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CS/CS/HB 1347

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1
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

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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),

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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),

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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

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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

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131 repositioning of a phenolic or alcoholic hydroxy group to create
132 a hydroxyamine. 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

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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.

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- 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.

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- 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:

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- 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

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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.

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- 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

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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-~~

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- 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-methylenedioxy-cathinone.~~
- 387 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~
- 388 ~~3,4-methylenedioxy-cathinone.~~
- 389 87. 3,4-Methylenedioxy-propiofenone.
- 390 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~

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- 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)~~.

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- 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).~~

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- 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).

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- 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-6-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-

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- 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-Methylenedioxyamphetamine) (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-

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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).

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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).

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- 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

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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-

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- 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).

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- 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)

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- 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-

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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).

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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-6-propanol-cyclohexyl)-5-(2-
779 methyloctan-2-yl)phenol).

780 g. Benzoylindoles and Benzoylindazoles.—Any compound

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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).

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- 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).

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- 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).

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- 859 (IV) FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-
 860 carboxylate).
- 861 (V) NPB-22 (8-Quinoliny 1-pentylindazole-3-carboxylate).
- 862 (VI) Fluoro NPB-22 (8-Quinoliny 1-(fluoropentyl)indazole-
 863 3-carboxylate).
- 864 (VII) FUB-NPB-22 (8-Quinoliny 1-(4-fluorobenzyl)indazole-
 865 3-carboxylate).
- 866 (VIII) THJ (8-Quinoliny 1-pentylindazole-3-carboxamide).
- 867 (IX) Fluoro THJ (8-Quinoliny 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).

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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:

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- 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).

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- 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

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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

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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-thiophenyl-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-Methylenedioxymethcathinone).

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- 1015 | (D) 2,3-Methylenedioxymethcathinone.
- 1016 | (E) MDPV (3,4-Methylenedioxypropylvalerone).
- 1017 | (F) Methylenedioxymethcathinone.
- 1018 | (G) Methoxymethcathinone.
- 1019 | (H) Fluoromethcathinone.
- 1020 | (I) Methylethcathinone.
- 1021 | (J) Butylone (3,4-Methylenedioxy-alpha-
- 1022 | methyaminobutyrophenone).
- 1023 | (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1024 | (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1025 | (M) Naphyrone (Naphthylpropylvalerone).
- 1026 | (N) Bromomethcathinone.
- 1027 | (O) Buphedrone (alpha-Methyaminobutyrophenone).
- 1028 | (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1029 | ethylaminobutyrophenone).
- 1030 | (Q) Dimethylcathinone.
- 1031 | (R) Dimethylmethcathinone.
- 1032 | (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1033 | methylaminovalerophenone).
- 1034 | (T) Penthedrone (alpha-Methylaminovalerophenone).
- 1035 | (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1036 | pyrrolidinopropiophenone).
- 1037 | (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1038 | pyrrolidinobutyrophenone).
- 1039 | (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1040 | (X) PPP (Pyrrolidinopropiophenone).

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- 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

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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).

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- 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. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 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).

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- 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

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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-

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1171 methoxybenzyl)]phenethylamine).
 1172 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
 1173 methoxybenzyl)]phenethylamine).
 1174 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
 1175 methoxybenzyl)]phenethylamine).
 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

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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).

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- 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,

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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

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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.

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- 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

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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-

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- 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.

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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.

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- 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

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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.

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- 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.

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- 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.aa. Testosterone.
- 1492 ff.bb. Testosterone acetate.
- 1493 gg.cc. Testosterone benzoate.
- 1494 hh.dd. Testosterone cypionate.
- 1495 ii.aa. Testosterone decanoate.
- 1496 jj.bb. Testosterone enanthate.
- 1497 kk.aa. Testosterone isocaproate.
- 1498 ll.bb. Testosterone oleate.
- 1499 mm.aa. Testosterone phenylpropionate.
- 1500 nn.aa. Testosterone propionate.
- 1501 oo.aa. Testosterone undecanoate.
- 1502 pp.aa. Trenbolone.
- 1503 qq.aa. Trenbolone acetate.
- 1504 rr.aa. 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

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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

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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.

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- 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.

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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

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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.

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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.

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- 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,

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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

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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~~

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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

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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

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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

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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.

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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

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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

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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

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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

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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

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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.

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

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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

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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.

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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

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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

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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

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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

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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. 3,4-Methylenedioxy-N-hydroxyamphetamine ~~N-Hydroxy-3,4-~~
 2183 ~~methylenedioxyamphetamine~~;
- 2184 h. 5-Methoxy-3,4-methylenedioxyamphetamine;

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- 2185 i. PMA (4-methoxyamphetamine);
- 2186 j. PMMA (4-methoxymethamphetamine);
- 2187 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2188 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2189 m. MDA (3,4-Methylenedioxyamphetamine);
- 2190 n. N,N-dimethylamphetamine;
- 2191 o. 3,4,5-Trimethoxyamphetamine;
- 2192 p. Methylone (3,4-Methylenedioxymethcathinone);
- 2193 q. MDPV (3,4-Methylenedioxypropylone) ~~(MDPV)~~; or
- 2194 r. Methylmethcathinone,
- 2195
- 2196 individually or analogs thereto or isomers thereto or in any
- 2197 combination of or any mixture containing any substance listed in
- 2198 sub-subparagraphs a.-r., commits a felony of the first degree,
- 2199 which felony shall be known as "trafficking in Phenethylamines,"
- 2200 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- 2201 2. If the quantity involved:
- 2202 a. Is 10 grams or more, but less than 200 grams, such
- 2203 person shall be sentenced to a mandatory minimum term of
- 2204 imprisonment of 3 years and shall be ordered to pay a fine of
- 2205 \$50,000.
- 2206 b. Is 200 grams or more, but less than 400 grams, such
- 2207 person shall be sentenced to a mandatory minimum term of
- 2208 imprisonment of 7 years and shall be ordered to pay a fine of
- 2209 \$100,000.
- 2210 c. Is 400 grams or more, such person shall be sentenced to

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2211 a mandatory minimum term of imprisonment of 15 years and shall
 2212 be ordered to pay a fine of \$250,000.

2213 3. A person who knowingly manufactures or brings into this
 2214 state 30 kilograms or more of any of the following substances
 2215 described in s. 893.03(1)(c):

- 2216 a. MDMA (3,4-Methylenedioxyamphetamine) ~~(MDMA)~~;
- 2217 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);
- 2218 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2219 d. 2,5-Dimethoxyamphetamine;
- 2220 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
 2221 ~~4-ethylamphetamine (DOET)~~;
- 2222 f. N-ethylamphetamine;
- 2223 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2224 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2225 i. PMA (4-methoxyamphetamine);
- 2226 j. PMMA (4-methoxymethamphetamine);
- 2227 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2228 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2229 m. MDA (3,4-Methylenedioxyamphetamine);
- 2230 n. N,N-dimethylamphetamine;
- 2231 o. 3,4,5-Trimethoxyamphetamine;
- 2232 p. Methylone (3,4-Methylenedioxy-methcathinone);
- 2233 q. MDPV (3,4-Methylenedioxy-pyrovalerone) ~~(MDPV)~~; or
- 2234 r. Methylmethcathinone,

2235
 2236 individually or analogs thereto or isomers thereto or in any

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2237 combination of or any mixture containing any substance listed in
2238 sub-subparagraphs a.-r., and who knows that the probable result
2239 of such manufacture or importation would be the death of any
2240 person commits capital manufacture or importation of
2241 Phenethylamines, a capital felony punishable as provided in ss.
2242 775.082 and 921.142. A person sentenced for a capital felony
2243 under this paragraph shall also be sentenced to pay the maximum
2244 fine provided under subparagraph 1.

2245 (1)1. Any person who knowingly sells, purchases,
2246 manufactures, delivers, or brings into this state, or who is
2247 knowingly in actual or constructive possession of, 1 gram or
2248 more of lysergic acid diethylamide (LSD) as described in s.
2249 893.03(1)(c), or of any mixture containing lysergic acid
2250 diethylamide (LSD), commits a felony of the first degree, which
2251 felony shall be known as "trafficking in lysergic acid
2252 diethylamide (LSD)," punishable as provided in s. 775.082, s.
2253 775.083, or s. 775.084. If the quantity involved:

2254 a. Is 1 gram or more, but less than 5 grams, such person
2255 shall be sentenced to a mandatory minimum term of imprisonment
2256 of 3 years, and the defendant shall be ordered to pay a fine of
2257 \$50,000.

2258 b. Is 5 grams or more, but less than 7 grams, such person
2259 shall be sentenced to a mandatory minimum term of imprisonment
2260 of 7 years, and the defendant shall be ordered to pay a fine of
2261 \$100,000.

2262 c. Is 7 grams or more, such person shall be sentenced to a

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2263 mandatory minimum term of imprisonment of 15 calendar years and
2264 pay a fine of \$500,000.

2265 2. Any person who knowingly manufactures or brings into
2266 this state 7 grams or more of lysergic acid diethylamide (LSD)
2267 as described in s. 893.03(1)(c), or any mixture containing
2268 lysergic acid diethylamide (LSD), and who knows that the
2269 probable result of such manufacture or importation would be the
2270 death of any person commits capital manufacture or importation
2271 of lysergic acid diethylamide (LSD), a capital felony punishable
2272 as provided in ss. 775.082 and 921.142. Any person sentenced for
2273 a capital felony under this paragraph shall also be sentenced to
2274 pay the maximum fine provided under subparagraph 1.

2275 (6) A mixture, as defined in s. 893.02, containing any
2276 controlled substance described in this section includes, but is
2277 not limited to, a solution or a dosage unit, including but not
2278 limited to, a gelatin capsule, pill, or tablet, containing a
2279 controlled substance. For the purpose of clarifying legislative
2280 intent regarding the weighing of a mixture containing a
2281 controlled substance described in this section, the weight of
2282 the controlled substance is the total weight of the mixture,
2283 including the controlled substance and any other substance in
2284 the mixture. If there is more than one mixture containing the
2285 same controlled substance, the weight of the controlled
2286 substance is calculated by aggregating the total weight of each
2287 mixture.

2288 Section 7. Subsection (2) of section 893.138, Florida

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2289 Statutes, is amended to read:
 2290 893.138 Local administrative action to abate drug-related,
 2291 prostitution-related, or stolen-property-related public
 2292 nuisances and criminal gang activity.—
 2293 (2) Any place or premises that has been used:
 2294 (a) On more than two occasions within a 6-month period, as
 2295 the site of a violation of s. 796.07;
 2296 (b) On more than two occasions within a 6-month period, as
 2297 the site of the unlawful sale, delivery, manufacture, or
 2298 cultivation of any controlled substance;
 2299 (c) On one occasion as the site of the unlawful possession
 2300 of a controlled substance, where such possession constitutes a
 2301 felony and that has been previously used on more than one
 2302 occasion as the site of the unlawful sale, delivery,
 2303 manufacture, or cultivation of any controlled substance;
 2304 (d) By a criminal gang for the purpose of conducting
 2305 criminal gang activity as defined by s. 874.03; ~~or~~
 2306 (e) On more than two occasions within a 6-month period, as
 2307 the site of a violation of s. 812.019 relating to dealing in
 2308 stolen property; or
 2309 (f) On two or more occasions within a 6-month period, as
 2310 the site of a violation of chapter 499,
 2311
 2312 may be declared to be a public nuisance, and such nuisance may
 2313 be abated pursuant to the procedures provided in this section.
 2314 Section 8. Subsections (6) and (12) of section 893.145,

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2315 Florida Statutes, are amended to read:

2316 893.145 "Drug paraphernalia" defined.—The term "drug
 2317 paraphernalia" means all equipment, products, and materials of
 2318 any kind which are used, intended for use, or designed for use
 2319 in planting, propagating, cultivating, growing, harvesting,
 2320 manufacturing, compounding, converting, producing, processing,
 2321 preparing, testing, analyzing, packaging, repackaging, storing,
 2322 containing, concealing, transporting, injecting, ingesting,
 2323 inhaling, or otherwise introducing into the human body a
 2324 controlled substance in violation of this chapter or s. 877.111.
 2325 Drug paraphernalia is deemed to be contraband which shall be
 2326 subject to civil forfeiture. The term includes, but is not
 2327 limited to:

2328 (6) Diluents and adulterants, such as quinine
 2329 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,
 2330 dextrose, and lactose, used, intended for use, or designed for
 2331 use in diluting ~~cutting~~ controlled substances; or substances
 2332 such as damiana leaf, marshmallow leaf, and mullein leaf, used,
 2333 intended for use, or designed for use as carrier mediums of
 2334 controlled substances.

2335 (12) Objects used, intended for use, or designed for use
 2336 in ingesting, inhaling, or otherwise introducing controlled
 2337 substances, as described in s. 893.03, or substances described
 2338 in s. 877.111(1) ~~cannabis, cocaine, hashish, hashish oil, or~~
 2339 ~~nitrous oxide~~ into the human body, such as:

2340 (a) Metal, wooden, acrylic, glass, stone, plastic, or

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2341 ceramic pipes, with or without screens, permanent screens,
 2342 hashish heads, or punctured metal bowls.

2343 (b) Water pipes.

2344 (c) Carburetion tubes and devices.

2345 (d) Smoking and carburetion masks.

2346 (e) Roach clips: meaning objects used to hold burning
 2347 material, such as a cannabis cigarette, that has become too
 2348 small or too short to be held in the hand.

2349 (f) Miniature cocaine spoons, and cocaine vials.

2350 (g) Chamber pipes.

2351 (h) Carburetor pipes.

2352 (i) Electric pipes.

2353 (j) Air-driven pipes.

2354 (k) Chillums.

2355 (l) Bongs.

2356 (m) Ice pipes or chillers.

2357 (n) A cartridge or canister, which means a small metal
 2358 device used to contain nitrous oxide.

2359 (o) A charger, sometimes referred to as a "cracker," which
 2360 means a small metal or plastic device that contains an interior
 2361 pin that may be used to expel nitrous oxide from a cartridge or
 2362 container.

2363 (p) A charging bottle, which means a device that may be
 2364 used to expel nitrous oxide from a cartridge or canister.

2365 (q) A whip-it, which means a device that may be used to
 2366 expel nitrous oxide.

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- 2367 (r) A tank.
- 2368 (s) A balloon.
- 2369 (t) A hose or tube.
- 2370 (u) A 2-liter-type soda bottle.
- 2371 (v) Duct tape.
- 2372 Section 9. Paragraph (a) of subsection (1) of section
- 2373 895.02, Florida Statutes, is amended to read:
- 2374 895.02 Definitions.—As used in ss. 895.01-895.08, the
- 2375 term:
- 2376 (1) "Racketeering activity" means to commit, to attempt to
- 2377 commit, to conspire to commit, or to solicit, coerce, or
- 2378 intimidate another person to commit:
- 2379 (a) Any crime that is chargeable by petition, indictment,
- 2380 or information under the following provisions of the Florida
- 2381 Statutes:
- 2382 1. Section 210.18, relating to evasion of payment of
- 2383 cigarette taxes.
- 2384 2. Section 316.1935, relating to fleeing or attempting to
- 2385 elude a law enforcement officer and aggravated fleeing or
- 2386 eluding.
- 2387 3. Section 403.727(3)(b), relating to environmental
- 2388 control.
- 2389 4. Section 409.920 or s. 409.9201, relating to Medicaid
- 2390 fraud.
- 2391 5. Section 414.39, relating to public assistance fraud.
- 2392 6. Section 440.105 or s. 440.106, relating to workers'

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

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

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

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2471 48. Chapter 896, relating to offenses related to financial
2472 transactions.

2473 49. Sections 914.22 and 914.23, relating to tampering with
2474 or harassing a witness, victim, or informant, and retaliation
2475 against a witness, victim, or informant.

2476 50. Sections 918.12 and 918.13, relating to tampering with
2477 jurors and evidence.

2478 Section 10. Paragraphs (c), (e), and (g) of subsection (3)
2479 of section 921.0022, Florida Statutes, are amended, and
2480 paragraphs (b), (d), and (h) of that subsection are republished,
2481 to read:

2482 921.0022 Criminal Punishment Code; offense severity
2483 ranking chart.—

2484 (3) OFFENSE SEVERITY RANKING CHART

2485 (b) LEVEL 2

2486

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in

2487

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2489	403.413 (6) (c)	3rd	violation of the Marine Turtle Protection Act.
2490	517.07 (2)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
2491	590.28 (1)	3rd	Failure to furnish a prospectus meeting requirements.
2492	784.05 (3)	3rd	Intentional burning of lands.
2493	787.04 (1)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
			In violation of court order, take, entice, etc., minor beyond state

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

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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.
2505	817.60 (6) (a)	3rd	Forgery; purchase

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			goods, services with false card.
2506	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
2507	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
2508	831.01	3rd	Forgery.
2509	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2510	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2511	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2512	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory

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2513			notes.
	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
2514			
	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
2515			
	843.08	3rd	False personation.
2516			
	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.
2517			
	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
2518			
2519			
2520	(c)	LEVEL 3	
2521			

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	Florida Statute	Felony Degree	Description
2522	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2523	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2524	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2525	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2526	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2527	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile

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2528			home.
	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2529			
	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2530			
	327.35 (2) (b)	3rd	Felony BUI.
2531			
	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2532			
	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2533			
	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
2534			

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2535	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
2536	379.2431 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
2537	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
2538	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.

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2539	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2540	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2541	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2542	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2543	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2544	697.08	3rd	Equity skimming.
	790.15 (3)	3rd	Person directs another to

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			discharge firearm from a vehicle.
2545	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2546	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2547	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2548	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2549	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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2550	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2551	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2552	817.233	3rd	Burning to defraud insurer.
2553	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2554	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2555	817.236	3rd	Filing a false motor vehicle insurance application.
2556	817.2361	3rd	Creating, marketing, or

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2557	817.413 (2)	3rd	presenting a false or fraudulent motor vehicle insurance card. Sale of used goods as new.
2558	817.505 (4)	3rd	Patient brokering.
2559	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2560	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2561	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2562	838.021 (3) (b)	3rd	Threatens unlawful

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			harm to public servant.
2563	843.19	3rd	Injure, disable, or kill police dog or horse.
2564	860.15 (3)	3rd	Overcharging for repairs and parts.
2565	870.01 (2)	3rd	Riot; inciting or encouraging.
2566	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).
2567	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.,

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2568	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>
2569	<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>
2570	893.13 (6) (a)	3rd	<p>Possession of any controlled substance other than felony possession of cannabis.</p>
2571	893.13 (7) (a) 8.	3rd	<p>Withhold information from practitioner regarding previous receipt of or</p>

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2572	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>
2573	893.13 (7) (a) 10.	3rd	<p>Affix false or forged label to package of controlled substance.</p>
2574	893.13 (7) (a) 11.	3rd	<p>Furnish false or fraudulent material information on any document or record required by chapter 893.</p>
2575	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>

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2576	893.13 (8) (a) 2.	3rd	<p>practitioner's practice.</p> <p>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.</p>
2577	893.13 (8) (a) 3.	3rd	<p>Knowingly write a prescription for a controlled substance for a fictitious person.</p>
2578	893.13 (8) (a) 4.	3rd	<p>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.</p>
2579	918.13 (1) (a)	3rd	<p>Alter, destroy, or conceal investigation evidence.</p>
2580			

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2581	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
2582	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2583	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2584	(d) LEVEL 4		
2585	Florida	Felony	
2586	Statute	Degree	Description
2587	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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2588	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
2589	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
2590	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
2591	517.07 (1)	3rd	Failure to register securities.
2592	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
2593	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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2594	784.075	3rd	Battery on detention or commitment facility staff.
2595	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
2596	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2597	784.081 (3)	3rd	Battery on specified official or employee.
2598	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2599	784.083 (3)	3rd	Battery on code inspector.
2600	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

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2601	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2602	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
2603	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
2604	787.07	3rd	Human smuggling.
2605	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
2606	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or

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2607			other weapon on school property.
	790.115 (2) (c)	3rd	Possessing firearm on school property.
2608			
	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
2609			
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2610			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2611			
	810.06	3rd	Burglary; possession of tools.
2612			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or

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2613	812.014 (2) (c) 3.	3rd	dangerous weapon. Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2614	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2615	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2616	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
2617	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
2618	817.625 (2) (a)	3rd	Fraudulent use of

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2619			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.
2620			
	837.02 (1)	3rd	Perjury in official proceedings.
2621			
	837.021 (1)	3rd	Make contradictory statements in official proceedings.
2622			
	838.022	3rd	Official misconduct.
2623			
	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
2624			
	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
2625			

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2626	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
2627	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
2628	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
2629	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
2630	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
	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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2631	914.14 (2)	3rd	(2) (b), or (2) (c) 4. drugs). 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			
2637	(e) LEVEL 5		
2638			
	Florida Statute	Felony Degree	Description
2639	316.027 (2) (a)	3rd	Accidents involving

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2640	316.1935 (4) (a)	2nd	personal injuries other than serious bodily injury, failure to stop; leaving scene.
2641	322.34 (6)	3rd	Aggravated fleeing or eluding.
2642	327.30 (5)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
2643	379.367 (4)	3rd	Vessel accidents involving personal injury; leaving scene.
2644	379.3671 (2) (c) 3.	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy. Willful molestation, possession, or removal of a

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2645	381.0041 (11) (b)	3rd	commercial harvester's trap contents or trap gear by another harvester. Donate blood, plasma, or organs knowing HIV positive.
2646	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
2647	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
2648	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
2649	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate

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			or authority; premium collected \$20,000 or more but less than \$100,000.
2650	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
2651	790.01 (2)	3rd	Carrying a concealed firearm.
2652	790.162	2nd	Threat to throw or discharge destructive device.
2653	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2654	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2655	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.

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2656	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2657	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2658	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2659	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2660	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2661	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more

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2662			specified acts.
	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.
2667			
	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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2668	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.
2669	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
2670	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
2671	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.

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2672	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
2673	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.
2674	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
2675	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
2676	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
2677	847.0138	3rd	Transmission of material

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2678	(2) & (3)	harmful to minors to a minor by electronic device or equipment.
2679	874.05 (1) (b)	2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
2680	874.05 (2) (a)	2nd Encouraging or recruiting person under 13 years of age to join a criminal gang.
2681	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).
2681	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)

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2682	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>
2683	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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2684	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.
2685	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) (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).
2686	893.1351 (1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
2687			

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2688	(g) LEVEL 7		
2689			
	Florida	Felony	
	Statute	Degree	Description
2690	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
2691	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
2692	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.
2693	327.35 (3) (c) 2.	3rd	Vessel BUI resulting

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2694	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2695	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2696	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2697	456.065 (2)	3rd	Practicing a health care profession without a license.
2698	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
2699			

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2700	458.327 (1)	3rd	Practicing medicine without a license.
2701	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2702	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2703	461.012 (1)	3rd	Practicing podiatric medicine without a license.
2704	462.17	3rd	Practicing naturopathy without a license.
2705	463.015 (1)	3rd	Practicing optometry without a license.
2706	464.016 (1)	3rd	Practicing nursing without a license.
2707	465.015 (2)	3rd	Practicing pharmacy without a license.
	466.026 (1)	3rd	Practicing dentistry or

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2708			dental hygiene without a license.
	467.201	3rd	Practicing midwifery without a license.
2709			
	468.366	3rd	Delivering respiratory care services without a license.
2710			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2711			
	483.901 (9)	3rd	Practicing medical physics without a license.
2712			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
2713			
	484.053	3rd	Dispensing hearing aids without a license.
2714			
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money

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2715	560.123 (8) (b) 1.	3rd	and property unlawfully obtained exceeded \$50,000 and there were five or more victims. Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2716	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2717	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
2718	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew

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2719	775.21 (10) (b)	3rd	<p>driver license or identification card; other registration violations.</p> <p>Sexual predator working where children regularly congregate.</p>
2720	775.21 (10) (g)	3rd	<p>Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.</p>
2721	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>
2722	782.07 (1)	2nd	<p>Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).</p>
2723			

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2724	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
2725	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2726	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2727	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2728	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2728	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.

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2729	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2730	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2731	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2732	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2733	784.081 (1)	1st	Aggravated battery on specified official or employee.
2734	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2735	784.083 (1)	1st	Aggravated battery on code inspector.

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2736	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
2737	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.
2738	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
2739	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2740	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2741	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or

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2742	790.166 (3)	2nd	<p>attempting to commit a felony.</p> <p>Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.</p>
2743	790.166 (4)	2nd	<p>Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.</p>
2744	790.23	1st, PBL	<p>Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.</p>
2745	794.08 (4)	3rd	<p>Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.</p>
2746			

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2747	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2748	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2749	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2750	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.
	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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2751			for specified sex offense.
	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.
2756			
	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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2757	812.014 (2) (b) 2.	2nd	<p>other property damage; 1st degree grand theft.</p> <p>Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.</p>
2758	812.014 (2) (b) 3.	2nd	<p>Property stolen, emergency medical equipment; 2nd degree grand theft.</p>
2759	812.014 (2) (b) 4.	2nd	<p>Property stolen, law enforcement equipment from authorized emergency vehicle.</p>
2760	812.0145 (2) (a)	1st	<p>Theft from person 65 years of age or older; \$50,000 or more.</p>
2761	812.019 (2)	1st	<p>Stolen property; initiates, organizes,</p>

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			plans, etc., the theft of property and traffics in stolen property.
2762	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2763	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2764	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2765	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2766	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2767	817.234 (11) (c)	1st	Insurance fraud; property value

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	<p>2768</p> <p>817.2341 (2) (b) & (3) (b)</p>	<p>1st</p>	<p>\$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>
<p>2769</p>	<p>817.535 (2) (a)</p>	<p>3rd</p>	<p>Filing false lien or other unauthorized document.</p>
<p>2770</p>	<p>825.102 (3) (b)</p>	<p>2nd</p>	<p>Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.</p>
<p>2771</p>	<p>825.103 (3) (b)</p>	<p>2nd</p>	<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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2772	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2773	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2774	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2775	838.015	2nd	Bribery.
2776	838.016	2nd	Unlawful compensation or reward for official behavior.
2777	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2778	838.22	2nd	Bid tampering.
2779	843.0855 (2)	3rd	Impersonation of a public officer or employee.

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2780	843.0855 (3)	3rd	Unlawful simulation of legal process.
2781	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2782	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2783	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2784	872.06	2nd	Abuse of a dead human body.
2785	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2786	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs,

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2787	893.13(1)(c)1.	1st	manages, or supervises criminal gang-related activity.
2788	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

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2789			specified business site.
	893.13 (4) (a)	1st	<u>Use or hire of minor;</u> deliver to minor <u>other</u> <u>controlled substance</u> cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).
2790	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2791	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2792	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2793	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2794			

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2795	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2796	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2797	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2798	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2799	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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2800	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2801	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2802	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2803	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
2804	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2805	896.101 (5) (a)	3rd	Money laundering, financial transactions

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2806	896.104 (4) (a) 1.	3rd	exceeding \$300 but less than \$20,000.
2807	943.0435 (4) (c)	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2808	943.0435 (8)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2809	943.0435 (9) (a)	3rd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2810	943.0435 (13)	3rd	Sexual offender; failure to comply with reporting requirements.
			Failure to report or

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2811	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>
2812	944.607 (9)	3rd	<p>Sexual offender; failure to comply with reporting requirements.</p>
2813	944.607 (10) (a)	3rd	<p>Sexual offender; failure to submit to the taking of a digitized photograph.</p>
2814	944.607 (12)	3rd	<p>Failure to report or providing false information about a sexual offender; harbor or</p>

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2815	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.
2816	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2817	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2818	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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2819				
2820	(h)	LEVEL 8		
2821				
	Florida		Felony	
	Statute		Degree	Description
2822	316.193		2nd	DUI manslaughter.
	(3) (c) 3.a.			
2823	316.1935 (4) (b)		1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
2824	327.35 (3) (c) 3.		2nd	Vessel BUI manslaughter.
2825	499.0051 (7)		1st	Knowing trafficking in contraband prescription drugs.
2826	499.0051 (8)		1st	Knowing forgery of prescription labels or prescription drug labels.
2827	560.123 (8) (b) 2.		2nd	Failure to report currency or payment

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2828	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>
2829	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>
2830	777.03 (2) (a)	1st	<p>Accessory after the fact, capital felony.</p>
2831	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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2832	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>
2833	782.071 (1) (b)	1st	<p>Committing vehicular homicide and failing to render aid or give information.</p>
2834	782.072 (2)	1st	<p>Committing vessel homicide and failing to render aid or give information.</p>
2835	787.06 (3) (a) 1.	1st	<p>Human trafficking for labor and services of a child.</p>
2836			

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2837	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
2838	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
2839	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.
2840	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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2841	794.011 (5) (a)	1st	<p>device which results in bodily harm or property damage.</p> <p>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.</p>
2842	794.011 (5) (b)	2nd	<p>Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.</p>
2843	794.011 (5) (c)	2nd	<p>Sexual battery; victim 12 years of</p>

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2844	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>
2845	794.08 (3)	2nd	<p>Female genital mutilation, removal of a victim younger than 18 years of age from this state.</p>
2846	800.04 (4) (b)	2nd	<p>Lewd or lascivious battery.</p>
2847	800.04 (4) (c)	1st	<p>Lewd or lascivious</p>

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			battery; offender 18 years of age or older; prior conviction for specified sex offense.
2848	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
2849	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
2850	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
2851	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
2852	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at

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2853	812.13 (2) (b)	1st	\$50,000 or more, grand theft in 1st degree. Robbery with a weapon.
2854	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
2855	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
2856	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
2857	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under

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2858	817.535 (5) (a)	2nd	supervision. Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
2859	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
2860	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
2861	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
2862	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or

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2863			more.
2863	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
2864	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
2865	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
2866	860.16	1st	Aircraft piracy.
2867	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).
2868			

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2869	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2870	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2871	893.135 (1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
2872	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
2873	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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2874	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
2875	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
2876	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
2877	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
2878	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
2879	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
2880			

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2881	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
2882	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
2883	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
2884	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
2885	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.

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2900 | harm has occurred, the following factors must be considered in
 2901 | evaluating any physical, mental, or emotional injury to a child:
 2902 | the age of the child; any prior history of injuries to the
 2903 | child; the location of the injury on the body of the child; the
 2904 | multiplicity of the injury; and the type of trauma inflicted.

2905 | Such injury includes, but is not limited to:

- 2906 | 1. Willful acts that produce the following specific
 2907 | injuries:
- 2908 | a. Sprains, dislocations, or cartilage damage.
 - 2909 | b. Bone or skull fractures.
 - 2910 | c. Brain or spinal cord damage.
 - 2911 | d. Intracranial hemorrhage or injury to other internal
 2912 | organs.
 - 2913 | e. Asphyxiation, suffocation, or drowning.
 - 2914 | f. Injury resulting from the use of a deadly weapon.
 - 2915 | g. Burns or scalding.
 - 2916 | h. Cuts, lacerations, punctures, or bites.
 - 2917 | i. Permanent or temporary disfigurement.
 - 2918 | j. Permanent or temporary loss or impairment of a body
 2919 | part or function.

2920 |
 2921 | As used in this subparagraph, the term "willful" refers to the
 2922 | intent to perform an action, not to the intent to achieve a
 2923 | result or to cause an injury.

- 2924 | 2. Purposely giving a child poison, alcohol, drugs, or
 2925 | other substances that substantially affect the child's behavior,

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2926 motor coordination, or judgment or that result in sickness or
 2927 internal injury. For the purposes of this subparagraph, the term
 2928 "drugs" means prescription drugs not prescribed for the child or
 2929 not administered as prescribed, and controlled substances as
 2930 outlined in Schedule I or Schedule II of s. 893.03.

2931 3. Leaving a child without adult supervision or
 2932 arrangement appropriate for the child's age or mental or
 2933 physical condition, so that the child is unable to care for the
 2934 child's own needs or another's basic needs or is unable to
 2935 exercise good judgment in responding to any kind of physical or
 2936 emotional crisis.

2937 4. Inappropriate or excessively harsh disciplinary action
 2938 that is likely to result in physical injury, mental injury as
 2939 defined in this section, or emotional injury. The significance
 2940 of any injury must be evaluated in light of the following
 2941 factors: the age of the child; any prior history of injuries to
 2942 the child; the location of the injury on the body of the child;
 2943 the multiplicity of the injury; and the type of trauma
 2944 inflicted. Corporal discipline may be considered excessive or
 2945 abusive when it results in any of the following or other similar
 2946 injuries:

- 2947 a. Sprains, dislocations, or cartilage damage.
- 2948 b. Bone or skull fractures.
- 2949 c. Brain or spinal cord damage.
- 2950 d. Intracranial hemorrhage or injury to other internal
 2951 organs.

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2952 e. Asphyxiation, suffocation, or drowning.
 2953 f. Injury resulting from the use of a deadly weapon.
 2954 g. Burns or scalding.
 2955 h. Cuts, lacerations, punctures, or bites.
 2956 i. Permanent or temporary disfigurement.
 2957 j. Permanent or temporary loss or impairment of a body
 2958 part or function.
 2959 k. Significant bruises or welts.
 2960 (g) Exposes a child to a controlled substance or alcohol.
 2961 Exposure to a controlled substance or alcohol is established by:
 2962 1. A test, administered at birth, which indicated that the
 2963 child's blood, urine, or meconium contained any amount of
 2964 alcohol or a controlled substance or metabolites of such
 2965 substances, the presence of which was not the result of medical
 2966 treatment administered to the mother or the newborn infant; or
 2967 2. Evidence of extensive, abusive, and chronic use of a
 2968 controlled substance or alcohol by a parent when the child is
 2969 demonstrably adversely affected by such usage.
 2970
 2971 As used in this paragraph, the term "controlled substance" means
 2972 prescription drugs not prescribed for the parent or not
 2973 administered as prescribed and controlled substances as outlined
 2974 in Schedule I or Schedule II of s. 893.03.
 2975 Section 12. For the purpose of incorporating the amendment
 2976 made by this act to section 893.03, Florida Statutes, in a
 2977 reference thereto, subsection (5) of section 316.193, Florida

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2978 Statutes, is reenacted to read:
 2979 316.193 Driving under the influence; penalties.—
 2980 (5) The court shall place all offenders convicted of
 2981 violating this section on monthly reporting probation and shall
 2982 require completion of a substance abuse course conducted by a
 2983 DUI program licensed by the department under s. 322.292, which
 2984 must include a psychosocial evaluation of the offender. If the
 2985 DUI program refers the offender to an authorized substance abuse
 2986 treatment provider for substance abuse treatment, in addition to
 2987 any sentence or fine imposed under this section, completion of
 2988 all such education, evaluation, and treatment is a condition of
 2989 reporting probation. The offender shall assume reasonable costs
 2990 for such education, evaluation, and treatment. The referral to
 2991 treatment resulting from a psychosocial evaluation shall not be
 2992 waived without a supporting independent psychosocial evaluation
 2993 conducted by an authorized substance abuse treatment provider
 2994 appointed by the court, which shall have access to the DUI
 2995 program's psychosocial evaluation before the independent
 2996 psychosocial evaluation is conducted. The court shall review the
 2997 results and recommendations of both evaluations before
 2998 determining the request for waiver. The offender shall bear the
 2999 full cost of this procedure. The term "substance abuse" means
 3000 the abuse of alcohol or any substance named or described in
 3001 Schedules I through V of s. 893.03. If an offender referred to
 3002 treatment under this subsection fails to report for or complete
 3003 such treatment or fails to complete the DUI program substance

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3004 abuse education course and evaluation, the DUI program shall
3005 notify the court and the department of the failure. Upon receipt
3006 of the notice, the department shall cancel the offender's
3007 driving privilege, notwithstanding the terms of the court order
3008 or any suspension or revocation of the driving privilege. The
3009 department may temporarily reinstate the driving privilege on a
3010 restricted basis upon verification from the DUI program that the
3011 offender is currently participating in treatment and the DUI
3012 education course and evaluation requirement has been completed.
3013 If the DUI program notifies the department of the second failure
3014 to complete treatment, the department shall reinstate the
3015 driving privilege only after notice of completion of treatment
3016 from the DUI program. The organization that conducts the
3017 substance abuse education and evaluation may not provide
3018 required substance abuse treatment unless a waiver has been
3019 granted to that organization by the department. A waiver may be
3020 granted only if the department determines, in accordance with
3021 its rules, that the service provider that conducts the substance
3022 abuse education and evaluation is the most appropriate service
3023 provider and is licensed under chapter 397 or is exempt from
3024 such licensure. A statistical referral report shall be submitted
3025 quarterly to the department by each organization authorized to
3026 provide services under this section.

3027 Section 13. For the purpose of incorporating the amendment
3028 made by this act to section 893.03, Florida Statutes, in a
3029 reference thereto, paragraph (c) of subsection (2) of section

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3030 322.2616, Florida Statutes, is reenacted to read:

3031 322.2616 Suspension of license; persons under 21 years of
3032 age; right to review.—

3033 (2)

3034 (c) When a driver subject to this section has a blood-
3035 alcohol or breath-alcohol level of 0.05 or higher, the
3036 suspension shall remain in effect until such time as the driver
3037 has completed a substance abuse course offered by a DUI program
3038 licensed by the department. The driver shall assume the
3039 reasonable costs for the substance abuse course. As part of the
3040 substance abuse course, the program shall conduct a substance
3041 abuse evaluation of the driver, and notify the parents or legal
3042 guardians of drivers under the age of 19 years of the results of
3043 the evaluation. The term "substance abuse" means the abuse of
3044 alcohol or any substance named or described in Schedules I
3045 through V of s. 893.03. If a driver fails to complete the
3046 substance abuse education course and evaluation, the driver
3047 license shall not be reinstated by the department.

3048 Section 14. For the purpose of incorporating the amendment
3049 made by this act to section 893.03, Florida Statutes, in a
3050 reference thereto, subsection (5) of section 327.35, Florida
3051 Statutes, is reenacted to read:

3052 327.35 Boating under the influence; penalties; "designated
3053 drivers."—

3054 (5) In addition to any sentence or fine, the court shall
3055 place any offender convicted of violating this section on

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3056 monthly reporting probation and shall require attendance at a
 3057 substance abuse course specified by the court; and the agency
 3058 conducting the course may refer the offender to an authorized
 3059 service provider for substance abuse evaluation and treatment,
 3060 in addition to any sentence or fine imposed under this section.
 3061 The offender shall assume reasonable costs for such education,
 3062 evaluation, and treatment, with completion of all such
 3063 education, evaluation, and treatment being a condition of
 3064 reporting probation. Treatment resulting from a psychosocial
 3065 evaluation may not be waived without a supporting psychosocial
 3066 evaluation conducted by an agency appointed by the court and
 3067 with access to the original evaluation. The offender shall bear
 3068 the cost of this procedure. The term "substance abuse" means the
 3069 abuse of alcohol or any substance named or described in
 3070 Schedules I-V of s. 893.03.

3071 Section 15. For the purpose of incorporating the amendment
 3072 made by this act to section 893.03, Florida Statutes, in a
 3073 reference thereto, paragraph (b) of subsection (11) of section
 3074 440.102, Florida Statutes, is reenacted to read:

3075 440.102 Drug-free workplace program requirements.—The
 3076 following provisions apply to a drug-free workplace program
 3077 implemented pursuant to law or to rules adopted by the Agency
 3078 for Health Care Administration:

3079 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK
 3080 POSITIONS.—

3081 (b) An employee who is employed by a public employer in a

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3082 special-risk position may be discharged or disciplined by a
3083 public employer for the first positive confirmed test result if
3084 the drug confirmed is an illicit drug under s. 893.03. A
3085 special-risk employee who is participating in an employee
3086 assistance program or drug rehabilitation program may not be
3087 allowed to continue to work in any special-risk or mandatory-
3088 testing position of the public employer, but may be assigned to
3089 a position other than a mandatory-testing position or placed on
3090 leave while the employee is participating in the program.

3091 However, the employee shall be permitted to use any accumulated
3092 annual leave credits before leave may be ordered without pay.

3093 Section 16. For the purpose of incorporating the amendment
3094 made by this act to section 893.03, Florida Statutes, in a
3095 reference thereto, subsection (2) of section 456.44, Florida
3096 Statutes, is reenacted to read:

3097 456.44 Controlled substance prescribing.—

3098 (2) REGISTRATION.—Effective January 1, 2012, a physician
3099 licensed under chapter 458, chapter 459, chapter 461, or chapter
3100 466 who prescribes any controlled substance, listed in Schedule
3101 II, Schedule III, or Schedule IV as defined in s. 893.03, for
3102 the treatment of chronic nonmalignant pain, must:

3103 (a) Designate himself or herself as a controlled substance
3104 prescribing practitioner on the physician's practitioner
3105 profile.

3106 (b) Comply with the requirements of this section and
3107 applicable board rules.

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3108 Section 17. For the purpose of incorporating the amendment
 3109 made by this act to section 893.03, Florida Statutes, in a
 3110 reference thereto, subsection (3) of section 458.326, Florida
 3111 Statutes, is reenacted to read:

3112 458.326 Intractable pain; authorized treatment.—

3113 (3) Notwithstanding any other provision of law, a
 3114 physician may prescribe or administer any controlled substance
 3115 under Schedules II-V, as provided for in s. 893.03, to a person
 3116 for the treatment of intractable pain, provided the physician
 3117 does so in accordance with that level of care, skill, and
 3118 treatment recognized by a reasonably prudent physician under
 3119 similar conditions and circumstances.

3120 Section 18. For the purpose of incorporating the amendment
 3121 made by this act to section 893.03, Florida Statutes, in a
 3122 reference thereto, paragraph (e) of subsection (1) of section
 3123 458.3265, Florida Statutes, is reenacted to read:

3124 458.3265 Pain-management clinics.—

3125 (1) REGISTRATION.—

3126 (e) The department shall deny registration to any pain-
 3127 management clinic owned by or with any contractual or employment
 3128 relationship with a physician:

3129 1. Whose Drug Enforcement Administration number has ever
 3130 been revoked.

3131 2. Whose application for a license to prescribe, dispense,
 3132 or administer a controlled substance has been denied by any
 3133 jurisdiction.

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3134 3. Who has been convicted of or pleaded guilty or nolo
 3135 contendere to, regardless of adjudication, an offense that
 3136 constitutes a felony for receipt of illicit and diverted drugs,
 3137 including a controlled substance listed in Schedule I, Schedule
 3138 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
 3139 this state, any other state, or the United States.

3140 Section 19. For the purpose of incorporating the amendment
 3141 made by this act to section 893.03, Florida Statutes, in a
 3142 reference thereto, paragraph (e) of subsection (1) of section
 3143 459.0137, Florida Statutes, is reenacted to read:

3144 459.0137 Pain-management clinics.—

3145 (1) REGISTRATION.—

3146 (e) The department shall deny registration to any pain-
 3147 management clinic owned by or with any contractual or employment
 3148 relationship with a physician:

3149 1. Whose Drug Enforcement Administration number has ever
 3150 been revoked.

3151 2. Whose application for a license to prescribe, dispense,
 3152 or administer a controlled substance has been denied by any
 3153 jurisdiction.

3154 3. Who has been convicted of or pleaded guilty or nolo
 3155 contendere to, regardless of adjudication, an offense that
 3156 constitutes a felony for receipt of illicit and diverted drugs,
 3157 including a controlled substance listed in Schedule I, Schedule
 3158 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
 3159 this state, any other state, or the United States.

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3160 Section 20. For the purpose of incorporating the amendment
 3161 made by this act to section 893.03, Florida Statutes, in a
 3162 reference thereto, paragraph (a) of subsection (4) of section
 3163 463.0055, Florida Statutes, is reenacted to read:

3164 463.0055 Administration and prescription of ocular
 3165 pharmaceutical agents.—

3166 (4) A certified optometrist shall be issued a prescriber
 3167 number by the board. Any prescription written by a certified
 3168 optometrist for an ocular pharmaceutical agent pursuant to this
 3169 section shall have the prescriber number printed thereon. A
 3170 certified optometrist may not administer or prescribe:

3171 (a) A controlled substance listed in Schedule III,
 3172 Schedule IV, or Schedule V of s. 893.03, except for an oral
 3173 analgesic placed on the formulary pursuant to this section for
 3174 the relief of pain due to ocular conditions of the eye and its
 3175 appendages.

3176 Section 21. For the purpose of incorporating the amendment
 3177 made by this act to section 893.03, Florida Statutes, in a
 3178 reference thereto, paragraph (b) of subsection (1) of section
 3179 465.0276, Florida Statutes, is reenacted to read:

3180 465.0276 Dispensing practitioner.—

3181 (1)

3182 (b) A practitioner registered under this section may not
 3183 dispense a controlled substance listed in Schedule II or
 3184 Schedule III as provided in s. 893.03. This paragraph does not
 3185 apply to:

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3186 1. The dispensing of complimentary packages of medicinal
 3187 drugs which are labeled as a drug sample or complimentary drug
 3188 as defined in s. 499.028 to the practitioner's own patients in
 3189 the regular course of her or his practice without the payment of
 3190 a fee or remuneration of any kind, whether direct or indirect,
 3191 as provided in subsection (5).

3192 2. The dispensing of controlled substances in the health
 3193 care system of the Department of Corrections.

3194 3. The dispensing of a controlled substance listed in
 3195 Schedule II or Schedule III in connection with the performance
 3196 of a surgical procedure. The amount dispensed pursuant to the
 3197 subparagraph may not exceed a 14-day supply. This exception does
 3198 not allow for the dispensing of a controlled substance listed in
 3199 Schedule II or Schedule III more than 14 days after the
 3200 performance of the surgical procedure. For purposes of this
 3201 subparagraph, the term "surgical procedure" means any procedure
 3202 in any setting which involves, or reasonably should involve:

3203 a. Perioperative medication and sedation that allows the
 3204 patient to tolerate unpleasant procedures while maintaining
 3205 adequate cardiorespiratory function and the ability to respond
 3206 purposefully to verbal or tactile stimulation and makes intra-
 3207 and postoperative monitoring necessary; or

3208 b. The use of general anesthesia or major conduction
 3209 anesthesia and preoperative sedation.

3210 4. The dispensing of a controlled substance listed in
 3211 Schedule II or Schedule III pursuant to an approved clinical

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3212 trial. For purposes of this subparagraph, the term "approved
 3213 clinical trial" means a clinical research study or clinical
 3214 investigation that, in whole or in part, is state or federally
 3215 funded or is conducted under an investigational new drug
 3216 application that is reviewed by the United States Food and Drug
 3217 Administration.

3218 5. The dispensing of methadone in a facility licensed
 3219 under s. 397.427 where medication-assisted treatment for opiate
 3220 addiction is provided.

3221 6. The dispensing of a controlled substance listed in
 3222 Schedule II or Schedule III to a patient of a facility licensed
 3223 under part IV of chapter 400.

3224 Section 22. For the purpose of incorporating the amendment
 3225 made by this act to section 893.03, Florida Statutes, in
 3226 references thereto, subsection (14) and paragraph (a) of
 3227 subsection (15) of section 499.0121, Florida Statutes, are
 3228 reenacted to read:

3229 499.0121 Storage and handling of prescription drugs;
 3230 recordkeeping.—The department shall adopt rules to implement
 3231 this section as necessary to protect the public health, safety,
 3232 and welfare. Such rules shall include, but not be limited to,
 3233 requirements for the storage and handling of prescription drugs
 3234 and for the establishment and maintenance of prescription drug
 3235 distribution records.

3236 (14) DISTRIBUTION REPORTING.—Each prescription drug
 3237 wholesale distributor, out-of-state prescription drug wholesale

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3238 distributor, retail pharmacy drug wholesale distributor,
 3239 manufacturer, or repackager that engages in the wholesale
 3240 distribution of controlled substances as defined in s. 893.02
 3241 shall submit a report to the department of its receipts and
 3242 distributions of controlled substances listed in Schedule II,
 3243 Schedule III, Schedule IV, or Schedule V as provided in s.
 3244 893.03. Wholesale distributor facilities located within this
 3245 state shall report all transactions involving controlled
 3246 substances, and wholesale distributor facilities located outside
 3247 this state shall report all distributions to entities located in
 3248 this state. If the prescription drug wholesale distributor, out-
 3249 of-state prescription drug wholesale distributor, retail
 3250 pharmacy drug wholesale distributor, manufacturer, or repackager
 3251 does not have any controlled substance distributions for the
 3252 month, a report shall be sent indicating that no distributions
 3253 occurred in the period. The report shall be submitted monthly by
 3254 the 20th of the next month, in the electronic format used for
 3255 controlled substance reporting to the Automation of Reports and
 3256 Consolidated Orders System division of the federal Drug
 3257 Enforcement Administration. Submission of electronic data must
 3258 be made in a secured Internet environment that allows for manual
 3259 or automated transmission. Upon successful transmission, an
 3260 acknowledgment page must be displayed to confirm receipt. The
 3261 report must contain the following information:
 3262 (a) The federal Drug Enforcement Administration
 3263 registration number of the wholesale distributing location.

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- 3264 (b) The federal Drug Enforcement Administration
- 3265 registration number of the entity to which the drugs are
- 3266 distributed or from which the drugs are received.
- 3267 (c) The transaction code that indicates the type of
- 3268 transaction.
- 3269 (d) The National Drug Code identifier of the product and
- 3270 the quantity distributed or received.
- 3271 (e) The Drug Enforcement Administration Form 222 number or
- 3272 Controlled Substance Ordering System Identifier on all Schedule
- 3273 II transactions.
- 3274 (f) The date of the transaction.

3275

3276 The department must share the reported data with the Department

3277 of Law Enforcement and local law enforcement agencies upon

3278 request and must monitor purchasing to identify purchasing

3279 levels that are inconsistent with the purchasing entity's

3280 clinical needs. The Department of Law Enforcement shall

3281 investigate purchases at levels that are inconsistent with the

3282 purchasing entity's clinical needs to determine whether

3283 violations of chapter 893 have occurred.

3284 (15) DUE DILIGENCE OF PURCHASERS.—

3285 (a) Each prescription drug wholesale distributor, out-of-

3286 state prescription drug wholesale distributor, and retail

3287 pharmacy drug wholesale distributor must establish and maintain

3288 policies and procedures to credential physicians licensed under

3289 chapter 458, chapter 459, chapter 461, or chapter 466 and

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3290 pharmacies that purchase or otherwise receive from the wholesale
3291 distributor controlled substances listed in Schedule II or
3292 Schedule III as provided in s. 893.03. The prescription drug
3293 wholesale distributor, out-of-state prescription drug wholesale
3294 distributor, or retail pharmacy drug wholesale distributor shall
3295 maintain records of such credentialing and make the records
3296 available to the department upon request. Such credentialing
3297 must, at a minimum, include:

3298 1. A determination of the clinical nature of the receiving
3299 entity, including any specialty practice area.

3300 2. A review of the receiving entity's history of Schedule
3301 II and Schedule III controlled substance purchasing from the
3302 wholesale distributor.

3303 3. A determination that the receiving entity's Schedule II
3304 and Schedule III controlled substance purchasing history, if
3305 any, is consistent with and reasonable for that entity's
3306 clinical business needs.

3307 Section 23. For the purpose of incorporating the amendment
3308 made by this act to section 893.03, Florida Statutes, in a
3309 reference thereto, paragraph (a) of subsection (3) of section
3310 499.029, Florida Statutes, is reenacted to read:

3311 499.029 Cancer Drug Donation Program.—

3312 (3) As used in this section:

3313 (a) "Cancer drug" means a prescription drug that has been
3314 approved under s. 505 of the federal Food, Drug, and Cosmetic
3315 Act and is used to treat cancer or its side effects or is used

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3316 to treat the side effects of a prescription drug used to treat
 3317 cancer or its side effects. "Cancer drug" does not include a
 3318 substance listed in Schedule II, Schedule III, Schedule IV, or
 3319 Schedule V of s. 893.03.

3320 Section 24. For the purpose of incorporating the amendment
 3321 made by this act to section 893.03, Florida Statutes, in
 3322 references thereto, subsections (1) and (4) of section 782.04,
 3323 Florida Statutes, are reenacted to read:

3324 782.04 Murder.—

3325 (1) (a) The unlawful killing of a human being:

3326 1. When perpetrated from a premeditated design to effect
 3327 the death of the person killed or any human being;

3328 2. When committed by a person engaged in the perpetration
 3329 of, or in the attempt to perpetrate, any:

3330 a. Trafficking offense prohibited by s. 893.135(1),

3331 b. Arson,

3332 c. Sexual battery,

3333 d. Robbery,

3334 e. Burglary,

3335 f. Kidnapping,

3336 g. Escape,

3337 h. Aggravated child abuse,

3338 i. Aggravated abuse of an elderly person or disabled

3339 adult,

3340 j. Aircraft piracy,

3341 k. Unlawful throwing, placing, or discharging of a

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3342 destructive device or bomb,
 3343 1. Carjacking,
 3344 m. Home-invasion robbery,
 3345 n. Aggravated stalking,
 3346 o. Murder of another human being,
 3347 p. Resisting an officer with violence to his or her
 3348 person,
 3349 q. Aggravated fleeing or eluding with serious bodily
 3350 injury or death,
 3351 r. Felony that is an act of terrorism or is in furtherance
 3352 of an act of terrorism; or
 3353 3. Which resulted from the unlawful distribution of any
 3354 substance controlled under s. 893.03(1), cocaine as described in
 3355 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
 3356 compound, derivative, or preparation of opium, or methadone by a
 3357 person 18 years of age or older, when such drug is proven to be
 3358 the proximate cause of the death of the user,
 3359
 3360 is murder in the first degree and constitutes a capital felony,
 3361 punishable as provided in s. 775.082.
 3362 (b) In all cases under this section, the procedure set
 3363 forth in s. 921.141 shall be followed in order to determine
 3364 sentence of death or life imprisonment.
 3365 (4) The unlawful killing of a human being, when
 3366 perpetrated without any design to effect death, by a person
 3367 engaged in the perpetration of, or in the attempt to perpetrate,

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3368 any felony other than any:
 3369 (a) Trafficking offense prohibited by s. 893.135(1),
 3370 (b) Arson,
 3371 (c) Sexual battery,
 3372 (d) Robbery,
 3373 (e) Burglary,
 3374 (f) Kidnapping,
 3375 (g) Escape,
 3376 (h) Aggravated child abuse,
 3377 (i) Aggravated abuse of an elderly person or disabled
 3378 adult,
 3379 (j) Aircraft piracy,
 3380 (k) Unlawful throwing, placing, or discharging of a
 3381 destructive device or bomb,
 3382 (l) Unlawful distribution of any substance controlled
 3383 under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4.,
 3384 or opium or any synthetic or natural salt, compound, derivative,
 3385 or preparation of opium by a person 18 years of age or older,
 3386 when such drug is proven to be the proximate cause of the death
 3387 of the user,
 3388 (m) Carjacking,
 3389 (n) Home-invasion robbery,
 3390 (o) Aggravated stalking,
 3391 (p) Murder of another human being,
 3392 (q) Aggravated fleeing or eluding with serious bodily
 3393 injury or death,

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3394 (r) Resisting an officer with violence to his or her
 3395 person, or

3396 (s) Felony that is an act of terrorism or is in
 3397 furtherance of an act of terrorism,

3398
 3399 is murder in the third degree and constitutes a felony of the
 3400 second degree, punishable as provided in s. 775.082, s. 775.083,
 3401 or s. 775.084.

3402 Section 25. For the purpose of incorporating the amendment
 3403 made by this act to section 893.03, Florida Statutes, in a
 3404 reference thereto, paragraph (a) of subsection (2) of section
 3405 787.06, Florida Statutes, is reenacted to read:

3406 787.06 Human trafficking.—

3407 (2) As used in this section, the term:

3408 (a) "Coercion" means:

3409 1. Using or threatening to use physical force against any
 3410 person;

3411 2. Restraining, isolating, or confining or threatening to
 3412 restrain, isolate, or confine any person without lawful
 3413 authority and against her or his will;

3414 3. Using lending or other credit methods to establish a
 3415 debt by any person when labor or services are pledged as a
 3416 security for the debt, if the value of the labor or services as
 3417 reasonably assessed is not applied toward the liquidation of the
 3418 debt, the length and nature of the labor or services are not
 3419 respectively limited and defined;

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3420 4. Destroying, concealing, removing, confiscating,
 3421 withholding, or possessing any actual or purported passport,
 3422 visa, or other immigration document, or any other actual or
 3423 purported government identification document, of any person;

3424 5. Causing or threatening to cause financial harm to any
 3425 person;

3426 6. Enticing or luring any person by fraud or deceit; or

3427 7. Providing a controlled substance as outlined in
 3428 Schedule I or Schedule II of s. 893.03 to any person for the
 3429 purpose of exploitation of that person.

3430 Section 26. For the purpose of incorporating the amendment
 3431 made by this act to section 893.03, Florida Statutes, in a
 3432 reference thereto, subsection (1) of section 817.563, Florida
 3433 Statutes, is reenacted to read:

3434 817.563 Controlled substance named or described in s.
 3435 893.03; sale of substance in lieu thereof.—It is unlawful for
 3436 any person to agree, consent, or in any manner offer to
 3437 unlawfully sell to any person a controlled substance named or
 3438 described in s. 893.03 and then sell to such person any other
 3439 substance in lieu of such controlled substance. Any person who
 3440 violates this section with respect to:

3441 (1) A controlled substance named or described in s.
 3442 893.03(1), (2), (3), or (4) is guilty of a felony of the third
 3443 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 3444 775.084.

3445 Section 27. For the purpose of incorporating the amendment

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3446 made by this act to section 893.03, Florida Statutes, in a
 3447 reference thereto, section 831.31, Florida Statutes, is
 3448 reenacted to read:

3449 831.31 Counterfeit controlled substance; sale,
 3450 manufacture, delivery, or possession with intent to sell,
 3451 manufacture, or deliver.—

3452 (1) It is unlawful for any person to sell, manufacture, or
 3453 deliver, or to possess with intent to sell, manufacture, or
 3454 deliver, a counterfeit controlled substance. Any person who
 3455 violates this subsection with respect to:

3456 (a) A controlled substance named or described in s.
 3457 893.03(1), (2), (3), or (4) is guilty of a felony of the third
 3458 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 3459 775.084.

3460 (b) A controlled substance named or described in s.
 3461 893.03(5) is guilty of a misdemeanor of the second degree,
 3462 punishable as provided in s. 775.082 or s. 775.083.

3463 (2) For purposes of this section, "counterfeit controlled
 3464 substance" means:

3465 (a) A controlled substance named or described in s. 893.03
 3466 which, or the container or labeling of which, without
 3467 authorization bears the trademark, trade name, or other
 3468 identifying mark, imprint, or number, or any likeness thereof,
 3469 of a manufacturer other than the person who in fact manufactured
 3470 the controlled substance; or

3471 (b) Any substance which is falsely identified as a

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3472 controlled substance named or described in s. 893.03.

3473 Section 28. For the purpose of incorporating the amendment
 3474 made by this act to section 893.03, Florida Statutes, in a
 3475 reference thereto, section 893.0301, Florida Statutes, is
 3476 reenacted to read:

3477 893.0301 Death resulting from apparent drug overdose;
 3478 reporting requirements.—If a person dies of an apparent drug
 3479 overdose:

3480 (1) A law enforcement agency shall prepare a report
 3481 identifying each prescribed controlled substance listed in
 3482 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is
 3483 found on or near the deceased or among the deceased's
 3484 possessions. The report must identify the person who prescribed
 3485 the controlled substance, if known or ascertainable. Thereafter,
 3486 the law enforcement agency shall submit a copy of the report to
 3487 the medical examiner.

3488 (2) A medical examiner who is preparing a report pursuant
 3489 to s. 406.11 shall include in the report information identifying
 3490 each prescribed controlled substance listed in Schedule II,
 3491 Schedule III, or Schedule IV of s. 893.03 that was found in, on,
 3492 or near the deceased or among the deceased's possessions.

3493 Section 29. For the purpose of incorporating the amendment
 3494 made by this act to section 893.03, Florida Statutes, in a
 3495 reference thereto, paragraph (a) of subsection (7) of section
 3496 893.035, Florida Statutes, is reenacted to read:

3497 893.035 Control of new substances; findings of fact;

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3498 delegation of authority to Attorney General to control
 3499 substances by rule.—

3500 (7) (a) If the Attorney General finds that the scheduling
 3501 of a substance in Schedule I of s. 893.03 on a temporary basis
 3502 is necessary to avoid an imminent hazard to the public safety,
 3503 he or she may by rule and without regard to the requirements of
 3504 subsection (5) relating to the Department of Health and the
 3505 Department of Law Enforcement schedule such substance in
 3506 Schedule I if the substance is not listed in any other schedule
 3507 of s. 893.03. The Attorney General shall be required to
 3508 consider, with respect to his or her finding of imminent hazard
 3509 to the public safety, only those factors set forth in paragraphs
 3510 (3) (a) and (4) (d), (e), and (f), including actual abuse,
 3511 diversion from legitimate channels, and clandestine importation,
 3512 manufacture, or distribution.

3513 Section 30. For the purpose of incorporating the amendment
 3514 made by this act to section 893.03, Florida Statutes, in a
 3515 reference thereto, subsection (1) of section 893.05, Florida
 3516 Statutes, is reenacted to read:

3517 893.05 Practitioners and persons administering controlled
 3518 substances in their absence.—

3519 (1) A practitioner, in good faith and in the course of his
 3520 or her professional practice only, may prescribe, administer,
 3521 dispense, mix, or otherwise prepare a controlled substance, or
 3522 the practitioner may cause the same to be administered by a
 3523 licensed nurse or an intern practitioner under his or her

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3524 direction and supervision only. A veterinarian may so prescribe,
 3525 administer, dispense, mix, or prepare a controlled substance for
 3526 use on animals only, and may cause it to be administered by an
 3527 assistant or orderly under the veterinarian's direction and
 3528 supervision only. A certified optometrist licensed under chapter
 3529 463 may not administer or prescribe a controlled substance
 3530 listed in Schedule I or Schedule II of s. 893.03.

3531 Section 31. For the purpose of incorporating the amendment
 3532 made by this act to section 893.03, Florida Statutes, in a
 3533 reference thereto, paragraph (b) of subsection (1) of section
 3534 893.055, Florida Statutes, is reenacted to read:

3535 893.055 Prescription drug monitoring program.—

3536 (1) As used in this section, the term:

3537 (b) "Controlled substance" means a controlled substance
 3538 listed in Schedule II, Schedule III, or Schedule IV in s.
 3539 893.03.

3540 Section 32. For the purpose of incorporating the amendment
 3541 made by this act to section 893.03, Florida Statutes, in a
 3542 reference thereto, paragraph (b) of subsection (5) of section
 3543 893.07, Florida Statutes, is reenacted to read:

3544 893.07 Records.—

3545 (5) Each person described in subsection (1) shall:

3546 (b) In the event of the discovery of the theft or
 3547 significant loss of controlled substances, report such theft or
 3548 significant loss to the sheriff of that county within 24 hours
 3549 after discovery. A person who fails to report a theft or

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3550 significant loss of a substance listed in s. 893.03(3), (4), or
 3551 (5) within 24 hours after discovery as required in this
 3552 paragraph commits a misdemeanor of the second degree, punishable
 3553 as provided in s. 775.082 or s. 775.083. A person who fails to
 3554 report a theft or significant loss of a substance listed in s.
 3555 893.03(2) within 24 hours after discovery as required in this
 3556 paragraph commits a misdemeanor of the first degree, punishable
 3557 as provided in s. 775.082 or s. 775.083.

3558 Section 33. For the purpose of incorporating the amendment
 3559 made by this act to section 893.03, Florida Statutes, in
 3560 references thereto, paragraphs (b), (c), and (d) of subsection
 3561 (2) of section 893.12, Florida Statutes, are reenacted to read:

3562 893.12 Contraband; seizure, forfeiture, sale.—

3563 (2)

3564 (b) All real property, including any right, title,
 3565 leasehold interest, and other interest in the whole of any lot
 3566 or tract of land and any appurtenances or improvements, which
 3567 real property is used, or intended to be used, in any manner or
 3568 part, to commit or to facilitate the commission of, or which
 3569 real property is acquired with proceeds obtained as a result of,
 3570 a violation of any provision of this chapter related to a
 3571 controlled substance described in s. 893.03(1) or (2) may be
 3572 seized and forfeited as provided by the Florida Contraband
 3573 Forfeiture Act except that no property shall be forfeited under
 3574 this paragraph to the extent of an interest of an owner or
 3575 lienholder by reason of any act or omission established by that

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3576 owner or lienholder to have been committed or omitted without
3577 the knowledge or consent of that owner or lienholder.

3578 (c) All moneys, negotiable instruments, securities, and
3579 other things of value furnished or intended to be furnished by
3580 any person in exchange for a controlled substance described in
3581 s. 893.03(1) or (2) or a listed chemical in violation of any
3582 provision of this chapter, all proceeds traceable to such an
3583 exchange, and all moneys, negotiable instruments, and securities
3584 used or intended to be used to facilitate any violation of any
3585 provision of this chapter or which are acquired with proceeds
3586 obtained in violation of any provision of this chapter may be
3587 seized and forfeited as provided by the Florida Contraband
3588 Forfeiture Act, except that no property shall be forfeited under
3589 this paragraph to the extent of an interest of an owner or
3590 lienholder by reason of any act or omission established by that
3591 owner or lienholder to have been committed or omitted without
3592 the knowledge or consent of that owner or lienholder.

3593 (d) All books, records, and research, including formulas,
3594 microfilm, tapes, and data which are used, or intended for use,
3595 or which are acquired with proceeds obtained, in violation of
3596 any provision of this chapter related to a controlled substance
3597 described in s. 893.03(1) or (2) or a listed chemical may be
3598 seized and forfeited as provided by the Florida Contraband
3599 Forfeiture Act.

3600 Section 34. For the purpose of incorporating the amendment
3601 made by this act to section 893.03, Florida Statutes, in a

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3602 reference thereto, subsection (2) of section 944.474, Florida
3603 Statutes, is reenacted to read:

3604 944.474 Legislative intent; employee wellness program;
3605 drug and alcohol testing.—

3606 (2) An employee of the department may not test positive
3607 for illegal use of controlled substances. An employee of the
3608 department may not be under the influence of alcohol while on
3609 duty. In order to ensure that these prohibitions are adhered to
3610 by all employees of the department and notwithstanding s.
3611 112.0455, the department may develop a program for the drug
3612 testing of all job applicants and for the random drug testing of
3613 all employees. The department may randomly evaluate employees
3614 for the contemporaneous use or influence of alcohol through the
3615 use of alcohol tests and observation methods. Notwithstanding s.
3616 112.0455, the department may develop a program for the
3617 reasonable suspicion drug testing of employees who are in
3618 mandatory-testing positions, as defined in s. 440.102(1)(o), or
3619 special risk positions, as defined in s. 112.0455(5), for the
3620 controlled substances listed in s. 893.03(3)(d). The reasonable
3621 suspicion drug testing authorized by this subsection shall be
3622 conducted in accordance with s. 112.0455, but may also include
3623 testing upon reasonable suspicion based on violent acts or
3624 violent behavior of an employee who is on or off duty. The
3625 department shall adopt rules pursuant to ss. 120.536(1) and
3626 120.54 that are necessary to administer this subsection.

3627 Section 35. For the purpose of incorporating the amendment

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3628 made by this act to section 893.033, Florida Statutes, in a
 3629 reference thereto, subsection (4) of section 893.149, Florida
 3630 Statutes, is reenacted to read:

3631 893.149 Unlawful possession of listed chemical.—

3632 (4) Any damages arising out of the unlawful possession of,
 3633 storage of, or tampering with a listed chemical, as defined in
 3634 s. 893.033, shall be the sole responsibility of the person or
 3635 persons unlawfully possessing, storing, or tampering with the
 3636 listed chemical. In no case shall liability for damages arising
 3637 out of the unlawful possession of, storage of, or tampering with
 3638 a listed chemical extend to the lawful owner, installer,
 3639 maintainer, designer, manufacturer, possessor, or seller of the
 3640 listed chemical, unless such damages arise out of the acts or
 3641 omissions of the owner, installer, maintainer, designer,
 3642 manufacturer, possessor, or seller which constitute negligent
 3643 misconduct or failure to abide by the laws regarding the
 3644 possession or storage of a listed chemical.

3645 Section 36. For the purpose of incorporating the amendment
 3646 made by this act to section 893.13, Florida Statutes, in a
 3647 reference thereto, paragraph (b) of subsection (4) of section
 3648 397.451, Florida Statutes, is reenacted to read:

3649 397.451 Background checks of service provider personnel.—

3650 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3651 (b) Since rehabilitated substance abuse impaired persons
 3652 are effective in the successful treatment and rehabilitation of
 3653 substance abuse impaired adolescents, for service providers

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3654 which treat adolescents 13 years of age and older, service
 3655 provider personnel whose background checks indicate crimes under
 3656 s. 817.563, s. 893.13, or s. 893.147 may be exempted from
 3657 disqualification from employment pursuant to this paragraph.

3658 Section 37. For the purpose of incorporating the amendment
 3659 made by this act to section 893.13, Florida Statutes, in a
 3660 reference thereto, subsection (2) of section 435.07, Florida
 3661 Statutes, is reenacted to read:

3662 435.07 Exemptions from disqualification.—Unless otherwise
 3663 provided by law, the provisions of this section apply to
 3664 exemptions from disqualification for disqualifying offenses
 3665 revealed pursuant to background screenings required under this
 3666 chapter, regardless of whether those disqualifying offenses are
 3667 listed in this chapter or other laws.

3668 (2) Persons employed, or applicants for employment, by
 3669 treatment providers who treat adolescents 13 years of age and
 3670 older who are disqualified from employment solely because of
 3671 crimes under s. 817.563, s. 893.13, or s. 893.147 may be
 3672 exempted from disqualification from employment pursuant to this
 3673 chapter without application of the waiting period in
 3674 subparagraph (1)(a)1.

3675 Section 38. For the purpose of incorporating the amendment
 3676 made by this act to section 893.13, Florida Statutes, in a
 3677 reference thereto, subsection (2) of section 772.12, Florida
 3678 Statutes, is reenacted to read:

3679 772.12 Drug Dealer Liability Act.—

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3680 (2) A person, including any governmental entity, has a
 3681 cause of action for threefold the actual damages sustained and
 3682 is entitled to minimum damages in the amount of \$1,000 and
 3683 reasonable attorney's fees and court costs in the trial and
 3684 appellate courts, if the person proves by the greater weight of
 3685 the evidence that:

3686 (a) The person was injured because of the defendant's
 3687 actions that resulted in the defendant's conviction for:

- 3688 1. A violation of s. 893.13, except for a violation of s.
 3689 893.13(2)(a) or (b), (3), (5), (6)(a), (b), or (c), (7); or
 3690 2. A violation of s. 893.135; and

3691 (b) The person was not injured by reason of his or her
 3692 participation in the same act or transaction that resulted in
 3693 the defendant's conviction for any offense described in
 3694 subparagraph (a)1.

3695 Section 39. For the purpose of incorporating the amendment
 3696 made by this act to section 893.13, Florida Statutes, in a
 3697 reference thereto, paragraph (a) of subsection (1) of section
 3698 775.084, Florida Statutes, is reenacted to read:

3699 775.084 Violent career criminals; habitual felony
 3700 offenders and habitual violent felony offenders; three-time
 3701 violent felony offenders; definitions; procedure; enhanced
 3702 penalties or mandatory minimum prison terms.—

3703 (1) As used in this act:

3704 (a) "Habitual felony offender" means a defendant for whom
 3705 the court may impose an extended term of imprisonment, as

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3706 provided in paragraph (4) (a), if it finds that:

3707 1. The defendant has previously been convicted of any
 3708 combination of two or more felonies in this state or other
 3709 qualified offenses.

3710 2. The felony for which the defendant is to be sentenced
 3711 was committed:

3712 a. While the defendant was serving a prison sentence or
 3713 other sentence, or court-ordered or lawfully imposed supervision
 3714 that is imposed as a result of a prior conviction for a felony
 3715 or other qualified offense; or

3716 b. Within 5 years of the date of the conviction of the
 3717 defendant's last prior felony or other qualified offense, or
 3718 within 5 years of the defendant's release from a prison
 3719 sentence, probation, community control, control release,
 3720 conditional release, parole or court-ordered or lawfully imposed
 3721 supervision or other sentence that is imposed as a result of a
 3722 prior conviction for a felony or other qualified offense,
 3723 whichever is later.

3724 3. The felony for which the defendant is to be sentenced,
 3725 and one of the two prior felony convictions, is not a violation
 3726 of s. 893.13 relating to the purchase or the possession of a
 3727 controlled substance.

3728 4. The defendant has not received a pardon for any felony
 3729 or other qualified offense that is necessary for the operation
 3730 of this paragraph.

3731 5. A conviction of a felony or other qualified offense

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3732 necessary to the operation of this paragraph has not been set
 3733 aside in any postconviction proceeding.

3734 Section 40. For the purpose of incorporating the amendment
 3735 made by this act to section 893.13, Florida Statutes, in a
 3736 reference thereto, subsection (3) of section 810.02, Florida
 3737 Statutes, is reenacted to read:

3738 810.02 Burglary.—

3739 (3) Burglary is a felony of the second degree, punishable
 3740 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
 3741 course of committing the offense, the offender does not make an
 3742 assault or battery and is not and does not become armed with a
 3743 dangerous weapon or explosive, and the offender enters or
 3744 remains in a:

3745 (a) Dwelling, and there is another person in the dwelling
 3746 at the time the offender enters or remains;

3747 (b) Dwelling, and there is not another person in the
 3748 dwelling at the time the offender enters or remains;

3749 (c) Structure, and there is another person in the
 3750 structure at the time the offender enters or remains;

3751 (d) Conveyance, and there is another person in the
 3752 conveyance at the time the offender enters or remains;

3753 (e) Authorized emergency vehicle, as defined in s.
 3754 316.003; or

3755 (f) Structure or conveyance when the offense intended to
 3756 be committed therein is theft of a controlled substance as
 3757 defined in s. 893.02. Notwithstanding any other law, separate

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3758 judgments and sentences for burglary with the intent to commit
3759 theft of a controlled substance under this paragraph and for any
3760 applicable possession of controlled substance offense under s.
3761 893.13 or trafficking in controlled substance offense under s.
3762 893.135 may be imposed when all such offenses involve the same
3763 amount or amounts of a controlled substance.

3764

3765 However, if the burglary is committed within a county that is
3766 subject to a state of emergency declared by the Governor under
3767 chapter 252 after the declaration of emergency is made and the
3768 perpetration of the burglary is facilitated by conditions
3769 arising from the emergency, the burglary is a felony of the
3770 first degree, punishable as provided in s. 775.082, s. 775.083,
3771 or s. 775.084. As used in this subsection, the term "conditions
3772 arising from the emergency" means civil unrest, power outages,
3773 curfews, voluntary or mandatory evacuations, or a reduction in
3774 the presence of or response time for first responders or
3775 homeland security personnel. A person arrested for committing a
3776 burglary within a county that is subject to such a state of
3777 emergency may not be released until the person appears before a
3778 committing magistrate at a first appearance hearing. For
3779 purposes of sentencing under chapter 921, a felony offense that
3780 is reclassified under this subsection is ranked one level above
3781 the ranking under s. 921.0022 or s. 921.0023 of the offense
3782 committed.

3783 Section 41. For the purpose of incorporating the amendment

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3784 made by this act to section 893.13, Florida Statutes, in a
 3785 reference thereto, subsection (2) of section 812.014, Florida
 3786 Statutes, is reenacted to read:
 3787 812.014 Theft.—
 3788 (2) (a) 1. If the property stolen is valued at \$100,000 or
 3789 more or is a semitrailer that was deployed by a law enforcement
 3790 officer; or
 3791 2. If the property stolen is cargo valued at \$50,000 or
 3792 more that has entered the stream of interstate or intrastate
 3793 commerce from the shipper's loading platform to the consignee's
 3794 receiving dock; or
 3795 3. If the offender commits any grand theft and:
 3796 a. In the course of committing the offense the offender
 3797 uses a motor vehicle as an instrumentality, other than merely as
 3798 a getaway vehicle, to assist in committing the offense and
 3799 thereby damages the real property of another; or
 3800 b. In the course of committing the offense the offender
 3801 causes damage to the real or personal property of another in
 3802 excess of \$1,000,
 3803
 3804 the offender commits grand theft in the first degree, punishable
 3805 as a felony of the first degree, as provided in s. 775.082, s.
 3806 775.083, or s. 775.084.
 3807 (b) 1. If the property stolen is valued at \$20,000 or more,
 3808 but less than \$100,000;
 3809 2. The property stolen is cargo valued at less than

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3810 \$50,000 that has entered the stream of interstate or intrastate
 3811 commerce from the shipper's loading platform to the consignee's
 3812 receiving dock;

3813 3. The property stolen is emergency medical equipment,
 3814 valued at \$300 or more, that is taken from a facility licensed
 3815 under chapter 395 or from an aircraft or vehicle permitted under
 3816 chapter 401; or

3817 4. The property stolen is law enforcement equipment,
 3818 valued at \$300 or more, that is taken from an authorized
 3819 emergency vehicle, as defined in s. 316.003,
 3820
 3821 the offender commits grand theft in the second degree,
 3822 punishable as a felony of the second degree, as provided in s.
 3823 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
 3824 means mechanical or electronic apparatus used to provide
 3825 emergency services and care as defined in s. 395.002(9) or to
 3826 treat medical emergencies. Law enforcement equipment means any
 3827 property, device, or apparatus used by any law enforcement
 3828 officer as defined in s. 943.10 in the officer's official
 3829 business. However, if the property is stolen within a county
 3830 that is subject to a state of emergency declared by the Governor
 3831 under chapter 252, the theft is committed after the declaration
 3832 of emergency is made, and the perpetration of the theft is
 3833 facilitated by conditions arising from the emergency, the theft
 3834 is a felony of the first degree, punishable as provided in s.
 3835 775.082, s. 775.083, or s. 775.084. As used in this paragraph,

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3836 the term "conditions arising from the emergency" means civil
 3837 unrest, power outages, curfews, voluntary or mandatory
 3838 evacuations, or a reduction in the presence of or response time
 3839 for first responders or homeland security personnel. For
 3840 purposes of sentencing under chapter 921, a felony offense that
 3841 is reclassified under this paragraph is ranked one level above
 3842 the ranking under s. 921.0022 or s. 921.0023 of the offense
 3843 committed.

3844 (c) It is grand theft of the third degree and a felony of
 3845 the third degree, punishable as provided in s. 775.082, s.
 3846 775.083, or s. 775.084, if the property stolen is:

- 3847 1. Valued at \$300 or more, but less than \$5,000.
- 3848 2. Valued at \$5,000 or more, but less than \$10,000.
- 3849 3. Valued at \$10,000 or more, but less than \$20,000.
- 3850 4. A will, codicil, or other testamentary instrument.
- 3851 5. A firearm.
- 3852 6. A motor vehicle, except as provided in paragraph (a).
- 3853 7. Any commercially farmed animal, including any animal of
 3854 the equine, bovine, or swine class or other grazing animal; a
 3855 bee colony of a registered beekeeper; and aquaculture species
 3856 raised at a certified aquaculture facility. If the property
 3857 stolen is aquaculture species raised at a certified aquaculture
 3858 facility, then a \$10,000 fine shall be imposed.
- 3859 8. Any fire extinguisher.
- 3860 9. Any amount of citrus fruit consisting of 2,000 or more
 3861 individual pieces of fruit.

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- 3862 10. Taken from a designated construction site identified
 3863 by the posting of a sign as provided for in s. 810.09(2)(d).
 3864 11. Any stop sign.
 3865 12. Anhydrous ammonia.
 3866 13. Any amount of a controlled substance as defined in s.
 3867 893.02. Notwithstanding any other law, separate judgments and
 3868 sentences for theft of a controlled substance under this
 3869 subparagraph and for any applicable possession of controlled
 3870 substance offense under s. 893.13 or trafficking in controlled
 3871 substance offense under s. 893.135 may be imposed when all such
 3872 offenses involve the same amount or amounts of a controlled
 3873 substance.

3874
 3875 However, if the property is stolen within a county that is
 3876 subject to a state of emergency declared by the Governor under
 3877 chapter 252, the property is stolen after the declaration of
 3878 emergency is made, and the perpetration of the theft is
 3879 facilitated by conditions arising from the emergency, the
 3880 offender commits a felony of the second degree, punishable as
 3881 provided in s. 775.082, s. 775.083, or s. 775.084, if the
 3882 property is valued at \$5,000 or more, but less than \$10,000, as
 3883 provided under subparagraph 2., or if the property is valued at
 3884 \$10,000 or more, but less than \$20,000, as provided under
 3885 subparagraph 3. As used in this paragraph, the term "conditions
 3886 arising from the emergency" means civil unrest, power outages,
 3887 curfews, voluntary or mandatory evacuations, or a reduction in

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3888 the presence of or the response time for first responders or
 3889 homeland security personnel. For purposes of sentencing under
 3890 chapter 921, a felony offense that is reclassified under this
 3891 paragraph is ranked one level above the ranking under s.
 3892 921.0022 or s. 921.0023 of the offense committed.

3893 (d) It is grand theft of the third degree and a felony of
 3894 the third degree, punishable as provided in s. 775.082, s.
 3895 775.083, or s. 775.084, if the property stolen is valued at \$100
 3896 or more, but less than \$300, and is taken from a dwelling as
 3897 defined in s. 810.011(2) or from the unenclosed curtilage of a
 3898 dwelling pursuant to s. 810.09(1).

3899 (e) Except as provided in paragraph (d), if the property
 3900 stolen is valued at \$100 or more, but less than \$300, the
 3901 offender commits petit theft of the first degree, punishable as
 3902 a misdemeanor of the first degree, as provided in s. 775.082 or
 3903 s. 775.083.

3904 Section 42. For the purpose of incorporating the amendment
 3905 made by this act to section 893.13, Florida Statutes, in a
 3906 reference thereto, subsection (1) of section 831.311, Florida
 3907 Statutes, is reenacted to read:

3908 831.311 Unlawful sale, manufacture, alteration, delivery,
 3909 uttering, or possession of counterfeit-resistant prescription
 3910 blanks for controlled substances.—

3911 (1) It is unlawful for any person having the intent to
 3912 injure or defraud any person or to facilitate any violation of
 3913 s. 893.13 to sell, manufacture, alter, deliver, utter, or

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3914 possess with intent to injure or defraud any person, or to
 3915 facilitate any violation of s. 893.13, any counterfeit-resistant
 3916 prescription blanks for controlled substances, the form and
 3917 content of which are adopted by rule of the Department of Health
 3918 pursuant to s. 893.065.

3919 Section 43. For the purpose of incorporating the amendment
 3920 made by this act to section 893.13, Florida Statutes, in a
 3921 reference thereto, subsection (1) of section 893.1351, Florida
 3922 Statutes, is reenacted to read:

3923 893.1351 Ownership, lease, rental, or possession for
 3924 trafficking in or manufacturing a controlled substance.—

3925 (1) A person may not own, lease, or rent any place,
 3926 structure, or part thereof, trailer, or other conveyance with
 3927 the knowledge that the place, structure, trailer, or conveyance
 3928 will be used for the purpose of trafficking in a controlled
 3929 substance, as provided in s. 893.135; for the sale of a
 3930 controlled substance, as provided in s. 893.13; or for the
 3931 manufacture of a controlled substance intended for sale or
 3932 distribution to another. A person who violates this subsection
 3933 commits a felony of the third degree, punishable as provided in
 3934 s. 775.082, s. 775.083, or s. 775.084.

3935 Section 44. For the purpose of incorporating the amendment
 3936 made by this act to section 893.13, Florida Statutes, in a
 3937 reference thereto, subsection (3) of section 893.138, Florida
 3938 Statutes, is reenacted to read:

3939 893.38 Local administrative action to abate drug-related,

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3940 prostitution-related, or stolen-property-related public
 3941 nuisances and criminal gang activity.—
 3942 (3) Any pain-management clinic, as described in s.
 3943 458.3265 or s. 459.0137, which has been used on more than two
 3944 occasions within a 6-month period as the site of a violation of:
 3945 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,
 3946 relating to assault and battery;
 3947 (b) Section 810.02, relating to burglary;
 3948 (c) Section 812.014, relating to dealing in theft;
 3949 (d) Section 812.131, relating to robbery by sudden
 3950 snatching; or
 3951 (e) Section 893.13, relating to the unlawful distribution
 3952 of controlled substances,
 3953
 3954 may be declared to be a public nuisance, and such nuisance may
 3955 be abated pursuant to the procedures provided in this section.
 3956 Section 45. For the purpose of incorporating the amendment
 3957 made by this act to section 893.13, Florida Statutes, in a
 3958 reference thereto, section 893.15, Florida Statutes, is
 3959 reenacted to read:
 3960 893.15 Rehabilitation.—Any person who violates s.
 3961 893.13(6) (a) or (b) relating to possession may, in the
 3962 discretion of the trial judge, be required to participate in a
 3963 substance abuse services program approved or regulated by the
 3964 Department of Children and Families pursuant to the provisions
 3965 of chapter 397, provided the director of such program approves

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3966 the placement of the defendant in such program. Such required
 3967 participation shall be imposed in addition to any penalty or
 3968 probation otherwise prescribed by law. However, the total time
 3969 of such penalty, probation, and program participation shall not
 3970 exceed the maximum length of sentence possible for the offense.

3971 Section 46. For the purpose of incorporating the amendment
 3972 made by this act to section 893.13, Florida Statutes, in a
 3973 reference thereto, section 903.133, Florida Statutes, is
 3974 reenacted to read:

3975 903.133 Bail on appeal; prohibited for certain felony
 3976 convictions.—Notwithstanding the provisions of s. 903.132, no
 3977 person adjudged guilty of a felony of the first degree for a
 3978 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
 3979 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
 3980 violation of s. 794.011(2) or (3), shall be admitted to bail
 3981 pending review either by posttrial motion or appeal.

3982 Section 47. For the purpose of incorporating the amendment
 3983 made by this act to section 893.13, Florida Statutes, in a
 3984 reference thereto, paragraph (1) of subsection (1) of section
 3985 921.187, Florida Statutes, is reenacted to read:

3986 921.187 Disposition and sentencing; alternatives;
 3987 restitution.—

3988 (1) The alternatives provided in this section for the
 3989 disposition of criminal cases shall be used in a manner that
 3990 will best serve the needs of society, punish criminal offenders,
 3991 and provide the opportunity for rehabilitation. If the offender

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3992 does not receive a state prison sentence, the court may:

3993 (1)1. Require the offender who violates any criminal
 3994 provision of chapter 893 to pay an additional assessment in an
 3995 amount up to the amount of any fine imposed, pursuant to ss.
 3996 938.21 and 938.23.

3997 2. Require the offender who violates any provision of s.
 3998 893.13 to pay an additional assessment in an amount of \$100,
 3999 pursuant to ss. 938.055 and 943.361.

4000 Section 48. For the purpose of incorporating the amendment
 4001 made by this act to section 893.145, Florida Statutes, in a
 4002 reference thereto, paragraph (a) of subsection (2) of section
 4003 893.12, Florida Statutes, is reenacted to read:

4004 893.12 Contraband; seizure, forfeiture, sale.—

4005 (2) (a) Any vessel, vehicle, aircraft, or drug
 4006 paraphernalia as defined in s. 893.145 which has been or is
 4007 being used in violation of any provision of this chapter or in,
 4008 upon, or by means of which any violation of this chapter has
 4009 taken or is taking place may be seized and forfeited as provided
 4010 by the Florida Contraband Forfeiture Act.

4011 Section 49. For the purpose of incorporating the amendment
 4012 made by this act to section 893.145, Florida Statutes, in a
 4013 reference thereto, paragraph (a) of subsection (6) of section
 4014 893.147, Florida Statutes, is reenacted to read:

4015 893.147 Use, possession, manufacture, delivery,
 4016 transportation, advertisement, or retail sale of drug
 4017 paraphernalia.—

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4018 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—
 4019 (a) It is unlawful for a person to knowingly and willfully
 4020 sell or offer for sale at retail any drug paraphernalia
 4021 described in s. 893.145(12)(a)-(c) or (g)-(m), other than a pipe
 4022 that is primarily made of briar, meerschaum, clay, or corn cob.
 4023 Section 50. For the purpose of incorporating the amendment
 4024 made by this act to section 895.02, Florida Statutes, in a
 4025 reference thereto, paragraph (a) of subsection (1) of section
 4026 16.56, Florida Statutes, is reenacted to read:
 4027 16.56 Office of Statewide Prosecution.—
 4028 (1) There is created in the Department of Legal Affairs an
 4029 Office of Statewide Prosecution. The office shall be a separate
 4030 "budget entity" as that term is defined in chapter 216. The
 4031 office may:
 4032 (a) Investigate and prosecute the offenses of:
 4033 1. Bribery, burglary, criminal usury, extortion, gambling,
 4034 kidnapping, larceny, murder, prostitution, perjury, robbery,
 4035 carjacking, and home-invasion robbery;
 4036 2. Any crime involving narcotic or other dangerous drugs;
 4037 3. Any violation of the Florida RICO (Racketeer Influenced
 4038 and Corrupt Organization) Act, including any offense listed in
 4039 the definition of racketeering activity in s. 895.02(1)(a),
 4040 providing such listed offense is investigated in connection with
 4041 a violation of s. 895.03 and is charged in a separate count of
 4042 an information or indictment containing a count charging a
 4043 violation of s. 895.03, the prosecution of which listed offense

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4044 may continue independently if the prosecution of the violation
 4045 of s. 895.03 is terminated for any reason;

4046 4. Any violation of the Florida Anti-Fencing Act;

4047 5. Any violation of the Florida Antitrust Act of 1980, as
 4048 amended;

4049 6. Any crime involving, or resulting in, fraud or deceit
 4050 upon any person;

4051 7. Any violation of s. 847.0135, relating to computer
 4052 pornography and child exploitation prevention, or any offense
 4053 related to a violation of s. 847.0135 or any violation of
 4054 chapter 827 where the crime is facilitated by or connected to
 4055 the use of the Internet or any device capable of electronic data
 4056 storage or transmission;

4057 8. Any violation of chapter 815;

4058 9. Any criminal violation of part I of chapter 499;

4059 10. Any violation of the Florida Motor Fuel Tax Relief Act
 4060 of 2004;

4061 11. Any criminal violation of s. 409.920 or s. 409.9201;

4062 12. Any crime involving voter registration, voting, or
 4063 candidate or issue petition activities;

4064 13. Any criminal violation of the Florida Money Laundering
 4065 Act;

4066 14. Any criminal violation of the Florida Securities and
 4067 Investor Protection Act; or

4068 15. Any violation of chapter 787, as well as any and all
 4069 offenses related to a violation of chapter 787;

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4070
4071 or any attempt, solicitation, or conspiracy to commit any of the
4072 crimes specifically enumerated above. The office shall have such
4073 power only when any such offense is occurring, or has occurred,
4074 in two or more judicial circuits as part of a related
4075 transaction, or when any such offense is connected with an
4076 organized criminal conspiracy affecting two or more judicial
4077 circuits. Informations or indictments charging such offenses
4078 shall contain general allegations stating the judicial circuits
4079 and counties in which crimes are alleged to have occurred or the
4080 judicial circuits and counties in which crimes affecting such
4081 circuits or counties are alleged to have been connected with an
4082 organized criminal conspiracy.

4083 Section 51. For the purpose of incorporating the amendment
4084 made by this act to section 895.02, Florida Statutes, in a
4085 reference thereto, paragraph (g) of subsection (3) of section
4086 655.50, Florida Statutes, is reenacted to read:

4087 655.50 Florida Control of Money Laundering and Terrorist
4088 Financing in Financial Institutions Act.—

4089 (3) As used in this section, the term:

4090 (g) "Specified unlawful activity" means "racketeering
4091 activity" as defined in s. 895.02.

4092 Section 52. For the purpose of incorporating the amendment
4093 made by this act to section 895.02, Florida Statutes, in a
4094 reference thereto, paragraph (g) of subsection (2) of section
4095 896.101, Florida Statutes, is reenacted to read:

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4096 896.101 Florida Money Laundering Act; definitions;
 4097 penalties; injunctions; seizure warrants; immunity.—

4098 (2) As used in this section, the term:

4099 (g) "Specified unlawful activity" means any "racketeering
 4100 activity" as defined in s. 895.02.

4101 Section 53. For the purpose of incorporating the amendment
 4102 made by this act to section 895.02, Florida Statutes, in a
 4103 reference thereto, section 905.34, Florida Statutes, is
 4104 reenacted to read:

4105 905.34 Powers and duties; law applicable.—The jurisdiction
 4106 of a statewide grand jury impaneled under this chapter shall
 4107 extend throughout the state. The subject matter jurisdiction of
 4108 the statewide grand jury shall be limited to the offenses of:

4109 (1) Bribery, burglary, carjacking, home-invasion robbery,
 4110 criminal usury, extortion, gambling, kidnapping, larceny,
 4111 murder, prostitution, perjury, and robbery;

4112 (2) Crimes involving narcotic or other dangerous drugs;

4113 (3) Any violation of the provisions of the Florida RICO
 4114 (Racketeer Influenced and Corrupt Organization) Act, including
 4115 any offense listed in the definition of racketeering activity in
 4116 s. 895.02(1)(a), providing such listed offense is investigated
 4117 in connection with a violation of s. 895.03 and is charged in a
 4118 separate count of an information or indictment containing a
 4119 count charging a violation of s. 895.03, the prosecution of
 4120 which listed offense may continue independently if the
 4121 prosecution of the violation of s. 895.03 is terminated for any

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4122 | reason;

4123 | (4) Any violation of the provisions of the Florida Anti-

4124 | Fencing Act;

4125 | (5) Any violation of the provisions of the Florida

4126 | Antitrust Act of 1980, as amended;

4127 | (6) Any violation of the provisions of chapter 815;

4128 | (7) Any crime involving, or resulting in, fraud or deceit

4129 | upon any person;

4130 | (8) Any violation of s. 847.0135, s. 847.0137, or s.

4131 | 847.0138 relating to computer pornography and child exploitation

4132 | prevention, or any offense related to a violation of s.

4133 | 847.0135, s. 847.0137, or s. 847.0138 or any violation of

4134 | chapter 827 where the crime is facilitated by or connected to

4135 | the use of the Internet or any device capable of electronic data

4136 | storage or transmission;

4137 | (9) Any criminal violation of part I of chapter 499;

4138 | (10) Any criminal violation of s. 409.920 or s. 409.9201;

4139 | (11) Any criminal violation of the Florida Money

4140 | Laundering Act;

4141 | (12) Any criminal violation of the Florida Securities and

4142 | Investor Protection Act; or

4143 | (13) Any violation of chapter 787, as well as any and all

4144 | offenses related to a violation of chapter 787;

4145 |

4146 | or any attempt, solicitation, or conspiracy to commit any

4147 | violation of the crimes specifically enumerated above, when any

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4148 | such offense is occurring, or has occurred, in two or more
4149 | judicial circuits as part of a related transaction or when any
4150 | such offense is connected with an organized criminal conspiracy
4151 | affecting two or more judicial circuits. The statewide grand
4152 | jury may return indictments and presentments irrespective of the
4153 | county or judicial circuit where the offense is committed or
4154 | triable. If an indictment is returned, it shall be certified and
4155 | transferred for trial to the county where the offense was
4156 | committed. The powers and duties of, and law applicable to,
4157 | county grand juries shall apply to a statewide grand jury except
4158 | when such powers, duties, and law are inconsistent with the
4159 | provisions of ss. 905.31-905.40.

4160 | Section 54. This act shall take effect July 1, 2016.