4123 | Fencing Act;

4124 | (5) Any violation of the provisions of the Florida

4125 | Antitrust Act of 1980, as amended;

4126 | (6) Any violation of the provisions of chapter 815;

4127 | (7) Any crime involving, or resulting in, fraud or deceit

4128 | upon any person;

4129 | (8) Any violation of s. 847.0135, s. 847.0137, or s.

4130 | 847.0138 relating to computer pornography and child exploitation

4131 | prevention, or any offense related to a violation of s.

4132 | 847.0135, s. 847.0137, or s. 847.0138 or any violation of

4133 | chapter 827 where the crime is facilitated by or connected to

4134 | the use of the Internet or any device capable of electronic data

4135 | storage or transmission;

4136 | (9) Any criminal violation of part I of chapter 499;

4137 | (10) Any criminal violation of s. 409.920 or s. 409.9201;

4138 | (11) Any criminal violation of the Florida Money

4139 | Laundering Act;

4140 | (12) Any criminal violation of the Florida Securities and

4141 | Investor Protection Act; or

4142 | (13) Any violation of chapter 787, as well as any and all

4143 | offenses related to a violation of chapter 787;

4144 |

4145 | or any attempt, solicitation, or conspiracy to commit any

4146 | violation of the crimes specifically enumerated above, when any

4147 | such offense is occurring, or has occurred, in two or more
4148 | judicial circuits as part of a related transaction or when any
4149 | such offense is connected with an organized criminal conspiracy
4150 | affecting two or more judicial circuits. The statewide grand
4151 | jury may return indictments and presentments irrespective of the
4152 | county or judicial circuit where the offense is committed or
4153 | triable. If an indictment is returned, it shall be certified and
4154 | transferred for trial to the county where the offense was
4155 | committed. The powers and duties of, and law applicable to,
4156 | county grand juries shall apply to a statewide grand jury except
4157 | when such powers, duties, and law are inconsistent with the
4158 | provisions of ss. 905.31-905.40.

4159 | Section 54. This act shall take effect July 1, 2016.