



460300

576-03397-16

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to illicit drugs; amending s. 893.02, F.S.; defining terms; deleting a definition; revising definitions; amending s. 893.03, F.S.; providing that class designation is a way to reference scheduled controlled substances; adding, deleting, and revising the list of Schedule I controlled substances; revising the list of Schedule III anabolic steroids; amending s. 893.033, F.S.; adding, deleting, and revising the list of precursor and essential chemicals; amending s. 893.0356, F.S.; defining the term "substantially similar"; deleting the term "potential for abuse"; requiring that a controlled substance analog be treated as the highest scheduled controlled substance of which it is an analog; amending s. 893.13, F.S.; creating a noncriminal penalty for selling, manufacturing, or delivering, or possessing with intent to sell, manufacture, or deliver any unlawful controlled substance in, on, or near an assisted living facility; creating a criminal penalty for a person 18 years of age or older who delivers to a person younger than 18 years of age any illegal controlled substance, who uses or hires a person younger than 18 years of age in the sale or delivery of such substance, or who uses a person younger than 18 years of age to assist in avoiding detection for specified violations; deleting a criminal penalty for



460300

576-03397-16

28 possession of a certain amount of specified controlled
29 substances; deleting certain exclusions to the
30 definition of the term "cannabis"; creating a criminal
31 penalty for possession of specified controlled
32 substances; correcting a cross-reference; amending s.
33 893.135, F.S.; revising a dosage unit to include a
34 gelatin capsule for the purpose of clarifying
35 legislative intent regarding the weighing of a mixture
36 containing a controlled substance; amending s.
37 893.138, F.S.; authorizing a place or premises that
38 has been used on two or more occasions for specified
39 violations within a certain time period to be declared
40 a public nuisance; amending s. 893.145, F.S.; revising
41 the definition of the term "drug paraphernalia";
42 amending s. 895.02, F.S.; revising the definition of
43 the term "racketeering activity"; amending s.
44 921.0022, F.S.; adding an adult delivering controlled
45 substances to a minor, using or hiring a minor to sell
46 controlled substances, or using a minor to avoid
47 detection or apprehension to level 3 of the offense
48 severity ranking chart of the Criminal Punishment
49 Code; making technical changes; reenacting ss.
50 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c),
51 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3),
52 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a),
53 465.0276(1)(b), 499.0121(14) and (15)(a),
54 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a),
55 817.563(1), 831.31, 893.0301, 893.035(7)(a),
56 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b),



460300

576-03397-16

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)(l), F.S., to
65 incorporate the amendment made to s. 893.13, F.S., in
66 references thereto; reenacting ss. 893.12(2)(a) and
67 893.147(6)(a), F.S., to incorporate the amendment made
68 to s. 893.145, F.S., in references thereto; reenacting
69 ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and
70 905.34, F.S., to incorporate the amendment made to s.
71 895.02, F.S., in references thereto; providing an
72 effective date.

73

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

75

76 Section 1. Subsections (2), (11), and (16) of section
77 893.02, Florida Statutes, are amended, new subsections (17) and
78 (20) are added to that section, present subsections (17), (18),
79 (19), (20), (21), (22), and (23) of that section are
80 redesignated as subsections (18), (19), (21), (22), (23), (24),
81 and (25), respectively, and subsections (4) and (14) are
82 republished, to read:

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



460300

576-03397-16

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

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

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

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

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

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

111 (20) "Positional isomer" means any substance that possesses
112 the same molecular formula and core structure and that has the
113 same functional group or substituent as those found in the
114 respective controlled substance, attached at any positions on



460300

576-03397-16

115 the core structure, but in such manner that no new chemical
116 functionalities are created and no existing chemical
117 functionalities are destroyed relative to the respective
118 controlled substance. Rearrangements of alkyl moieties within or
119 between functional groups or substituents, or divisions or
120 combinations of alkyl moieties, which do not create new chemical
121 functionalities or destroy existing chemical functionalities,
122 are allowed and include resulting compounds that are positional
123 isomers. As used in this definition, the term "core structure"
124 means the parent molecule that is the common basis for the class
125 that includes, but is not limited to, tryptamine,
126 phenethylamine, or ergoline. Examples of rearrangements
127 resulting in creation or destruction of chemical
128 functionalities, and therefore resulting in compounds that are
129 not positional isomers, include, but are not limited to, ethoxy
130 to alpha-hydroxyethyl, hydroxy and methyl to methoxy, or the
131 repositioning of a phenolic or alcoholic hydroxy group to create
132 a 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



460300

576-03397-16

144 this section shall not be construed to include within any of the
145 schedules contained in this section any excluded drugs listed
146 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
147 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
148 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
149 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
150 Anabolic Steroid Products."

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

156 (a) Unless specifically excepted or unless listed in
157 another schedule, any of the following substances, including
158 their isomers, esters, ethers, salts, and salts of isomers,
159 esters, and ethers, whenever the existence of such isomers,
160 esters, ethers, and salts is possible within the specific
161 chemical designation:

- 162 1. Acetyl-alpha-methylfentanyl.
- 163 2. Acetylmethadol.
- 164 3. Allylprodine.
- 165 4. Alphacetylmethadol (except levo-alphacetylmethadol, also
166 known as levo-alpha-acetylmethadol, levomethadyl acetate, or
167 LAAM).
- 168 5. Alphamethadol.
- 169 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)
170 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
171 (N-propanilido) piperidine).
- 172 7. Alpha-methylthiofentanyl.



460300

576-03397-16

- 173 8. Alphameprodine.
- 174 9. Benzethidine.
- 175 10. Benzylfentanyl.
- 176 11. Betacetylmethadol.
- 177 12. Beta-hydroxyfentanyl.
- 178 13. Beta-hydroxy-3-methylfentanyl.
- 179 14. Betameprodine.
- 180 15. Betamethadol.
- 181 16. Betaprodine.
- 182 17. Clonitazene.
- 183 18. Dextromoramide.
- 184 19. Diampromide.
- 185 20. Diethylthiambutene.
- 186 21. Difenoxin.
- 187 22. Dimenoxadol.
- 188 23. Dimepheptanol.
- 189 24. Dimethylthiambutene.
- 190 25. Dioxaphetyl butyrate.
- 191 26. Dipipanone.
- 192 27. Ethylmethylthiambutene.
- 193 28. Etonitazene.
- 194 29. Etoxeridine.
- 195 30. Flunitrazepam.
- 196 31. Furethidine.
- 197 32. Hydroxypethidine.
- 198 33. Ketobemidone.
- 199 34. Levomoramide.
- 200 35. Levophenacymorphan.
- 201 36. Desmethylprodine (1-Methyl-4-Phenyl-4-



460300

576-03397-16

- 202 Propionoxypiperidine) ~~(MPPP)~~.
- 203 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 204 piperidyl]-N-phenylpropanamide).
- 205 38. 3-Methylthiofentanyl.
- 206 39. Morpheridine.
- 207 40. Noracymethadol.
- 208 41. Norlevorphanol.
- 209 42. Normethadone.
- 210 43. Norpipanone.
- 211 44. Para-Fluorofentanyl.
- 212 45. Phenadoxone.
- 213 46. Phenampromide.
- 214 47. Phenomorphan.
- 215 48. Phenoperidine.
- 216 49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
- 217 Acetyloxypiperidine) ~~(PEPAP)~~.
- 218 50. Piritramide.
- 219 51. Proheptazine.
- 220 52. Properidine.
- 221 53. Propiram.
- 222 54. Racemoramide.
- 223 55. Thenylfentanyl.
- 224 56. Thiofentanyl.
- 225 57. Tilidine.
- 226 58. Trimeperidine.
- 227 59. Acetylfentanyl.
- 228 60. Butyrylfentanyl.
- 229 61. Beta-Hydroxythiofentanyl.
- 230 (b) Unless specifically excepted or unless listed in



460300

576-03397-16

231 another schedule, any of the following substances, their salts,
232 isomers, and salts of isomers, whenever the existence of such
233 salts, isomers, and salts of isomers is possible within the
234 specific chemical designation:

- 235 1. Acetorphine.
- 236 2. Acetyldihydrocodeine.
- 237 3. Benzylmorphine.
- 238 4. Codeine methylbromide.
- 239 5. Codeine-N-Oxide.
- 240 6. Cyprenorphine.
- 241 7. Desomorphine.
- 242 8. Dihydromorphine.
- 243 9. Drotebanol.
- 244 10. Etorphine (except hydrochloride salt).
- 245 11. Heroin.
- 246 12. Hydromorphenol.
- 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



460300

576-03397-16

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

- 269 1. Alpha-Ethyltryptamine.
- 270 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-oxazoline)
271 ~~(4-methylaminorex)~~.
- 272 3. Aminorex (2-Amino-5-phenyl-2-oxazoline) ~~(Aminorex)~~.
- 273 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 274 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 275 6. Bufotenine.
- 276 7. Cannabis.
- 277 8. Cathinone.
- 278 9. DET (Diethyltryptamine).
- 279 10. 2,5-Dimethoxyamphetamine.
- 280 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
281 ~~4-ethylamphetamine (DOET)~~.
- 282 12. DMT (Dimethyltryptamine).
- 283 13. PCE (N-Ethyl-1-phenylcyclohexylamine) ~~(PCE)~~ (Ethylamine
284 analog of phencyclidine).
- 285 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
- 286 15. N-Ethylamphetamine.
- 287 16. Fenethylamine.
- 288 17. 3,4-Methylenedioxy-N-hydroxyamphetamine ~~N-Hydroxy-3,4-~~



460300

576-03397-16

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



460300

576-03397-16

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-Methylenedioxyamphetaminone).

326 41. MDPV (3,4-Methylenedioxypropylone) ~~(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-(2-
335 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol],
336 ~~also known as HU-210.~~

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

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.



460300

576-03397-16

- 347 55. Methoxyphenylpiperazine.
- 348 56. DBZP (1,4-Dibenzylpiperazine).
- 349 57. TFMPP (~~3~~-Trifluoromethylphenylpiperazine).
- 350 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 351 Methylenedioxy-N-methylbutanamine).
- 352 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 353 60. 5-Hydroxy-N-methyltryptamine.
- 354 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 355 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 356 63. Methyltryptamine.
- 357 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 358 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 359 66. Tyramine (4-Hydroxyphenethylamine).
- 360 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 361 68. DiPT (N,N-Diisopropyltryptamine).
- 362 69. DPT (N,N-Dipropyltryptamine).
- 363 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 364 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine) ~~N,N-~~
- 365 ~~Diallyl-5-Methoxytryptamine~~.
- 366 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 367 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 368 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 369 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine)
- 370 ~~2,5-Dimethoxy-4-isopropylthiophenethylamine~~).
- 371 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 372 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
- 373 ~~Dimethoxy-4-methylthiophenethylamine~~).
- 374 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
- 375 ~~Dimethoxy-4-ethylthiophenethylamine~~).



460300

576-03397-16

- 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-methylenedioxyecathinone.
- 387 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~
388 ~~3,4-methylenedioxyecathinone.~~
- 389 87. 3,4-Methylenedioxy-propiofenone.
- 390 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~
391 ~~3,4-Methylenedioxypropiofenone.~~
- 392 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 393 90. 3,4-Methylenedioxy-N-acetylcathinone ~~N-Acetyl-3,4-~~
394 ~~methylenedioxyecathinone.~~
- 395 91. 3,4-Methylenedioxy-N-acetylmethcathinone ~~N-Acetyl-N-~~
396 ~~Methyl-3,4-Methylenedioxyecathinone.~~
- 397 92. 3,4-Methylenedioxy-N-acetylethcathinone ~~N-Acetyl-N-~~
398 ~~Ethyl-3,4-Methylenedioxyecathinone.~~
- 399 93. Bromomethcathinone.
- 400 94. Buphedrone (alpha-Methylamino-butyrophenone).
- 401 95. Eutylone (3,4-Methylenedioxy-alpha-
402 ethylaminobutyrophenone) beta-Keto-
403 Ethylbenzodioxolylbutanamine).
- 404 96. Dimethylcathinone.



460300

576-03397-16

- 405 97. Dimethylmethcathinone.
- 406 98. Pentylone (3,4-Methylenedioxy-alpha-
407 methylaminovalerophenone) ~~(beta-Keto-~~
408 Methylbenzodioxolylpentanamine).
- 409 99. MDPPP (3,4-Methylenedioxy-alpha-
410 pyrrolidinopropiophenone) ~~(MDPPP) 3,4-Methylenedioxy-alpha-~~
411 pyrrolidinopropiophenone.
- 412 100. MDPBP (3,4-Methylenedioxy-alpha-
413 pyrrolidinobutyrophenone) ~~(MDPBP) 3,4-Methylenedioxy-alpha-~~
414 pyrrolidinobutiophenone.
- 415 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone)
416 ~~(MOPPP)~~.
- 417 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone) ~~Methyl-~~
418 alpha-pyrrolidinohexiophenone ~~(MPHP)~~.
- 419 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
420 (Benocyclidine) ~~Benocyclidine (BCP) or~~
421 benzothiophenylcyclohexylpiperidine ~~(BTCP)~~.
- 422 104. F-MABP (Fluoromethylaminobutyrophenone) ~~(F-MABP)~~.
- 423 105. MeO-PBP (Methoxypyrrolidinobutyrophenone) ~~(MeO-PBP)~~.
- 424 106. Et-PBP (Ethyl-pyrrolidinobutyrophenone) ~~(Et-PBP)~~.
- 425 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone) ~~(3-~~
426 Me-4-MeO-MCAT).
- 427 108. Me-EABP (Methylethylaminobutyrophenone) ~~(Me-EABP)~~.
- 428 109. Etizolam Methylamino-butyrophenone ~~(MABP)~~.
- 429 110. PPP (Pyrrolidinopropiophenone) ~~(PPP)~~.
- 430 111. PBP (Pyrrolidinobutyrophenone) Pyrrolidinobutiophenone
431 ~~(PBP)~~.
- 432 112. PVP (Pyrrolidinovalerophenone) or
433 (Pyrrolidinopentiophenone) ~~(PVP)~~.



460300

576-03397-16

- 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-1-~~
- 442 ~~yl-(1-propyl-1H-indol-3-yl)methanone).~~
- 443 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole) ~~4-~~
- 444 ~~methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone).~~
- 445 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 446 121. JWH-133 (((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
- 447 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene) ~~((6aR,10aR)-3-~~
- 448 ~~(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-~~
- 449 ~~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).



460300

576-03397-16

- 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-methyloctan-
467 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
468 methanol).
- 469 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
470 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
471 1,4-dione).
- 472 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene)
473 ~~Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone~~).
- 474 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
475 undecanamide).
- 476 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
477 undecanamide).
- 478 136. CP 55,940 (2-[3-Hydroxy-5-propanol-cyclohexyl]-5-(2-
479 methyloctan-2-yl)phenol) ~~2-[(1R,2R,5R)-5-hydroxy-2-(3-~~
480 ~~hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol~~).
- 481 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole) ~~1-~~
482 ~~[(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-



460300

576-03397-16

- 492 naphthalenylmethanone).
- 493 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
- 494 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
- 495 naphthalenylmethanone).
- 496 143. Pentedrone (alpha-Methylaminovalerophenone) ~~2-~~
- 497 ~~(methylamino)-1-phenyl-1-pentanone)~~.
- 498 144. Fluoroamphetamine.
- 499 145. Fluoromethamphetamine.
- 500 146. Methoxetamine.
- 501 147. Methiopropamine.
- 502 148. ~~4-Methylbuphedrone~~ (Methyl-alpha-
- 503 methylaminobutyrophenone) ~~2-Methylamino-1-(4-methylphenyl)butan-~~
- 504 ~~1-one)~~.
- 505 149. APB ((2-Aminopropyl)benzofuran).
- 506 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 507 151. UR-144 (1-Pentyl-3-(2,2,3,3-
- 508 tetramethylcyclopropanoyl)indole) ~~(1-pentyl-1H-indol-3-~~
- 509 ~~yl)(2,2,3,3-tetramethylcyclopropyl)methanone)~~.
- 510 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 511 tetramethylcyclopropanoyl)indole) ~~(1-(5-fluoropentyl)-1H-indol-~~
- 512 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone)~~.
- 513 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
- 514 tetramethylcyclopropanoyl)indole) ~~(1-(5-chloropentyl)-1H-indol-~~
- 515 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone)~~.
- 516 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide)
- 517 ~~1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-~~
- 518 ~~carboxamide)~~.
- 519 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 520 iodobenzoyl)indole) ~~(2-iodophenyl)[1-[(1-methyl-2-~~



460300

576-03397-16

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



460300

576-03397-16

- 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-G-NBOMe (~~4-Chloro-2,5-dimethoxy-[N-(2-~~
571 ~~methoxybenzyl)]phenethylamine) 4-chloro-2,5-dimethoxy-N-[(2-~~
572 ~~methoxyphenyl)methyl]-benzeneethanamine).~~
- 573 176. AB-CHMINACA (~~N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-~~
574 ~~(cyclohexylmethyl)indazole-3-carboxamide): N-[1-(aminocarbonyl)-~~
575 ~~2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.~~
- 576 177. FUB-PB-22 (~~8-Quinolinylnyl 1-(4-fluorobenzyl)indole-3-~~
577 ~~carboxylate): Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-~~
578 ~~carboxylate.~~



460300

576-03397-16

579 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
580 3-carboxamide) ÷ 1-(Fluoropentyl)-N-(naphthalen-1-yl)-1H-indole-
581 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-naphthoyl)indazole) ÷
586 [1-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone.

587 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
588 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).

589 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
590 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
591 hexahydrobenzo[c]chromen-1-ol).

592 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
593 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
594 hexahydrobenzo[c]chromen-1-ol).

595 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
596 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
597 diol).

598 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
599 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
600 tetrahydro-6aH-benzo[c]chromen-1-ol).

601 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
602 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).

603 187. MAPB ((2-Methylaminopropyl)benzofuran).

604 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).

605 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).

606 190. Synthetic Cannabinoids. Unless specifically excepted
607 or unless listed in another schedule or contained within a



460300

576-03397-16

608 pharmaceutical product approved by the United States Food and
609 Drug Administration, any material, compound, mixture, or
610 preparation that contains any quantity of a synthetic
611 cannabinoid found to be in any of the following chemical class
612 descriptions, or homologues, nitrogen-heterocyclic analogs,
613 isomers (including optical, positional, or geometric), esters,
614 ethers, salts, and salts of homologues, nitrogen-heterocyclic
615 analogues, isomers, esters, or ethers, whenever the existence of
616 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
617 ethers, salts, and salts of isomers, esters, or ethers is
618 possible within the specific chemical class or designation.
619 Since nomenclature of these synthetically produced cannabinoids
620 is not internationally standardized and may continually evolve,
621 these structures or the compounds of these structures shall be
622 included under this subparagraph, regardless of their specific
623 numerical designation of atomic positions covered, if it can be
624 determined through a recognized method of scientific testing or
625 analysis that the substance contains properties that fit within
626 one or more of the following categories:

627 a. Tetrahydrocannabinols. Any tetrahydrocannabinols
628 naturally contained in a plant of the genus *Cannabis*, the
629 synthetic equivalents of the substances contained in the plant
630 or in the resinous extracts of the genus *Cannabis*, or synthetic
631 substances, derivatives, and their isomers with similar chemical
632 structure and pharmacological activity, including, but not
633 limited to, Delta 9 tetrahydrocannabinols and their optical
634 isomers, Delta 8 tetrahydrocannabinols and their optical
635 isomers, Delta 6a,10a tetrahydrocannabinols and their optical
636 isomers, or any compound containing a tetrahydrobenzo[c]chromene



460300

576-03397-16

637 structure with substitution at either or both the 3-position or
638 9-position, with or without substitution at the 1-position with
639 hydroxyl or alkoxy groups, including, but not limited to:

640 (I) Tetrahydrocannabinol.

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

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

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

649 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
650 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

651 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
652 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

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

655 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
656 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

657 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
658 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

659 (X) Parahexyl.

660 b. Naphthoylindoles, Naphthoylindazoles,
661 Naphthoylcarbazoles, Naphthylmethylindoles,
662 Naphthylmethylindazoles, and Naphthylmethylcarbazoles. Any
663 compound containing a naphthoylindole, naphthoylindazole,
664 naphthoylcarbazole, naphthylmethylindole,
665 naphthylmethylindazole, or naphthylmethylcarbazole structure,



460300

576-03397-16

666 with or without substitution on the indole, indazole, or
667 carbazole ring to any extent, whether or not substituted on the
668 naphthyl ring to any extent, including, but not limited to:
669 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
670 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
671 naphthoyl)indole).
672 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
673 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
674 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
675 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
676 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
677 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
678 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
679 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
680 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
681 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
682 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
683 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
684 naphthoyl)indole).
685 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
686 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
687 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
688 naphthoyl)indole).
689 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl)indole).
690 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
691 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).
692 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).
693 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
694 naphthylmethyl]indole).



460300

576-03397-16

- 695 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-
696 naphthoyl)indole).
- 697 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-
698 naphthoyl)indole).
- 699 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)
700 indole).
- 701 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
- 702 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).
- 703 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 704 (XXVIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).
- 705 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).
- 706 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
707 naphthoyl)indole).
- 708 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
709 naphthoyl)indole).
- 710 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
711 naphthoyl)indole).
- 712 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
713 naphthoyl)indole).
- 714 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
715 naphthoyl)indole).
- 716 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
- 717 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
718 naphthoyl)indazole).
- 719 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
720 naphthoyl)indole).
- 721 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
722 naphthoyl)indole).
- 723 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).



460300

576-03397-16

724 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-
725 naphthoyl)carbazole).

726 c. Naphthoylpyrroles. Any compound containing a
727 naphthoylpyrrole structure, with or without substitution on the
728 pyrrole ring to any extent, whether or not substituted on the
729 naphthyl ring to any extent, including, but not limited to:

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

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

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

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

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

735 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-
736 naphthoyl)pyrrole).

737 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
738 naphthoyl)pyrrole).

739 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
740 naphthoyl)pyrrole).

741 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
742 naphthoyl)pyrrole).

743 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
744 naphthoyl)pyrrole).

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

751 e. Phenylacetylindoles and Phenylacetylindazoles. Any
752 compound containing a phenylacetylindole or phenylacetylindazole



460300

576-03397-16

753 structure, with or without substitution on the indole or
754 indazole ring to any extent, whether or not substituted on the
755 phenyl ring to any extent, including, but not limited to:

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

764 methoxyphenylacetyl)indole).
765 f. Cyclohexylphenols. Any compound containing a
766 cyclohexylphenol structure, with or without substitution at the
767 5-position of the phenolic ring to any extent, whether or not
768 substituted on the cyclohexyl ring to any extent, including, but
769 not limited to:

- 770 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
771 yl)phenol).
772 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
773 homologue).
774 (III) CP-55,940 (2-(3-Hydroxy-5-propanol-cyclohexyl)-5-(2-
775 methyloctan-2-yl)phenol).

776 g. Benzoylindoles and Benzoylindazoles. Any compound
777 containing a benzoylindole or benzoylindazole structure, with or
778 without substitution on the indole or indazole ring to any
779 extent, whether or not substituted on the phenyl ring to any
780 extent, including, but not limited to:

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



460300

576-03397-16

- 782 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).
- 783 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 784 iodo-5-nitrobenzoyl)indole).
- 785 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-(4-
- 786 methoxybenzoyl)indole).
- 787 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 788 iodobenzoyl)indole).
- 789 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).
- 790 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-
- 791 methoxybenzoyl)indole).
- 792 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-
- 793 3-(4-methoxybenzoyl)indole).
- 794 h. Tetramethylcyclopropanoylindoles and
- 795 Tetramethylcyclopropanoylindazoles. Any compound containing a
- 796 tetramethylcyclopropanoylindole or
- 797 tetramethylcyclopropanoylindazole structure, with or without
- 798 substitution on the indole or indazole ring to any extent,
- 799 whether or not substituted on the tetramethylcyclopropyl group
- 800 to any extent, including, but not limited to:
- 801 (I) UR-144 (1-Pentyl-3-(2,2,3,3-
- 802 tetramethylcyclopropanoyl)indole).
- 803 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 804 tetramethylcyclopropanoyl)indole).
- 805 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
- 806 tetramethylcyclopropanoyl)indole).
- 807 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-
- 808 tetramethylcyclopropanoyl)indole).
- 809 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-
- 810 tetramethylcyclopropanoyl)indole).



460300

576-03397-16

- 811 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
812 tetramethylcyclopropanoyl)indole).
- 813 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
814 tetramethylcyclopropanoyl)indole).
- 815 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-
816 tetramethylcyclopropanoyl)indazole).
- 817 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
818 tetramethylcyclopropanoyl)indole).
- 819 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-
820 tetramethylcyclopropanoyl)indole).
- 821 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
822 carboxamides, and Adamantylindazole carboxamides. Any compound
823 containing an adamantoyl indole, adamantoyl indazole, adamantyl
824 indole carboxamide, or adamantyl indazole carboxamide structure,
825 with or without substitution on the indole or indazole ring to
826 any extent, whether or not substituted on the adamantyl ring to
827 any extent, including, but not limited to:
- 828 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 829 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
830 3-carboxamide).
- 831 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
832 carboxamide).
- 833 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-
834 adamantoyl)indole).
- 835 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).
- 836 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).
- 837 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
838 adamantoyl)indole).
- 839 j. Quinolinyllindolecarboxylates,



460300

576-03397-16

840 Quinolinylindazolecarboxylates, Quinolinylindolecarboxamides,
841 and Quinolinylindazolecarboxamides. Any compound containing a
842 quinolinylindole carboxylate, quinolinylindazole carboxylate,
843 isoquinolinylindole carboxylate, isoquinolinylindazole
844 carboxylate, quinolinylindole carboxamide, quinolinylindazole
845 carboxamide, isoquinolinylindole carboxamide, or
846 isoquinolinylindazole carboxamide structure, with or without
847 substitution on the indole or indazole ring to any extent,
848 whether or not substituted on the quinoline or isoquinoline ring
849 to any extent, including, but not limited to:

850 (I) PB-22 (8-Quinolinyl 1-pentylindole-3-carboxylate).

851 (II) Fluoro PB-22 (8-Quinolinyl 1-(fluoropentyl)indole-3-
852 carboxylate).

853 (III) BB-22 (8-Quinolinyl 1-(cyclohexylmethyl)indole-3-
854 carboxylate).

855 (IV) FUB-PB-22 (8-Quinolinyl 1-(4-fluorobenzyl)indole-3-
856 carboxylate).

857 (V) NPB-22 (8-Quinolinyl 1-pentylindazole-3-carboxylate).

858 (VI) Fluoro NPB-22 (8-Quinolinyl 1-(fluoropentyl)indazole-
859 3-carboxylate).

860 (VII) FUB-NPB-22 (8-Quinolinyl 1-(4-fluorobenzyl)indazole-
861 3-carboxylate).

862 (VIII) THJ (8-Quinolinyl 1-pentylindazole-3-carboxamide).

863 (IX) Fluoro THJ (8-Quinolinyl 1-(fluoropentyl)indazole-3-
864 carboxamide).

865 k. Naphthylindolecarboxylates and

866 Naphthylindazolecarboxylates. Any compound containing a
867 naphthylindole carboxylate or naphthylindazole carboxylate
868 structure, with or without substitution on the indole or



460300

576-03397-16

869 indazole ring to any extent, whether or not substituted on the
870 naphthyl ring to any extent, including, but not limited to:

871 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-
872 carboxylate).

873 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-
874 carboxylate).

875 (III) Fluoro SDB-005 (1-Naphthalenyl 1-
876 (fluoropentyl)indazole-3-carboxylate).

877 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-
878 carboxylate).

879 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-
880 carboxylate).

881 l. Naphthylindole carboxamides and Naphthylindazole
882 carboxamides. Any compound containing a naphthylindole
883 carboxamide or naphthylindazole carboxamide structure, with or
884 without substitution on the indole or indazole ring to any
885 extent, whether or not substituted on the naphthyl ring to any
886 extent, including, but not limited to:

887 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

888 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
889 3-carboxamide).

890 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-(chloropentyl)
891 indole-3-carboxamide).

892 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
893 carboxamide).

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

896 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
897 indazole carboxamides, Alkylcarbonyl indole carboxylates, and



460300

576-03397-16

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

907 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
908 pentylindole-3-carboxamide).

909 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
910 yl)-1-(fluoropentyl)indole-3-carboxamide).

911 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
912 (fluoropentyl)indole-3-carboxamide).

913 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
914 pentylindazole-3-carboxamide).

915 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
916 1-(fluoropentyl)indazole-3-carboxamide).

917 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
918 1-pentylindazole-3-carboxamide).

919 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
920 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

921 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
922 (4-fluorobenzyl)indazole-3-carboxamide).

923 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
924 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

925 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
926 (cyclohexylmethyl)indazole-3-carboxamide).



460300

576-03397-16

927 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
928 (cyclohexylmethyl)indazole-3-carboxamide).

929 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
930 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

931 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
932 pentylindazole-3-carboxamide).

933 (XIV) Fluoro AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
934 (fluoropentyl)indazole-3-carboxamide).

935 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
936 fluorobenzyl)indazole-3-carboxamide).

937 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
938 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

939 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
940 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

941 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
942 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).

943 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
944 fluoropentyl)indole-3-carboxamide).

945 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
946 fluoropentyl)indazole-3-carboxamide).

947 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
948 (cyclohexylmethyl)indazole-3-carboxamide).

949 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
950 fluorobenzyl)indazole-3-carboxamide).

951 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
952 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).

953 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.

954 Any compound containing a N-(2-phenylpropan-2-yl) indole
955 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide



460300

576-03397-16

956 structure, with or without substitution on the indole or
957 indazole ring to any extent, whether or not substituted on the
958 phenyl ring of the cumyl group to any extent, including, but not
959 limited to:

960 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-
961 carboxamide).

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

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

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

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

975 (III) Is a cannabinoid receptor agonist, unless
976 specifically excepted or unless listed in another schedule or
977 contained within a pharmaceutical product approved by the United
978 States Food and Drug Administration.

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



460300

576-03397-16

985 is possible within any of the following specific chemical
986 designations:

987 a. Any compound containing a 2-amino-1-phenyl-1 propanone
988 structure;

989 b. Any compound containing a 2-amino-1-naphthyl-1-propanone
990 structure; or

991 c. Any compound containing a 2-amino-1-thiophene-1-
992 propanone structure,

993
994 whether or not the compound is further modified:

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

1000 (II) With or without substitution at the 3-propanone
1001 position with an alkyl substituent or removal of the methyl
1002 group at the 3-propanone position;

1003 (III) With or without substitution at the 2-amino nitrogen
1004 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1005 not further substituted in the ring system; or

1006 (IV) With or without inclusion of the 2-amino nitrogen atom
1007 in a cyclic structure, including, but not limited to:

1008 (A) Methcathinone.

1009 (B) Ethcathinone.

1010 (C) Methylone (3,4-Methylenedioxy-methcathinone).

1011 (D) 2,3-Methylenedioxy-methcathinone.

1012 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).

1013 (F) Methylmethcathinone.



460300

576-03397-16

- 1014 (G) Methoxymethcathinone.
- 1015 (H) Fluoromethcathinone.
- 1016 (I) Methylethcathinone.
- 1017 (J) Butylone (3,4-Methylenedioxy-alpha-
- 1018 methylaminobutyrophenone).
- 1019 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1020 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1021 (M) Naphyrone (Naphthylpyrovalerone).
- 1022 (N) Bromomethcathinone.
- 1023 (O) Buphedrone (alpha-Methylaminobutyrophenone).
- 1024 (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1025 ethylaminobutyrophenone).
- 1026 (Q) Dimethylcathinone.
- 1027 (R) Dimethylmethcathinone.
- 1028 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1029 methylaminovalerophenone).
- 1030 (T) Pentedrone (alpha-Methylaminovalerophenone).
- 1031 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1032 pyrrolidinopropiophenone).
- 1033 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1034 pyrrolidinobutyrophenone).
- 1035 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1036 (X) PPP (Pyrrolidinopropiophenone).
- 1037 (Y) PVP (Pyrrolidinovalerophenone) or
- 1038 (Pyrrolidinopentiophenone).
- 1039 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1040 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1041 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1042 (CC) Me-EABP (Methylethylaminobutyrophenone).



460300

576-03397-16

- 1043 (DD) PBP (Pyrrolidinobutyrophenone).
- 1044 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 1045 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 1046 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
- 1047 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
- 1048 dimethylcathinone).
- 1049 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
- 1050 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
- 1051 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
- 1052 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
- 1053 (MM) Methylbuphedrone (Methyl-alpha-
- 1054 methylaminobutyrophenone).
- 1055 (NN) Methyl-alpha-methylaminohexanophenone.
- 1056 (OO) N-Ethyl-N-methylcathinone.
- 1057 (PP) PHP (Pyrrolidinohexanophenone).
- 1058 (QQ) PV8 (Pyrrolidinoheptanophenone).
- 1059 (RR) Chloromethcathinone.
- 1060 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
- 1061 192. Substituted Phenethylamines. Unless specifically
- 1062 excepted or unless listed in another schedule, or contained
- 1063 within a pharmaceutical product approved by the United States
- 1064 Food and Drug Administration, any material, compound, mixture,
- 1065 or preparation, including its salts, isomers, esters, or ethers,
- 1066 and salts of isomers, esters, or ethers, whenever the existence
- 1067 of such salts is possible within any of the following specific
- 1068 chemical designations, any compound containing a phenethylamine
- 1069 structure, without a beta-keto group, and without a benzyl group
- 1070 attached to the amine group, whether or not the compound is
- 1071 further modified with or without substitution on the phenyl ring



460300

576-03397-16

- 1072 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
1073 halide, fused alkylenedioxy, fused furan, fused benzofuran,
1074 fused dihydrofuran, or fused tetrahydropyran substituents,
1075 whether or not further substituted on a ring to any extent, with
1076 or without substitution at the alpha or beta position by any
1077 alkyl substituent, with or without substitution at the nitrogen
1078 atom, and with or without inclusion of the 2-amino nitrogen atom
1079 in a cyclic structure, including, but not limited to:
- 1080 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
 - 1081 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
 - 1082 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
 - 1083 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
 - 1084 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
 - 1085 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
 - 1086 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
 - 1087 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
 - 1088 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
 - 1089 j. 2C-H (2,5-Dimethoxyphenethylamine).
 - 1090 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
 - 1091 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
 - 1092 m. MDMA (3,4-Methylenedioxyamphetamine).
 - 1093 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
1094 Methylenedioxy-N-methylbutanamine).
 - 1095 o. MDA (3,4-Methylenedioxyamphetamine).
 - 1096 p. 2,5-Dimethoxyamphetamine.
 - 1097 q. Fluoroamphetamine.
 - 1098 r. Fluoromethamphetamine.
 - 1099 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
 - 1100 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).



460300

576-03397-16

- 1101 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1102 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1103 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1104 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1105 y. PMA (4-Methoxyamphetamine).
- 1106 z. N-Ethylamphetamine.
- 1107 aa. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 1108 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1109 cc. PMMA (4-Methoxymethamphetamine).
- 1110 dd. N,N-Dimethylamphetamine.
- 1111 ee. 3,4,5-Trimethoxyamphetamine.
- 1112 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1113 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1114 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1115 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1116 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1117 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1118 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1119 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1120 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1121 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1122 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1123 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1124 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1125 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1126 dihydrobenzofuran),
- 1127
- 1128 which does not include phenethylamine, mescaline as described in
- 1129 subparagraph (1)(c)20., substituted cathinones as described in



460300

576-03397-16

1130 subparagraph (1)(c)191., N-Benzyl phenethylamine compounds as
1131 described in subparagraph (1)(c)193., or methamphetamine as
1132 described in subparagraph (2)(c)4.

1133 193. N-Benzyl Phenethylamine Compounds. Unless specifically
1134 excepted or unless listed in another schedule, or contained
1135 within a pharmaceutical product approved by the United States
1136 Food and Drug Administration, any material, compound, mixture,
1137 or preparation, including its salts, isomers, esters, or ethers,
1138 and salts of isomers, esters, or ethers, whenever the existence
1139 of such salts is possible within any of the following specific
1140 chemical designations, any compound containing a phenethylamine
1141 structure without a beta-keto group, with substitution on the
1142 nitrogen atom of the amino group with a benzyl substituent, with
1143 or without substitution on the phenyl or benzyl ring to any
1144 extent with alkyl, alkoxy, thio, alkylthio, halide, fused
1145 alkylenedioxy, fused furan, fused benzofuran, or fused
1146 tetrahydropyran substituents, whether or not further substituted
1147 on a ring to any extent, with or without substitution at the
1148 alpha position by any alkyl substituent, including, but not
1149 limited to:

1150 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1151 methoxybenzyl)]phenethylamine).

1152 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1153 hydroxybenzyl)]phenethylamine).

1154 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1155 fluorobenzyl)]phenethylamine).

1156 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1157 methylenedioxybenzyl)]phenethylamine).

1158 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-



460300

576-03397-16

- 1159 methoxybenzyl]phenethylamine).
- 1160 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
- 1161 hydroxybenzyl]phenethylamine).
- 1162 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
- 1163 fluorobenzyl]phenethylamine).
- 1164 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
- 1165 methylenedioxybenzyl]phenethylamine).
- 1166 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
- 1167 methoxybenzyl]phenethylanamine).
- 1168 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
- 1169 methoxybenzyl]phenethylanamine).
- 1170 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
- 1171 methoxybenzyl]phenethylanamine).
- 1172 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
- 1173 methoxybenzyl]phenethylamine).
- 1174 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
- 1175 hydroxybenzyl]phenethylamine).
- 1176 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
- 1177 fluorobenzyl]phenethylamine).
- 1178 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
- 1179 methylenedioxybenzyl]phenethylamine).
- 1180 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
- 1181 methoxybenzyl]phenethylamine).
- 1182 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
- 1183 hydroxybenzyl]phenethylamine).
- 1184 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
- 1185 fluorobenzyl]phenethylamine).
- 1186 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
- 1187 methoxybenzyl]phenethylamine),



460300

576-03397-16

1188
1189 which does not include substituted cathinones as described in
1190 subparagraph (1)(c)191.

1191 194. Substituted Tryptamines. Unless specifically excepted
1192 or unless listed in another schedule, or contained within a
1193 pharmaceutical product approved by the United States Food and
1194 Drug Administration, any material, compound, mixture, or
1195 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1196 example tryptamine, structure with or without mono- or di-
1197 substitution of the amine nitrogen with alkyl or alkenyl groups,
1198 or by inclusion of the amino nitrogen atom in a cyclic
1199 structure, whether or not substituted at the alpha position with
1200 an alkyl group, whether or not substituted on the indole ring to
1201 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1202 groups, including, but not limited to:

- 1203 a. Alpha-Ethyltryptamine.
1204 b. Bufotenine.
1205 c. DET (Diethyltryptamine).
1206 d. DMT (Dimethyltryptamine).
1207 e. MET (N-Methyl-N-ethyltryptamine).
1208 f. DALT (N,N-Diallyltryptamine).
1209 g. EiPT (N-Ethyl-N-isopropyltryptamine).
1210 h. MiPT (N-Methyl-N-isopropyltryptamine).
1211 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
1212 j. 5-Hydroxy-N-methyltryptamine.
1213 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
1214 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
1215 m. Methyltryptamine.
1216 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).



460300

576-03397-16

- 1217 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1218 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 1219 q. DiPT (N,N-Diisopropyltryptamine).
- 1220 r. DPT (N,N-Dipropyltryptamine).
- 1221 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1222 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1223 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1224 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1225 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1226 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1227 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1228 isopropyltryptamine).
- 1229 z. Methyl-alpha-ethyltryptamine.
- 1230 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1231

1232 which does not include tryptamine, psilocyn as described in

1233 subparagraph (1)(c)34., or psilocybin as described in

1234 subparagraph (1)(c)33.

1235 195. Substituted Phenylcyclohexylamines. Unless

1236 specifically excepted or unless listed in another schedule, or

1237 contained within a pharmaceutical product approved by the United

1238 States Food and Drug Administration, any material, compound,

1239 mixture, or preparation containing a phenylcyclohexylamine

1240 structure, with or without any substitution on the phenyl ring,

1241 any substitution on the cyclohexyl ring, any replacement of the

1242 phenyl ring with a thiophenyl or benzothiophenyl ring, with or

1243 without substitution on the amine with alkyl, dialkyl, or alkoxy

1244 substitutents, inclusion of the nitrogen in a cyclic structure,

1245 or any combination of the above, including, but not limited to:



460300

576-03397-16

- 1246 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
- 1247 (Benocyclidine).
- 1248 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
- 1249 of phencyclidine).
- 1250 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
- 1251 analog of phencyclidine).
- 1252 d. PCPr (Phenylcyclohexylpropylamine).
- 1253 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
- 1254 analog of phencyclidine).
- 1255 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1256 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1257 h. Methoxetamine.
- 1258 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1259 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1260 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1261 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1262 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1263 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1264 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1265 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1266 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1267 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).

1268 (d) Unless specifically excepted or unless listed in
1269 another schedule, any material, compound, mixture, or
1270 preparation that ~~which~~ contains any quantity of the following
1271 substances, including any of its salts, isomers, optical
1272 isomers, salts of their isomers, and salts of these optical
1273 isomers whenever the existence of such isomers and salts is
1274 possible within the specific chemical designation:



460300

576-03397-16

- 1275 1. 1,4-Butanediol.
- 1276 2. Gamma-butyrolactone (GBL).
- 1277 3. Gamma-hydroxybutyric acid (GHB).
- 1278 4. Methaqualone.
- 1279 5. Mecloqualone.

1280 (2) SCHEDULE II.—A substance in Schedule II has a high
1281 potential for abuse and has a currently accepted but severely
1282 restricted medical use in treatment in the United States, and
1283 abuse of the substance may lead to severe psychological or
1284 physical dependence. The following substances are controlled in
1285 Schedule II:

1286 (a) Unless specifically excepted or unless listed in
1287 another schedule, any of the following substances, whether
1288 produced directly or indirectly by extraction from substances of
1289 vegetable origin or independently by means of chemical
1290 synthesis:

- 1291 1. Opium and any salt, compound, derivative, or preparation
1292 of opium, except nalmefene or isoquinoline alkaloids of opium,
1293 including, but not limited to the following:
 - 1294 a. Raw opium.
 - 1295 b. Opium extracts.
 - 1296 c. Opium fluid extracts.
 - 1297 d. Powdered opium.
 - 1298 e. Granulated opium.
 - 1299 f. Tincture of opium.
 - 1300 g. Codeine.
 - 1301 h. Ethylmorphine.
 - 1302 i. Etorphine hydrochloride.
 - 1303 j. Hydrocodone.



460300

576-03397-16

- 1304 k. Hydromorphone.
- 1305 1. Levo-alphaacetylmethadol (also known as levo-alpha-
- 1306 acetylmethadol, levomethadyl acetate, or LAAM).
- 1307 m. Metopon (methyldihydromorphinone).
- 1308 n. Morphine.
- 1309 o. Oxycodone.
- 1310 p. Oxymorphone.
- 1311 q. Thebaine.
- 1312 2. Any salt, compound, derivative, or preparation of a
- 1313 substance which is chemically equivalent to or identical with
- 1314 any of the substances referred to in subparagraph 1., except
- 1315 that these substances shall not include the isoquinoline
- 1316 alkaloids of opium.
- 1317 3. Any part of the plant of the species *Papaver somniferum*,
- 1318 *L.*
- 1319 4. Cocaine or ecgonine, including any of their
- 1320 stereoisomers, and any salt, compound, derivative, or
- 1321 preparation of cocaine or ecgonine.
- 1322 (b) Unless specifically excepted or unless listed in
- 1323 another schedule, any of the following substances, including
- 1324 their isomers, esters, ethers, salts, and salts of isomers,
- 1325 esters, and ethers, whenever the existence of such isomers,
- 1326 esters, ethers, and salts is possible within the specific
- 1327 chemical designation:
- 1328 1. Alfentanil.
- 1329 2. Alphaprodine.
- 1330 3. Anileridine.
- 1331 4. Bezitramide.
- 1332 5. Bulk propoxyphene (nondosage forms).



460300

576-03397-16

- 1333 6. Carfentanil.
- 1334 7. Dihydrocodeine.
- 1335 8. Diphenoxylate.
- 1336 9. Fentanyl.
- 1337 10. Isomethadone.
- 1338 11. Levomethorphan.
- 1339 12. Levorphanol.
- 1340 13. Metazocine.
- 1341 14. Methadone.
- 1342 15. Methadone-Intermediate, 4-cyano-2-
- 1343 dimethylamino-4,4-diphenylbutane.
- 1344 16. Moramide-Intermediate, 2-methyl-
- 1345 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1346 17. Nabilone.
- 1347 18. Pethidine (meperidine).
- 1348 19. Pethidine-Intermediate-A, 4-cyano-1-
- 1349 methyl-4-phenylpiperidine.
- 1350 20. Pethidine-Intermediate-B, ethyl-4-
- 1351 phenylpiperidine-4-carboxylate.
- 1352 21. Pethidine-Intermediate-C, 1-methyl-4- phenylpiperidine-
- 1353 4-carboxylic acid.
- 1354 22. Phenazocine.
- 1355 23. Phencyclidine.
- 1356 24. 1-Phenylcyclohexylamine.
- 1357 25. Piminodine.
- 1358 26. 1-Piperidinocyclohexanecarbonitrile.
- 1359 27. Racemethorphan.
- 1360 28. Racemorphan.
- 1361 29. Sufentanil.



460300

576-03397-16

1362 (c) Unless specifically excepted or unless listed in
1363 another schedule, any material, compound, mixture, or
1364 preparation which contains any quantity of the following
1365 substances, including their salts, isomers, optical isomers,
1366 salts of their isomers, and salts of their optical isomers:

- 1367 1. Amobarbital.
- 1368 2. Amphetamine.
- 1369 3. Glutethimide.
- 1370 4. Methamphetamine.
- 1371 5. Methylphenidate.
- 1372 6. Pentobarbital.
- 1373 7. Phenmetrazine.
- 1374 8. Phenylacetone.
- 1375 9. Secobarbital.

1376 (3) SCHEDULE III.—A substance in Schedule III has a
1377 potential for abuse less than the substances contained in
1378 Schedules I and II and has a currently accepted medical use in
1379 treatment in the United States, and abuse of the substance may
1380 lead to moderate or low physical dependence or high
1381 psychological dependence or, in the case of anabolic steroids,
1382 may lead to physical damage. The following substances are
1383 controlled in Schedule III:

1384 (a) Unless specifically excepted or unless listed in
1385 another schedule, any material, compound, mixture, or
1386 preparation which contains any quantity of the following
1387 substances having a depressant or stimulant effect on the
1388 nervous system:

- 1389 1. Any substance which contains any quantity of a
1390 derivative of barbituric acid, including thiobarbituric acid, or



460300

576-03397-16

- 1391 any salt of a derivative of barbituric acid or thiobarbituric
1392 acid, including, but not limited to, butabarbital and
1393 butalbital.
- 1394 2. Benzphetamine.
 - 1395 3. Chlorhexadol.
 - 1396 4. Chlorphentermine.
 - 1397 5. Clortermine.
 - 1398 6. Lysergic acid.
 - 1399 7. Lysergic acid amide.
 - 1400 8. Methyprylon.
 - 1401 9. Phendimetrazine.
 - 1402 10. Sulfondiethylmethane.
 - 1403 11. Sulfonethylmethane.
 - 1404 12. Sulfonmethane.
 - 1405 13. Tiletamine and zolazepam or any salt thereof.
- 1406 (b) Nalorphine.
- 1407 (c) Unless specifically excepted or unless listed in
1408 another schedule, any material, compound, mixture, or
1409 preparation containing limited quantities of any of the
1410 following controlled substances or any salts thereof:
- 1411 1. Not more than 1.8 grams of codeine per 100 milliliters
1412 or not more than 90 milligrams per dosage unit, with an equal or
1413 greater quantity of an isoquinoline alkaloid of opium.
 - 1414 2. Not more than 1.8 grams of codeine per 100 milliliters
1415 or not more than 90 milligrams per dosage unit, with recognized
1416 therapeutic amounts of one or more active ingredients which are
1417 not controlled substances.
 - 1418 3. Not more than 300 milligrams of hydrocodone per 100
1419 milliliters or not more than 15 milligrams per dosage unit, with



460300

576-03397-16

1420 a fourfold or greater quantity of an isoquinoline alkaloid of
1421 opium.

1422 4. Not more than 300 milligrams of hydrocodone per 100
1423 milliliters or not more than 15 milligrams per dosage unit, with
1424 recognized therapeutic amounts of one or more active ingredients
1425 that are not controlled substances.

1426 5. Not more than 1.8 grams of dihydrocodeine per 100
1427 milliliters or not more than 90 milligrams per dosage unit, with
1428 recognized therapeutic amounts of one or more active ingredients
1429 which are not controlled substances.

1430 6. Not more than 300 milligrams of ethylmorphine per 100
1431 milliliters or not more than 15 milligrams per dosage unit, with
1432 one or more active, nonnarcotic ingredients in recognized
1433 therapeutic amounts.

1434 7. Not more than 50 milligrams of morphine per 100
1435 milliliters or per 100 grams, with recognized therapeutic
1436 amounts of one or more active ingredients which are not
1437 controlled substances.

1438
1439 For purposes of charging a person with a violation of s. 893.135
1440 involving any controlled substance described in subparagraph 3.
1441 or subparagraph 4., the controlled substance is a Schedule III
1442 controlled substance pursuant to this paragraph but the weight
1443 of the controlled substance per milliliters or per dosage unit
1444 is not relevant to the charging of a violation of s. 893.135.
1445 The weight of the controlled substance shall be determined
1446 pursuant to s. 893.135(6).

1447 (d) Anabolic steroids.

1448 1. The term "anabolic steroid" means any drug or hormonal



460300

576-03397-16

- 1449 substance, chemically and pharmacologically related to
1450 testosterone, other than estrogens, progestins, and
1451 corticosteroids, that promotes muscle growth and includes:
- 1452 a. Androsterone.
 - 1453 b. Androsterone acetate.
 - 1454 c. Boldenone.
 - 1455 d. Boldenone acetate.
 - 1456 e. Boldenone benzoate.
 - 1457 f. Boldenone undecylenate.
 - 1458 g. Chlorotestosterone (Clotestbol) ~~(4-chlorotestosterone)~~.
 - 1459 ~~h. Clotestbol.~~
 - 1460 ~~h.i.~~ Dehydrochlormethyltestosterone.
 - 1461 ~~i.j.~~ Dihydrotestosterone (Stanolone) ~~(4-~~
1462 ~~dihydrotestosterone)~~.
 - 1463 ~~j.k.~~ Drostanolone.
 - 1464 ~~k.l.~~ Ethylestrenol.
 - 1465 ~~l.m.~~ Fluoxymesterone.
 - 1466 ~~m.n.~~ Formebolone (Formebolone).
 - 1467 ~~n.o.~~ Mesterolone.
 - 1468 ~~o.p.~~ Methandrostenolone (Methandienone).
 - 1469 ~~p.q.~~ Methandranone.
 - 1470 ~~q.r.~~ Methandriol.
 - 1471 ~~s.~~ ~~Methandrostenolone.~~
 - 1472 ~~r.t.~~ Methenolone.
 - 1473 ~~s.u.~~ Methyltestosterone.
 - 1474 ~~t.v.~~ Mibolerone.
 - 1475 ~~u.w.~~ Nortestosterone (Nandrolone).
 - 1476 ~~v.x.~~ Norethandrolone.
 - 1477 ~~y.~~ ~~Nortestosterone.~~



460300

576-03397-16

- 1478 ~~w.z.~~ Nortestosterone decanoate.
1479 ~~x.aa.~~ Nortestosterone phenylpropionate.
1480 ~~y.bb.~~ Nortestosterone propionate.
1481 ~~z.aa.~~ Oxandrolone.
1482 ~~aa.dd.~~ Oxymesterone.
1483 ~~bb.ee.~~ Oxymetholone.
1484 ~~ff.~~ Stanoalone.
1485 ~~cc.aa.~~ Stanozolol.
1486 ~~dd.bb.~~ Testolactone.
1487 ~~ee.ii.~~ Testosterone.
1488 ~~ff.jj.~~ Testosterone acetate.
1489 ~~gg.kk.~~ Testosterone benzoate.
1490 ~~hh.ll.~~ Testosterone cypionate.
1491 ~~ii.mm.~~ Testosterone decanoate.
1492 ~~jj.nn.~~ Testosterone enanthate.
1493 ~~kk.oo.~~ Testosterone isocaproate.
1494 ~~ll.pp.~~ Testosterone oleate.
1495 ~~mm.aa.~~ Testosterone phenylpropionate.
1496 ~~nn.rr.~~ Testosterone propionate.
1497 ~~oo.ss.~~ Testosterone undecanoate.
1498 ~~pp.tt.~~ Trenbolone.
1499 ~~qq.uu.~~ Trenbolone acetate.
1500 ~~rr.vv.~~ Any salt, ester, or isomer of a drug or substance
1501 described or listed in this subparagraph if that salt, ester, or
1502 isomer promotes muscle growth.
1503 2. The term does not include an anabolic steroid that is
1504 expressly intended for administration through implants to cattle
1505 or other nonhuman species and that has been approved by the
1506 United States Secretary of Health and Human Services for such



460300

576-03397-16

1507 administration. However, any person who prescribes, dispenses,
1508 or distributes such a steroid for human use is considered to
1509 have prescribed, dispensed, or distributed an anabolic steroid
1510 within the meaning of this paragraph.

1511 (e) Ketamine, including any isomers, esters, ethers, salts,
1512 and salts of isomers, esters, and ethers, whenever the existence
1513 of such isomers, esters, ethers, and salts is possible within
1514 the specific chemical designation.

1515 (f) Dronabinol (synthetic THC) in sesame oil and
1516 encapsulated in a soft gelatin capsule in a drug product
1517 approved by the United States Food and Drug Administration.

1518 (g) Any drug product containing gamma-hydroxybutyric acid,
1519 including its salts, isomers, and salts of isomers, for which an
1520 application is approved under s. 505 of the Federal Food, Drug,
1521 and Cosmetic Act.

1522 (4) SCHEDULE IV.—A substance in Schedule IV has a low
1523 potential for abuse relative to the substances in Schedule III
1524 and has a currently accepted medical use in treatment in the
1525 United States, and abuse of the substance may lead to limited
1526 physical or psychological dependence relative to the substances
1527 in Schedule III. Unless specifically excepted or unless listed
1528 in another schedule, any material, compound, mixture, or
1529 preparation which contains any quantity of the following
1530 substances, including its salts, isomers, and salts of isomers
1531 whenever the existence of such salts, isomers, and salts of
1532 isomers is possible within the specific chemical designation,
1533 are controlled in Schedule IV:

1534 (a) Alprazolam.

1535 (b) Barbital.



460300

576-03397-16

- 1536 (c) Bromazepam.
- 1537 (d) Camazepam.
- 1538 (e) Cathine.
- 1539 (f) Chloral betaine.
- 1540 (g) Chloral hydrate.
- 1541 (h) Chlordiazepoxide.
- 1542 (i) Clobazam.
- 1543 (j) Clonazepam.
- 1544 (k) Clorazepate.
- 1545 (l) Clotiazepam.
- 1546 (m) Cloxazolam.
- 1547 (n) Delorazepam.
- 1548 (o) Propoxyphene (dosage forms).
- 1549 (p) Diazepam.
- 1550 (q) Diethylpropion.
- 1551 (r) Estazolam.
- 1552 (s) Ethchlorvynol.
- 1553 (t) Ethinamate.
- 1554 (u) Ethyl loflazepate.
- 1555 (v) Fencamfamin.
- 1556 (w) Fenfluramine.
- 1557 (x) Fenproporex.
- 1558 (y) Fludiazepam.
- 1559 (z) Flurazepam.
- 1560 (aa) Halazepam.
- 1561 (bb) Haloxazolam.
- 1562 (cc) Ketazolam.
- 1563 (dd) Loprazolam.
- 1564 (ee) Lorazepam.



460300

576-03397-16

- 1565 (ff) Lormetazepam.
- 1566 (gg) Mazindol.
- 1567 (hh) Mebutamate.
- 1568 (ii) Medazepam.
- 1569 (jj) Mefenorex.
- 1570 (kk) Meprobamate.
- 1571 (ll) Methohexital.
- 1572 (mm) Methylphenobarbital.
- 1573 (nn) Midazolam.
- 1574 (oo) Nimetazepam.
- 1575 (pp) Nitrazepam.
- 1576 (qq) Nordiazepam.
- 1577 (rr) Oxazepam.
- 1578 (ss) Oxazolam.
- 1579 (tt) Paraldehyde.
- 1580 (uu) Pemoline.
- 1581 (vv) Pentazocine.
- 1582 (ww) Phenobarbital.
- 1583 (xx) Phentermine.
- 1584 (yy) Pinazepam.
- 1585 (zz) Pipradrol.
- 1586 (aaa) Prazepam.
- 1587 (bbb) Propylhexedrine, excluding any patent or proprietary
1588 preparation containing propylhexedrine, unless otherwise
1589 provided by federal law.
- 1590 (ccc) Quazepam.
- 1591 (ddd) Tetrazepam.
- 1592 (eee) SPA[(-)-1 dimethylamino-1, 2
1593 diphenylethane].



460300

576-03397-16

1594 (fff) Temazepam.
1595 (ggg) Triazolam.
1596 (hhh) Not more than 1 milligram of difenoxin and not less
1597 than 25 micrograms of atropine sulfate per dosage unit.
1598 (iii) Butorphanol tartrate.
1599 (jjj) Carisoprodol.
1600 (5) SCHEDULE V.—A substance, compound, mixture, or
1601 preparation of a substance in Schedule V has a low potential for
1602 abuse relative to the substances in Schedule IV and has a
1603 currently accepted medical use in treatment in the United
1604 States, and abuse of such compound, mixture, or preparation may
1605 lead to limited physical or psychological dependence relative to
1606 the substances in Schedule IV.
1607 (a) Substances controlled in Schedule V include any
1608 compound, mixture, or preparation containing any of the
1609 following limited quantities of controlled substances, which
1610 shall include one or more active medicinal ingredients which are
1611 not controlled substances in sufficient proportion to confer
1612 upon the compound, mixture, or preparation valuable medicinal
1613 qualities other than those possessed by the controlled substance
1614 alone:
1615 1. Not more than 200 milligrams of codeine per 100
1616 milliliters or per 100 grams.
1617 2. Not more than 100 milligrams of dihydrocodeine per 100
1618 milliliters or per 100 grams.
1619 3. Not more than 100 milligrams of ethylmorphine per 100
1620 milliliters or per 100 grams.
1621 4. Not more than 2.5 milligrams of diphenoxylate and not
1622 less than 25 micrograms of atropine sulfate per dosage unit.



460300

576-03397-16

1623 5. Not more than 100 milligrams of opium per 100
1624 milliliters or per 100 grams.

1625 (b) Narcotic drugs. Unless specifically excepted or unless
1626 listed in another schedule, any material, compound, mixture, or
1627 preparation containing any of the following narcotic drugs and
1628 their salts: Buprenorphine.

1629 (c) Stimulants. Unless specifically excepted or unless
1630 listed in another schedule, any material, compound, mixture, or
1631 preparation which contains any quantity of the following
1632 substances having a stimulant effect on the central nervous
1633 system, including its salts, isomers, and salts of isomers:
1634 Pyrovalerone.

1635 Section 3. Section 893.033, Florida Statutes, is amended to
1636 read:

1637 893.033 Listed chemicals.—The chemicals listed in this
1638 section are included by whatever official, common, usual,
1639 chemical, or trade name designated.

1640 (1) PRECURSOR CHEMICALS.—The term “listed precursor
1641 chemical” means a chemical that may be used in manufacturing a
1642 controlled substance in violation of this chapter and is
1643 critical to the creation of the controlled substance, and such
1644 term includes any salt, optical isomer, or salt of an optical
1645 isomer, whenever the existence of such salt, optical isomer, or
1646 salt of optical isomer is possible within the specific chemical
1647 designation. The following are “listed precursor chemicals”:

- 1648 (a) Anthranilic acid.
- 1649 (b) Benzaldehyde.
- 1650 (c) Benzyl cyanide.
- 1651 (d) Chloroephedrine.



460300

576-03397-16

- 1652 (e) Chloropseudoephedrine.
- 1653 (f) Ephedrine.
- 1654 (g) Ergonovine.
- 1655 (h) Ergotamine.
- 1656 (i) Ergocristine.
- 1657 ~~(i) Hydriodic acid.~~
- 1658 (j) Ethylamine.
- 1659 (k) Iodine tincture above 2.2 percent.
- 1660 (l) ~~(k)~~ Isosafrole.
- 1661 (m) ~~(l)~~ Methylamine.
- 1662 (n) ~~(m)~~ 3, 4-Methylenedioxyphenyl-2-propanone.
- 1663 (o) ~~(n)~~ N-Acetylanthranilic acid.
- 1664 (p) ~~(o)~~ N-Ethylephedrine.
- 1665 (q) ~~(p)~~ N-Ethylpseudoephedrine.
- 1666 (r) ~~(q)~~ N-Methylephedrine.
- 1667 (s) ~~(r)~~ N-Methylpseudoephedrine.
- 1668 (t) ANPP (4-Anilino-N-phenethyl-4-piperidine).
- 1669 (u) NPP (N-Phenethyl-4-piperidone).
- 1670 (v) ~~(s)~~ Nitroethane.
- 1671 (w) ~~(t)~~ Norpseudoephedrine.
- 1672 (x) ~~(u)~~ Phenylacetic acid.
- 1673 (y) ~~(v)~~ Phenylpropanolamine.
- 1674 (z) ~~(w)~~ Piperidine.
- 1675 (aa) ~~(x)~~ Piperonal.
- 1676 (bb) ~~(y)~~ Propionic anhydride.
- 1677 (cc) ~~(z)~~ Pseudoephedrine.
- 1678 (dd) ~~(aa)~~ Safrole.
- 1679 (2) ESSENTIAL CHEMICALS.—The term “listed essential
- 1680 chemical” means a chemical that may be used as a solvent,



460300

576-03397-16

1681 reagent, or catalyst in manufacturing a controlled substance in
1682 violation of this chapter. The following are "listed essential
1683 chemicals":

1684 (a) Acetic anhydride.

1685 (b) Acetone.

1686 (c) Ammonium salts, including, but not limited to, nitrate,
1687 sulfate, phosphate, or chloride.

1688 (d)~~(e)~~ Anhydrous ammonia.

1689 (e) Benzoquinone.

1690 (f)~~(d)~~ Benzyl chloride.

1691 (g)~~(e)~~ 2-Butanone.

1692 (h)~~(f)~~ Ethyl ether.

1693 (i) Formic acid.

1694 (j)~~(g)~~ Hydrochloric acid gas.

1695 (k)~~(h)~~ Hydriodic acid.

1696 (l)~~(i)~~ Iodine.

1697 (m) Lithium.

1698 (n) Organic solvents, including, but not limited to,
1699 Coleman Fuel, camping fuel, ether, toluene, or lighter fluid.

1700 (o) Organic cosolvents, including, but not limited to,
1701 glycerol, propylene glycol, or polyethylene glycol.

1702 (p) Potassium dichromate.

1703 (q)~~(j)~~ Potassium permanganate.

1704 (r) Sodium.

1705 (s) Sodium dichromate.

1706 (t) Sodium borohydride.

1707 (u) Sodium cyanoborohydride.

1708 (v) Sodium hydroxide.

1709 (w) Sulfuric acid.



460300

576-03397-16

1710 ~~(k) Toluene.~~

1711 Section 4. Subsections (3) and (5) of section 893.0356,
1712 Florida Statutes, are amended, paragraph (j) is added to
1713 subsection (4) of that section, and paragraph (a) of subsection
1714 (2) of that section is republished, to read:

1715 893.0356 Control of new substances; findings of fact;
1716 "controlled substance analog" defined.-

1717 (2) (a) As used in this section, "controlled substance
1718 analog" means a substance which, due to its chemical structure
1719 and potential for abuse, meets the following criteria:

- 1720 1. Is substantially similar to that of a controlled
1721 substance listed in Schedule I or Schedule II of s. 893.03; and
1722 2. Has a stimulant, depressant, or hallucinogenic effect on
1723 the central nervous system or is represented or intended to have
1724 a stimulant, depressant, or hallucinogenic effect on the central
1725 nervous system substantially similar to or greater than that of
1726 a controlled substance listed in Schedule I or Schedule II of s.
1727 893.03.

1728 (3) As used in this section, the term "substantially
1729 similar," as the term applies to the chemical structure of a
1730 substance, means that the chemical structure of the substance
1731 compared to the structure of a controlled substance has a single
1732 difference in the structural formula that substitutes one atom
1733 or functional group for another, including, but not limited to,
1734 one halogen for another halogen, one hydrogen for a halogen or
1735 vice versa, an alkyl group added or deleted as a side chain to
1736 or from a molecule, or an alkyl group added or deleted from a
1737 side chain of a molecule. "potential for abuse" in this section
1738 means that a substance has properties as a central nervous



460300

576-03397-16

1739 ~~system stimulant or depressant or a hallucinogen that create a~~
1740 ~~substantial likelihood of its being:~~

1741 ~~(a) Used in amounts that create a hazard to the user's~~
1742 ~~health or the safety of the community;~~

1743 ~~(b) Diverted from legal channels and distributed through~~
1744 ~~illegal channels; or~~

1745 ~~(c) Taken on the user's own initiative rather than on the~~
1746 ~~basis of professional medical advice.~~

1747
1748 ~~Proof of potential for abuse can be based upon a showing that~~
1749 ~~these activities are already taking place, or upon a showing~~
1750 ~~that the nature and properties of the substance make it~~
1751 ~~reasonable to assume that there is a substantial likelihood that~~
1752 ~~such activities will take place, in other than isolated or~~
1753 ~~occasional instances.~~

1754 (4) The following factors shall be relevant to a finding
1755 that a substance is a controlled substance analog within the
1756 purview of this section:

1757 (j) Comparisons to the accepted methods of marketing,
1758 distribution, and sales of the substance and that which the
1759 substance is purported to be, including, but not limited to:

1760 1. The difference in price at which the substance is sold
1761 and the price at which the substance it is purported to be or
1762 advertised as is normally sold;

1763 2. The difference in how the substance is imported,
1764 manufactured, or distributed compared to how the substance it is
1765 purported to be or advertised as is normally imported,
1766 manufactured, or distributed;

1767 3. The difference in the appearance of the substance in



460300

576-03397-16

1768 overall finished dosage form compared to the substance it is
1769 purported to be or advertised as normally appears in overall
1770 finished dosage form; and

1771 4. The difference in how the substance is labeled for sale,
1772 packaged for sale, or the method of sale, including, but not
1773 limited to, the placement of the substance in an area commonly
1774 viewable to the public for purchase consideration compared to
1775 how the substance it is purported to be or advertised as is
1776 normally labeled for sale, packaged for sale, or sold to the
1777 public.

1778 (5) A controlled substance analog shall, for purposes of
1779 drug abuse prevention and control, be treated as the highest
1780 scheduled ~~a~~ controlled substance of which it is a controlled
1781 substance analog to in ~~Schedule I~~ of s. 893.03.

1782 Section 5. Subsections (1), (4), and (6), and paragraph (d)
1783 of subsection (8) of section 893.13, Florida Statutes, are
1784 amended, and subsection (2), paragraphs (a) and (b) of
1785 subsection (5), and paragraph (a) of subsection (7) of that
1786 section are republished, to read:

1787 893.13 Prohibited acts; penalties.—

1788 (1) (a) Except as authorized by this chapter and chapter
1789 499, a person may not sell, manufacture, or deliver, or possess
1790 with intent to sell, manufacture, or deliver, a controlled
1791 substance. A person who violates this provision with respect to:

1792 1. A controlled substance named or described in s.
1793 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1794 commits a felony of the second degree, punishable as provided in
1795 s. 775.082, s. 775.083, or s. 775.084.

1796 2. A controlled substance named or described in s.



460300

576-03397-16

1797 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1798 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1799 the third degree, punishable as provided in s. 775.082, s.
1800 775.083, or s. 775.084.

1801 3. A controlled substance named or described in s.
1802 893.03(5) commits a misdemeanor of the first degree, punishable
1803 as provided in s. 775.082 or s. 775.083.

1804 (b) Except as provided in this chapter, a person may not
1805 sell or deliver in excess of 10 grams of any substance named or
1806 described in s. 893.03(1)(a) or (1)(b), or any combination
1807 thereof, or any mixture containing any such substance. A person
1808 who violates this paragraph commits a felony of the first
1809 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1810 775.084.

1811 (c) Except as authorized by this chapter, a person may not
1812 sell, manufacture, or deliver, or possess with intent to sell,
1813 manufacture, or deliver, a controlled substance in, on, or
1814 within 1,000 feet of the real property comprising a child care
1815 facility as defined in s. 402.302 or a public or private
1816 elementary, middle, or secondary school between the hours of 6
1817 a.m. and 12 midnight, or at any time in, on, or within 1,000
1818 feet of real property comprising a state, county, or municipal
1819 park, a community center, or a publicly owned recreational
1820 facility. As used in this paragraph, the term "community center"
1821 means a facility operated by a nonprofit community-based
1822 organization for the provision of recreational, social, or
1823 educational services to the public. A person who violates this
1824 paragraph with respect to:

1825 1. A controlled substance named or described in s.



460300

576-03397-16

1826 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1827 commits a felony of the first degree, punishable as provided in
1828 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
1829 sentenced to a minimum term of imprisonment of 3 calendar years
1830 unless the offense was committed within 1,000 feet of the real
1831 property comprising a child care facility as defined in s.
1832 402.302.

1833 2. A controlled substance named or described in s.
1834 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1835 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1836 the second degree, punishable as provided in s. 775.082, s.
1837 775.083, or s. 775.084.

1838 3. Any other controlled substance, except as lawfully sold,
1839 manufactured, or delivered, must be sentenced to pay a \$500 fine
1840 and to serve 100 hours of public service in addition to any
1841 other penalty prescribed by law.

1842
1843 This paragraph does not apply to a child care facility unless
1844 the owner or operator of the facility posts a sign that is not
1845 less than 2 square feet in size with a word legend identifying
1846 the facility as a licensed child care facility and that is
1847 posted on the property of the child care facility in a
1848 conspicuous place where the sign is reasonably visible to the
1849 public.

1850 (d) Except as authorized by this chapter, a person may not
1851 sell, manufacture, or deliver, or possess with intent to sell,
1852 manufacture, or deliver, a controlled substance in, on, or
1853 within 1,000 feet of the real property comprising a public or
1854 private college, university, or other postsecondary educational



460300

576-03397-16

1855 institution. A person who violates this paragraph with respect
1856 to:

1857 1. A controlled substance named or described in s.
1858 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1859 commits a felony of the first degree, punishable as provided in
1860 s. 775.082, s. 775.083, or s. 775.084.

1861 2. A controlled substance named or described in s.
1862 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1863 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1864 the second degree, punishable as provided in s. 775.082, s.
1865 775.083, or s. 775.084.

1866 3. Any other controlled substance, except as lawfully sold,
1867 manufactured, or delivered, must be sentenced to pay a \$500 fine
1868 and to serve 100 hours of public service in addition to any
1869 other penalty prescribed by law.

1870 (e) Except as authorized by this chapter, a person may not
1871 sell, manufacture, or deliver, or possess with intent to sell,
1872 manufacture, or deliver, a controlled substance not authorized
1873 by law in, on, or within 1,000 feet of a physical place for
1874 worship at which a church or religious organization regularly
1875 conducts religious services or within 1,000 feet of a
1876 convenience business as defined in s. 812.171. A person who
1877 violates this paragraph with respect to:

1878 1. A controlled substance named or described in s.
1879 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1880 commits a felony of the first degree, punishable as provided in
1881 s. 775.082, s. 775.083, or s. 775.084.

1882 2. A controlled substance named or described in s.
1883 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,



460300

576-03397-16

1884 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1885 the second degree, punishable as provided in s. 775.082, s.
1886 775.083, or s. 775.084.

1887 3. Any other controlled substance, except as lawfully sold,
1888 manufactured, or delivered, must be sentenced to pay a \$500 fine
1889 and to serve 100 hours of public service in addition to any
1890 other penalty prescribed by law.

1891 (f) Except as authorized by this chapter, a person may not
1892 sell, manufacture, or deliver, or possess with intent to sell,
1893 manufacture, or deliver, a controlled substance in, on, or
1894 within 1,000 feet of the real property comprising a public
1895 housing facility at any time. As used in this section, the term
1896 "real property comprising a public housing facility" means real
1897 property, as defined in s. 421.03(12), of a public corporation
1898 created as a housing authority pursuant to part I of chapter
1899 421. A person who violates this paragraph with respect to:

1900 1. A controlled substance named or described in s.
1901 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1902 commits a felony of the first degree, punishable as provided in
1903 s. 775.082, s. 775.083, or s. 775.084.

1904 2. A controlled substance named or described in s.
1905 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
1906 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1907 the second degree, punishable as provided in s. 775.082, s.
1908 775.083, or s. 775.084.

1909 3. Any other controlled substance, except as lawfully sold,
1910 manufactured, or delivered, must be sentenced to pay a \$500 fine
1911 and to serve 100 hours of public service in addition to any
1912 other penalty prescribed by law.



460300

576-03397-16

1913 (g) Except as authorized by this chapter, a person may not
1914 manufacture methamphetamine or phencyclidine, or possess any
1915 listed chemical as defined in s. 893.033 in violation of s.
1916 893.149 and with intent to manufacture methamphetamine or
1917 phencyclidine. If a person violates this paragraph and:

1918 1. The commission or attempted commission of the crime
1919 occurs in a structure or conveyance where any child younger than
1920 16 years of age is present, the person commits a felony of the
1921 first degree, punishable as provided in s. 775.082, s. 775.083,
1922 or s. 775.084. In addition, the defendant must be sentenced to a
1923 minimum term of imprisonment of 5 calendar years.

1924 2. The commission of the crime causes any child younger
1925 than 16 years of age to suffer great bodily harm, the person
1926 commits a felony of the first degree, punishable as provided in
1927 s. 775.082, s. 775.083, or s. 775.084. In addition, the
1928 defendant must be sentenced to a minimum term of imprisonment of
1929 10 calendar years.

1930 (h) Except as authorized by this chapter, a person may not
1931 sell, manufacture, or deliver, or possess with intent to sell,
1932 manufacture, or deliver, a controlled substance in, on, or
1933 within 1,000 feet of the real property comprising an assisted
1934 living facility, as that term is used in chapter 429. A person
1935 who violates this paragraph with respect to:

1936 1. A controlled substance named or described in s.
1937 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1938 commits a felony of the first degree, punishable as provided in
1939 s. 775.082, s. 775.083, or s. 775.084.

1940 2. A controlled substance named or described in s.
1941 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,



460300

576-03397-16

1942 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1943 the second degree, punishable as provided in s. 775.082, s.
1944 775.083, or s. 775.084.

1945 3. Any other controlled substance, except as lawfully sold,
1946 manufactured, or delivered, must be sentenced to pay a \$500 fine
1947 and to serve 100 hours of public service in addition to any
1948 other penalty prescribed by law.

1949 (2) (a) Except as authorized by this chapter and chapter
1950 499, a person may not purchase, or possess with intent to
1951 purchase, a controlled substance. A person who violates this
1952 provision with respect to:

1953 1. A controlled substance named or described in s.
1954 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1955 commits a felony of the second degree, punishable as provided in
1956 s. 775.082, s. 775.083, or s. 775.084.

1957 2. A controlled substance named or described in s.
1958 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
1959 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1960 the third degree, punishable as provided in s. 775.082, s.
1961 775.083, or s. 775.084.

1962 3. A controlled substance named or described in s.
1963 893.03(5) commits a misdemeanor of the first degree, punishable
1964 as provided in s. 775.082 or s. 775.083.

1965 (b) Except as provided in this chapter, a person may not
1966 purchase more than 10 grams of any substance named or described
1967 in s. 893.03(1) (a) or (1) (b), or any combination thereof, or any
1968 mixture containing any such substance. A person who violates
1969 this paragraph commits a felony of the first degree, punishable
1970 as provided in s. 775.082, s. 775.083, or s. 775.084.



460300

576-03397-16

1971 (4) Except as authorized by this chapter, a person 18 years
1972 of age or older may not deliver any controlled substance to a
1973 person younger than 18 years of age, use or hire a person
1974 younger than 18 years of age as an agent or employee in the sale
1975 or delivery of such a substance, or use such person to assist in
1976 avoiding detection or apprehension for a violation of this
1977 chapter. A person who violates this paragraph provision with
1978 respect to:

1979 (a) A controlled substance named or described in s.
1980 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1981 commits a felony of the first degree, punishable as provided in
1982 s. 775.082, s. 775.083, or s. 775.084.

1983 (b) A controlled substance named or described in s.
1984 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1985 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1986 the second degree, punishable as provided in s. 775.082, s.
1987 775.083, or s. 775.084.

1988 (c) Any other controlled substance, except as lawfully
1989 sold, manufactured, or delivered, commits a felony of the third
1990 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1991 775.084.

1992
1993 Imposition of sentence may not be suspended or deferred, and the
1994 person so convicted may not be placed on probation.

1995 (5) A person may not bring into this state any controlled
1996 substance unless the possession of such controlled substance is
1997 authorized by this chapter or unless such person is licensed to
1998 do so by the appropriate federal agency. A person who violates
1999 this provision with respect to:



576-03397-16

2000 (a) A controlled substance named or described in s.
2001 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2002 commits a felony of the second degree, punishable as provided in
2003 s. 775.082, s. 775.083, or s. 775.084.

2004 (b) A controlled substance named or described in s.
2005 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2006 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2007 the third degree, punishable as provided in s. 775.082, s.
2008 775.083, or s. 775.084.

2009 (6)(a) A person may not be in actual or constructive
2010 possession of a controlled substance unless such controlled
2011 substance was lawfully obtained from a practitioner or pursuant
2012 to a valid prescription or order of a practitioner while acting
2013 in the course of his or her professional practice or to be in
2014 actual or constructive possession of a controlled substance
2015 except as otherwise authorized by this chapter. A person who
2016 violates this provision commits a felony of the third degree,
2017 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2018 (b) If the offense is the possession of 20 grams or less of
2019 cannabis, as defined in this chapter, ~~or 3 grams or less of a~~
2020 ~~controlled substance described in s. 893.03(1)(c)46.-50., 114.-~~
2021 ~~142., 151.-159., or 166.-173.,~~ the person commits a misdemeanor
2022 of the first degree, punishable as provided in s. 775.082 or s.
2023 775.083. As used in this subsection, the term "cannabis" does
2024 not include the resin extracted from the plants of the genus
2025 *Cannabis*, or any compound manufacture, salt, derivative,
2026 mixture, or preparation of such resin, ~~and a controlled~~
2027 ~~substance described in s. 893.03(1)(c)46.-50., 114.-142., 151.-~~
2028 ~~159., or 166.-173. does not include the substance in a powdered~~



460300

576-03397-16

2029 ~~form.~~

2030 (c) Except as provided in this chapter, a person may not
2031 possess more than 10 grams of any substance named or described
2032 in s. 893.03(1) (a) or (1) (b), or any combination thereof, or any
2033 mixture containing any such substance. A person who violates
2034 this paragraph commits a felony of the first degree, punishable
2035 as provided in s. 775.082, s. 775.083, or s. 775.084.

2036 (d) If the offense is possession of a controlled substance
2037 named or described in s. 893.03(5), the person commits a
2038 misdemeanor of the second degree, punishable as provided in s.
2039 775.082 or s. 775.083.

2040 (e) ~~(d)~~ Notwithstanding any provision to the contrary of the
2041 laws of this state relating to arrest, a law enforcement officer
2042 may arrest without warrant any person who the officer has
2043 probable cause to believe is violating the provisions of this
2044 chapter relating to possession of cannabis.

2045 (7) (a) A person may not:

2046 1. Distribute or dispense a controlled substance in
2047 violation of this chapter.

2048 2. Refuse or fail to make, keep, or furnish any record,
2049 notification, order form, statement, invoice, or information
2050 required under this chapter.

2051 3. Refuse entry into any premises for any inspection or
2052 refuse to allow any inspection authorized by this chapter.

2053 4. Distribute a controlled substance named or described in
2054 s. 893.03(1) or (2) except pursuant to an order form as required
2055 by s. 893.06.

2056 5. Keep or maintain any store, shop, warehouse, dwelling,
2057 building, vehicle, boat, aircraft, or other structure or place



460300

576-03397-16

2058 which is resorted to by persons using controlled substances in
2059 violation of this chapter for the purpose of using these
2060 substances, or which is used for keeping or selling them in
2061 violation of this chapter.

2062 6. Use to his or her own personal advantage, or reveal, any
2063 information obtained in enforcement of this chapter except in a
2064 prosecution or administrative hearing for a violation of this
2065 chapter.

2066 7. Possess a prescription form unless it has been signed by
2067 the practitioner whose name appears printed thereon and
2068 completed. This subparagraph does not apply if the person in
2069 possession of the form is the practitioner whose name appears
2070 printed thereon, an agent or employee of that practitioner, a
2071 pharmacist, or a supplier of prescription forms who is
2072 authorized by that practitioner to possess those forms.

2073 8. Withhold information from a practitioner from whom the
2074 person seeks to obtain a controlled substance or a prescription
2075 for a controlled substance that the person making the request
2076 has received a controlled substance or a prescription for a
2077 controlled substance of like therapeutic use from another
2078 practitioner within the previous 30 days.

2079 9. Acquire or obtain, or attempt to acquire or obtain,
2080 possession of a controlled substance by misrepresentation,
2081 fraud, forgery, deception, or subterfuge.

2082 10. Affix any false or forged label to a package or
2083 receptacle containing a controlled substance.

2084 11. Furnish false or fraudulent material information in, or
2085 omit any material information from, any report or other document
2086 required to be kept or filed under this chapter or any record



460300

576-03397-16

2087 required to be kept by this chapter.

2088 12. Store anhydrous ammonia in a container that is not
2089 approved by the United States Department of Transportation to
2090 hold anhydrous ammonia or is not constructed in accordance with
2091 sound engineering, agricultural, or commercial practices.

2092 13. With the intent to obtain a controlled substance or
2093 combination of controlled substances that are not medically
2094 necessary for the person or an amount of a controlled substance
2095 or substances that is not medically necessary for the person,
2096 obtain or attempt to obtain from a practitioner a controlled
2097 substance or a prescription for a controlled substance by
2098 misrepresentation, fraud, forgery, deception, subterfuge, or
2099 concealment of a material fact. For purposes of this
2100 subparagraph, a material fact includes whether the person has an
2101 existing prescription for a controlled substance issued for the
2102 same period of time by another practitioner or as described in
2103 subparagraph 8.

2104 (8)

2105 (d) Notwithstanding paragraph (c), if a prescribing
2106 practitioner has violated paragraph (a) and received \$1,000 or
2107 more in payment for writing one or more prescriptions or, in the
2108 case of a prescription written for a controlled substance
2109 described in s. 893.135, has written one or more prescriptions
2110 for a quantity of a controlled substance which, individually or
2111 in the aggregate, meets the threshold for the offense of
2112 trafficking in a controlled substance under s. 893.135 ~~s.~~
2113 ~~893.15~~, the violation is reclassified as a felony of the second
2114 degree and ranked in level 4 of the Criminal Punishment Code.

2115 Section 6. Paragraphs (g) and (l) of subsection (1) of



460300

576-03397-16

2116 section 893.135, Florida Statutes, are republished, paragraph
2117 (k) of that subsection is amended, and subsection (6) of that
2118 section is amended, to read:

2119 893.135 Trafficking; mandatory sentences; suspension or
2120 reduction of sentences; conspiracy to engage in trafficking.—

2121 (1) Except as authorized in this chapter or in chapter 499
2122 and notwithstanding the provisions of s. 893.13:

2123 (g)1. Any person who knowingly sells, purchases,
2124 manufactures, delivers, or brings into this state, or who is
2125 knowingly in actual or constructive possession of, 4 grams or
2126 more of flunitrazepam or any mixture containing flunitrazepam as
2127 described in s. 893.03(1)(a) commits a felony of the first
2128 degree, which felony shall be known as "trafficking in
2129 flunitrazepam," punishable as provided in s. 775.082, s.
2130 775.083, or s. 775.084. If the quantity involved:

2131 a. Is 4 grams or more but less than 14 grams, such person
2132 shall be sentenced to a mandatory minimum term of imprisonment
2133 of 3 years, and the defendant shall be ordered to pay a fine of
2134 \$50,000.

2135 b. Is 14 grams or more but less than 28 grams, such person
2136 shall be sentenced to a mandatory minimum term of imprisonment
2137 of 7 years, and the defendant shall be ordered to pay a fine of
2138 \$100,000.

2139 c. Is 28 grams or more but less than 30 kilograms, such
2140 person shall be sentenced to a mandatory minimum term of
2141 imprisonment of 25 calendar years and pay a fine of \$500,000.

2142 2. Any person who knowingly sells, purchases, manufactures,
2143 delivers, or brings into this state or who is knowingly in
2144 actual or constructive possession of 30 kilograms or more of



460300

576-03397-16

2145 flunitrazepam or any mixture containing flunitrazepam as
2146 described in s. 893.03(1) (a) commits the first degree felony of
2147 trafficking in flunitrazepam. A person who has been convicted of
2148 the first degree felony of trafficking in flunitrazepam under
2149 this subparagraph shall be punished by life imprisonment and is
2150 ineligible for any form of discretionary early release except
2151 pardon or executive clemency or conditional medical release
2152 under s. 947.149. However, if the court determines that, in
2153 addition to committing any act specified in this paragraph:

2154 a. The person intentionally killed an individual or
2155 counseled, commanded, induced, procured, or caused the
2156 intentional killing of an individual and such killing was the
2157 result; or

2158 b. The person's conduct in committing that act led to a
2159 natural, though not inevitable, lethal result,

2160
2161 such person commits the capital felony of trafficking in
2162 flunitrazepam, punishable as provided in ss. 775.082 and
2163 921.142. Any person sentenced for a capital felony under this
2164 paragraph shall also be sentenced to pay the maximum fine
2165 provided under subparagraph 1.

2166 (k)1. A person who knowingly sells, purchases,
2167 manufactures, delivers, or brings into this state, or who is
2168 knowingly in actual or constructive possession of, 10 grams or
2169 more of any of the following substances described in s.
2170 893.03(1) (c):

2171 a. (MDMA) 3,4-Methylenedioxymethamphetamine ~~(MDMA)~~;

2172 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);

2173 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);



460300

576-03397-16

- 2174 d. 2,5-Dimethoxyamphetamine;
- 2175 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-4-~~
- 2176 ~~ethylamphetamine (DOET);~~
- 2177 f. N-ethylamphetamine;
- 2178 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2179 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2180 i. PMA (4-methoxyamphetamine);
- 2181 j. PMMA (4-methoxymethamphetamine);
- 2182 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2183 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2184 m. MDA (3,4-Methylenedioxyamphetamine);
- 2185 n. N,N-dimethylamphetamine;
- 2186 o. 3,4,5-Trimethoxyamphetamine;
- 2187 p. Methylone (3,4-Methylenedioxymethcathinone);
- 2188 q. MDPV (3,4-Methylenedioxypyrovalerone) ~~(MDPV)~~; or
- 2189 r. Methylnmethcathinone,

2190
2191 individually or analogs thereto or isomers thereto or in any
2192 combination of or any mixture containing any substance listed in
2193 sub-subparagraphs a.-r., commits a felony of the first degree,
2194 which felony shall be known as "trafficking in Phenethylamines,"
2195 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2196 2. If the quantity involved:

2197 a. Is 10 grams or more, but less than 200 grams, such
2198 person shall be sentenced to a mandatory minimum term of
2199 imprisonment of 3 years and shall be ordered to pay a fine of
2200 \$50,000.

2201 b. Is 200 grams or more, but less than 400 grams, such
2202 person shall be sentenced to a mandatory minimum term of



460300

576-03397-16

2203 imprisonment of 7 years and shall be ordered to pay a fine of
2204 \$100,000.

2205 c. Is 400 grams or more, such person shall be sentenced to
2206 a mandatory minimum term of imprisonment of 15 years and shall
2207 be ordered to pay a fine of \$250,000.

2208 3. A person who knowingly manufactures or brings into this
2209 state 30 kilograms or more of any of the following substances
2210 described in s. 893.03(1)(c):

- 2211 a. MDMA (3,4-Methylenedioxyamphetamine) ~~(MDMA)~~;
- 2212 b. 2C-B (4-Bromo-2,5-dimethoxyamphetamine);
- 2213 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2214 d. 2,5-Dimethoxyamphetamine;
- 2215 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-4-~~
2216 ~~ethylamphetamine (DOET)~~;
- 2217 f. N-ethylamphetamine;
- 2218 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2219 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2220 i. PMA (4-methoxyamphetamine);
- 2221 j. PMMA (4-methoxymethamphetamine);
- 2222 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2223 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2224 m. MDA (3,4-Methylenedioxyamphetamine);
- 2225 n. N,N-dimethylamphetamine;
- 2226 o. 3,4,5-Trimethoxyamphetamine;
- 2227 p. Methylone (3,4-Methylenedioxy-methcathinone);
- 2228 q. MDPV (3,4-Methylenedioxy-pyrovalerone) ~~(MDPV)~~; or
- 2229 r. Methylmethcathinone,

2230
2231 individually or analogs thereto or isomers thereto or in any



460300

576-03397-16

2232 combination of or any mixture containing any substance listed in
2233 sub-subparagraphs a.-r., and who knows that the probable result
2234 of such manufacture or importation would be the death of any
2235 person commits capital manufacture or importation of
2236 Phenethylamines, a capital felony punishable as provided in ss.
2237 775.082 and 921.142. A person sentenced for a capital felony
2238 under this paragraph shall also be sentenced to pay the maximum
2239 fine provided under subparagraph 1.

2240 (1)1. Any person who knowingly sells, purchases,
2241 manufactures, delivers, or brings into this state, or who is
2242 knowingly in actual or constructive possession of, 1 gram or
2243 more of lysergic acid diethylamide (LSD) as described in s.
2244 893.03(1)(c), or of any mixture containing lysergic acid
2245 diethylamide (LSD), commits a felony of the first degree, which
2246 felony shall be known as "trafficking in lysergic acid
2247 diethylamide (LSD)," punishable as provided in s. 775.082, s.
2248 775.083, or s. 775.084. If the quantity involved:

2249 a. Is 1 gram or more, but less than 5 grams, such person
2250 shall be sentenced to a mandatory minimum term of imprisonment
2251 of 3 years, and the defendant shall be ordered to pay a fine of
2252 \$50,000.

2253 b. Is 5 grams or more, but less than 7 grams, such person
2254 shall be sentenced to a mandatory minimum term of imprisonment
2255 of 7 years, and the defendant shall be ordered to pay a fine of
2256 \$100,000.

2257 c. Is 7 grams or more, such person shall be sentenced to a
2258 mandatory minimum term of imprisonment of 15 calendar years and
2259 pay a fine of \$500,000.

2260 2. Any person who knowingly manufactures or brings into



460300

576-03397-16

2261 this state 7 grams or more of lysergic acid diethylamide (LSD)
2262 as described in s. 893.03(1)(c), or any mixture containing
2263 lysergic acid diethylamide (LSD), and who knows that the
2264 probable result of such manufacture or importation would be the
2265 death of any person commits capital manufacture or importation
2266 of lysergic acid diethylamide (LSD), a capital felony punishable
2267 as provided in ss. 775.082 and 921.142. Any person sentenced for
2268 a capital felony under this paragraph shall also be sentenced to
2269 pay the maximum fine provided under subparagraph 1.

2270 (6) A mixture, as defined in s. 893.02, containing any
2271 controlled substance described in this section includes, but is
2272 not limited to, a solution or a dosage unit, including but not
2273 limited to, a gelatin capsule, pill, or tablet, containing a
2274 controlled substance. For the purpose of clarifying legislative
2275 intent regarding the weighing of a mixture containing a
2276 controlled substance described in this section, the weight of
2277 the controlled substance is the total weight of the mixture,
2278 including the controlled substance and any other substance in
2279 the mixture. If there is more than one mixture containing the
2280 same controlled substance, the weight of the controlled
2281 substance is calculated by aggregating the total weight of each
2282 mixture.

2283 Section 7. Subsection (2) of section 893.138, Florida
2284 Statutes, is amended to read:

2285 893.138 Local administrative action to abate drug-related,
2286 prostitution-related, or stolen-property-related public
2287 nuisances and criminal gang activity.—

2288 (2) Any place or premises that has been used:

2289 (a) On more than two occasions within a 6-month period, as



460300

576-03397-16

2290 the site of a violation of s. 796.07;

2291 (b) On more than two occasions within a 6-month period, as
2292 the site of the unlawful sale, delivery, manufacture, or
2293 cultivation of any controlled substance;

2294 (c) On one occasion as the site of the unlawful possession
2295 of a controlled substance, where such possession constitutes a
2296 felony and that has been previously used on more than one
2297 occasion as the site of the unlawful sale, delivery,
2298 manufacture, or cultivation of any controlled substance;

2299 (d) By a criminal gang for the purpose of conducting
2300 criminal gang activity as defined by s. 874.03; ~~or~~

2301 (e) On more than two occasions within a 6-month period, as
2302 the site of a violation of s. 812.019 relating to dealing in
2303 stolen property; or

2304 (f) On two or more occasions within a 6-month period, as
2305 the site of a violation of chapter 499,

2306
2307 may be declared to be a public nuisance, and such nuisance may
2308 be abated pursuant to the procedures provided in this section.

2309 Section 8. Subsections (6) and (12) of section 893.145,
2310 Florida Statutes, are amended to read:

2311 893.145 "Drug paraphernalia" defined.—The term "drug
2312 paraphernalia" means all equipment, products, and materials of
2313 any kind which are used, intended for use, or designed for use
2314 in planting, propagating, cultivating, growing, harvesting,
2315 manufacturing, compounding, converting, producing, processing,
2316 preparing, testing, analyzing, packaging, repackaging, storing,
2317 containing, concealing, transporting, injecting, ingesting,
2318 inhaling, or otherwise introducing into the human body a



460300

576-03397-16

2319 controlled substance in violation of this chapter or s. 877.111.
2320 Drug paraphernalia is deemed to be contraband which shall be
2321 subject to civil forfeiture. The term includes, but is not
2322 limited to:

2323 (6) Diluents and adulterants, such as quinine
2324 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,
2325 dextrose, and lactose, used, intended for use, or designed for
2326 use in diluting ~~cutting~~ controlled substances; or substances
2327 such as damiana leaf, marshmallow leaf, and mullein leaf, used,
2328 intended for use, or designed for use as carrier mediums of
2329 controlled substances.

2330 (12) Objects used, intended for use, or designed for use in
2331 ingesting, inhaling, or otherwise introducing controlled
2332 substances, as described in s. 893.03, or substances described
2333 in s. 877.111(1) ~~cannabis, cocaine, hashish, hashish oil, or~~
2334 nitrous oxide into the human body, such as:

2335 (a) Metal, wooden, acrylic, glass, stone, plastic, or
2336 ceramic pipes, with or without screens, permanent screens,
2337 hashish heads, or punctured metal bowls.

2338 (b) Water pipes.

2339 (c) Carburetion tubes and devices.

2340 (d) Smoking and carburetion masks.

2341 (e) Roach clips: meaning objects used to hold burning
2342 material, such as a cannabis cigarette, that has become too
2343 small or too short to be held in the hand.

2344 (f) Miniature cocaine spoons, and cocaine vials.

2345 (g) Chamber pipes.

2346 (h) Carburetor pipes.

2347 (i) Electric pipes.



460300

576-03397-16

- 2348 (j) Air-driven pipes.
- 2349 (k) Chillums.
- 2350 (l) Bongs.
- 2351 (m) Ice pipes or chillers.
- 2352 (n) A cartridge or canister, which means a small metal
2353 device used to contain nitrous oxide.
- 2354 (o) A charger, sometimes referred to as a "cracker," which
2355 means a small metal or plastic device that contains an interior
2356 pin that may be used to expel nitrous oxide from a cartridge or
2357 container.
- 2358 (p) A charging bottle, which means a device that may be
2359 used to expel nitrous oxide from a cartridge or canister.
- 2360 (q) A whip-it, which means a device that may be used to
2361 expel nitrous oxide.
- 2362 (r) A tank.
- 2363 (s) A balloon.
- 2364 (t) A hose or tube.
- 2365 (u) A 2-liter-type soda bottle.
- 2366 (v) Duct tape.
- 2367 Section 9. Paragraph (a) of subsection (1) of section
2368 895.02, Florida Statutes, is amended to read:
- 2369 895.02 Definitions.—As used in ss. 895.01-895.08, the term:
- 2370 (1) "Racketeering activity" means to commit, to attempt to
2371 commit, to conspire to commit, or to solicit, coerce, or
2372 intimidate another person to commit:
- 2373 (a) Any crime that is chargeable by petition, indictment,
2374 or information under the following provisions of the Florida
2375 Statutes:
- 2376 1. Section 210.18, relating to evasion of payment of



460300

576-03397-16

- 2377 cigarette taxes.
- 2378 2. Section 316.1935, relating to fleeing or attempting to
- 2379 elude a law enforcement officer and aggravated fleeing or
- 2380 eluding.
- 2381 3. Section 403.727(3)(b), relating to environmental
- 2382 control.
- 2383 4. Section 409.920 or s. 409.9201, relating to Medicaid
- 2384 fraud.
- 2385 5. Section 414.39, relating to public assistance fraud.
- 2386 6. Section 440.105 or s. 440.106, relating to workers'
- 2387 compensation.
- 2388 7. Section 443.071(4), relating to creation of a fictitious
- 2389 employer scheme to commit reemployment assistance fraud.
- 2390 8. Section 465.0161, relating to distribution of medicinal
- 2391 drugs without a permit as an Internet pharmacy.
- 2392 9. Section 499.0051, relating to crimes involving
- 2393 contraband, ~~and~~ adulterated, or misbranded drugs.
- 2394 10. Part IV of chapter 501, relating to telemarketing.
- 2395 11. Chapter 517, relating to sale of securities and
- 2396 investor protection.
- 2397 12. Section 550.235 or s. 550.3551, relating to dogracing
- 2398 and horseracing.
- 2399 13. Chapter 550, relating to jai alai frontons.
- 2400 14. Section 551.109, relating to slot machine gaming.
- 2401 15. Chapter 552, relating to the manufacture, distribution,
- 2402 and use of explosives.
- 2403 16. Chapter 560, relating to money transmitters, if the
- 2404 violation is punishable as a felony.
- 2405 17. Chapter 562, relating to beverage law enforcement.



460300

576-03397-16

2406 18. Section 624.401, relating to transacting insurance
2407 without a certificate of authority, s. 624.437(4)(c)1., relating
2408 to operating an unauthorized multiple-employer welfare
2409 arrangement, or s. 626.902(1)(b), relating to representing or
2410 aiding an unauthorized insurer.

2411 19. Section 655.50, relating to reports of currency
2412 transactions, when such violation is punishable as a felony.

2413 20. Chapter 687, relating to interest and usurious
2414 practices.

2415 21. Section 721.08, s. 721.09, or s. 721.13, relating to
2416 real estate timeshare plans.

2417 22. Section 775.13(5)(b), relating to registration of
2418 persons found to have committed any offense for the purpose of
2419 benefiting, promoting, or furthering the interests of a criminal
2420 gang.

2421 23. Section 777.03, relating to commission of crimes by
2422 accessories after the fact.

2423 24. Chapter 782, relating to homicide.

2424 25. Chapter 784, relating to assault and battery.

2425 26. Chapter 787, relating to kidnapping or human
2426 trafficking.

2427 27. Chapter 790, relating to weapons and firearms.

2428 28. Chapter 794, relating to sexual battery, but only if
2429 such crime was committed with the intent to benefit, promote, or
2430 further the interests of a criminal gang, or for the purpose of
2431 increasing a criminal gang member's own standing or position
2432 within a criminal gang.

2433 29. Former s. 796.03, former s. 796.035, s. 796.04, s.
2434 796.05, or s. 796.07, relating to prostitution.



460300

576-03397-16

- 2435 30. Chapter 806, relating to arson and criminal mischief.
- 2436 31. Chapter 810, relating to burglary and trespass.
- 2437 32. Chapter 812, relating to theft, robbery, and related
- 2438 crimes.
- 2439 33. Chapter 815, relating to computer-related crimes.
- 2440 34. Chapter 817, relating to fraudulent practices, false
- 2441 pretenses, fraud generally, and credit card crimes.
- 2442 35. Chapter 825, relating to abuse, neglect, or
- 2443 exploitation of an elderly person or disabled adult.
- 2444 36. Section 827.071, relating to commercial sexual
- 2445 exploitation of children.
- 2446 37. Section 828.122, relating to fighting or baiting
- 2447 animals.
- 2448 38. Chapter 831, relating to forgery and counterfeiting.
- 2449 39. Chapter 832, relating to issuance of worthless checks
- 2450 and drafts.
- 2451 40. Section 836.05, relating to extortion.
- 2452 41. Chapter 837, relating to perjury.
- 2453 42. Chapter 838, relating to bribery and misuse of public
- 2454 office.
- 2455 43. Chapter 843, relating to obstruction of justice.
- 2456 44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
- 2457 s. 847.07, relating to obscene literature and profanity.
- 2458 45. Chapter 849, relating to gambling, lottery, gambling or
- 2459 gaming devices, slot machines, or any of the provisions within
- 2460 that chapter.
- 2461 46. Chapter 874, relating to criminal gangs.
- 2462 47. Chapter 893, relating to drug abuse prevention and
- 2463 control.



460300

576-03397-16

2464 48. Chapter 896, relating to offenses related to financial
2465 transactions.

2466 49. Sections 914.22 and 914.23, relating to tampering with
2467 or harassing a witness, victim, or informant, and retaliation
2468 against a witness, victim, or informant.

2469 50. Sections 918.12 and 918.13, relating to tampering with
2470 jurors and evidence.

2471 Section 10. Paragraphs (c), (e), and (g) of subsection (3)
2472 of section 921.0022, Florida Statutes, are amended, and
2473 paragraphs (b), (d), and (h) of that subsection are republished,
2474 to read:

2475 921.0022 Criminal Punishment Code; offense severity ranking
2476 chart.—

2477 (3) OFFENSE SEVERITY RANKING CHART

2478 (b) LEVEL 2

2479

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

2480

2481



460300

576-03397-16

2482

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

2483

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

2484

590.28 (1) 3rd Intentional burning of lands.

2485

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

2486

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

2487

806.13 (1) (b) 3. 3rd Criminal mischief; damage \$1,000 or more to



460300

576-03397-16

2488			public communication or any other public service.
	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
2489			
	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
2490			
	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
2491			
	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
2492			
	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
2493			



460300

576-03397-16

2494	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
2495	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
2496	817.52 (3)	3rd	Failure to redeliver hired vehicle.
2497	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
2498	817.60 (5)	3rd	Dealing in credit cards of another.
2499	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
2500	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.



460300

576-03397-16

2501	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
2502	831.01	3rd	Forgery.
2503	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2504	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2505	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2506	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
2507	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
	832.05 (3) (a)	3rd	Cashing or depositing



460300

576-03397-16

2508			item with intent to defraud.
2509	843.08	3rd	False personation.
	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.
2510	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
2511			
2512			
2513			
2514	(c) LEVEL 3		
2515			
	Florida Statute	Felony Degree	Description
2516	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
2517	316.066	3rd	Unlawfully obtaining or



460300

576-03397-16

(3) (b) - (d)

using confidential crash reports.

2518

316.193 (2) (b)

3rd

Felony DUI, 3rd conviction.

2519

316.1935 (2)

3rd

Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

2520

319.30 (4)

3rd

Possession by junkyard of motor vehicle with identification number plate removed.

2521

319.33 (1) (a)

3rd

Alter or forge any certificate of title to a motor vehicle or mobile home.

2522

319.33 (1) (c)

3rd

Procure or pass title on stolen vehicle.

2523

319.33 (4)

3rd

With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.



460300

576-03397-16

2524

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

2525

328.05 (2) 3rd Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

2526

328.07 (4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

2527

376.302 (5) 3rd Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

2528

379.2431 3rd Taking, disturbing, (1) (e) 5. 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



460300

576-03397-16

2529

379.2431
(1) (e) 6.

3rd

Protection Act.
Soliciting to commit or
conspiring to commit a
violation of the Marine
Turtle Protection Act.

2530

400.9935 (4) (a)
or (b)

3rd

Operating a clinic, or
offering services requiring
licensure, without a
license.

2531

400.9935 (4) (e)

3rd

Filing a false license
application or other
required information or
failing to report
information.

2532

440.1051 (3)

3rd

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

2533

501.001 (2) (b)

2nd

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

2534



460300

576-03397-16

2535	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2536	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2537	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2538	697.08	3rd	Equity skimming.
2539	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2540	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2541	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
	810.09 (2) (c)	3rd	Trespass on property other



460300

576-03397-16

			than structure or conveyance armed with firearm or dangerous weapon.
2542	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2543	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2544	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2545	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2546	817.233	3rd	Burning to defraud insurer.
2547	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2548	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.



460300

576-03397-16

2549

817.236 3rd Filing a false motor
vehicle insurance
application.

2550

817.2361 3rd Creating, marketing, or
presenting a false or
fraudulent motor vehicle
insurance card.

2551

817.413 (2) 3rd Sale of used goods as new.

2552

817.505 (4) 3rd Patient brokering.

2553

828.12 (2) 3rd Tortures any animal with
intent to inflict intense
pain, serious physical
injury, or death.

2554

831.28 (2) (a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment
instrument.

2555

831.29 2nd Possession of instruments
for counterfeiting driver
licenses or identification
cards.



460300

576-03397-16

2556

838.021 (3) (b) 3rd Threatens unlawful harm to public servant.

2557

843.19 3rd Injure, disable, or kill police dog or horse.

2558

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

2559

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

2560

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).

2561

893.13 (1) (d) 2. 2nd Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs within 1,000 feet



460300

576-03397-16

2562

893.13(1)(f)2.

2nd

of university.

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.

2563

893.13(4)(c)

3rd

Use or hire of minor; deliver to minor other controlled substances.

2564

893.13(6)(a)

3rd

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

2565

893.13(7)(a)8.

3rd

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

2566

893.13(7)(a)9.

3rd

Obtain or attempt to obtain controlled substance by fraud, forgery,



460300

576-03397-16

2567

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

2568

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

2569

893.13(8)(a)1. 3rd Knowingly assist a patient,
other person, or owner of
an animal in obtaining a
controlled substance
through deceptive, untrue,
or fraudulent
representations in or
related to the
practitioner's practice.

2570

893.13(8)(a)2. 3rd Employ a trick or scheme in
the practitioner's practice
to assist a patient, other
person, or owner of an
animal in obtaining a
controlled substance.

2571

893.13(8)(a)3. 3rd Knowingly write a



460300

576-03397-16

2579 (d) LEVEL 4

2580

Florida
Statute

Felony
Degree

Description

2581

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.

2582

499.0051 (1)

3rd

Failure to maintain or
deliver pedigree papers.

2583

499.0051 (2)

3rd

Failure to authenticate
pedigree papers.

2584

499.0051 (6)

2nd

Knowing sale or
delivery, or possession
with intent to sell,
contraband prescription
drugs.

2585

517.07 (1)

3rd

Failure to register
securities.

2586



460300

576-03397-16

2587	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
2588	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
2589	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
2590	784.075	3rd	Battery on detention or commitment facility staff.
2591	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
2592	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2593	784.081 (3)	3rd	Battery on specified official or employee.



460300

576-03397-16

2594	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2595	784.083 (3)	3rd	Battery on code inspector.
2596	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
2597	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2598	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or



460300

576-03397-16

2599

delivering to designated
person.

787.07

3rd

Human smuggling.

2600

790.115 (1)

3rd

Exhibiting firearm or
weapon within 1,000 feet
of a school.

2601

790.115 (2) (b)

3rd

Possessing electric
weapon or device,
destructive device, or
other weapon on school
property.

2602

790.115 (2) (c)

3rd

Possessing firearm on
school property.

2603

800.04 (7) (c)

3rd

Lewd or lascivious
exhibition; offender
less than 18 years.

2604

810.02 (4) (a)

3rd

Burglary, or attempted
burglary, of an
unoccupied structure;
unarmed; no assault or
battery.

2605

810.02 (4) (b)

3rd

Burglary, or attempted



460300

576-03397-16

2606			burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2607	810.06	3rd	Burglary; possession of tools.
2608	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2609	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2610	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2611	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding



460300

576-03397-16

2612

817.568 (2) (a) 3rd s. 893.03(5) drugs.
Fraudulent use of
personal identification
information.

2613

817.625 (2) (a) 3rd Fraudulent use of
scanning device or
reencoder.

2614

828.125 (1) 2nd Kill, maim, or cause
great bodily harm or
permanent breeding
disability to any
registered horse or
cattle.

2615

837.02 (1) 3rd Perjury in official
proceedings.

2616

837.021 (1) 3rd Make contradictory
statements in official
proceedings.

2617

838.022 3rd Official misconduct.

2618

839.13 (2) (a) 3rd Falsifying records of an
individual in the care
and custody of a state



460300

576-03397-16

2619

839.13(2)(c)

3rd

agency.
Falsifying records of
the Department of
Children and Families.

2620

843.021

3rd

Possession of a
concealed handcuff key
by a person in custody.

2621

843.025

3rd

Deprive law enforcement,
correctional, or
correctional probation
officer of means of
protection or
communication.

2622

843.15(1)(a)

3rd

Failure to appear while
on bail for felony (bond
estreature or bond
jumping).

2623

847.0135(5)(c)

3rd

Lewd or lascivious
exhibition using
computer; offender less
than 18 years.

2624

874.05(1)(a)

3rd

Encouraging or
recruiting another to



460300

576-03397-16

2625

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

2626

914.14(2)

3rd

Witnesses accepting bribes.

2627

914.22(1)

3rd

Force, threaten, etc., witness, victim, or informant.

2628

914.23(2)

3rd

Retaliation against a witness, victim, or informant, no bodily injury.

2629

918.12

3rd

Tampering with jurors.

2630

934.215

3rd

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

2631

2632

2633

(e) LEVEL 5



460300

576-03397-16

2634

Florida
Statute

Felony
Degree

Description

2635

316.027 (2) (a)

3rd

Accidents involving
personal injuries other
than serious bodily
injury, failure to stop;
leaving scene.

2636

316.1935 (4) (a)

2nd

Aggravated fleeing or
eluding.

2637

322.34 (6)

3rd

Careless operation of
motor vehicle with
suspended license,
resulting in death or
serious bodily injury.

2638

327.30 (5)

3rd

Vessel accidents
involving personal
injury; leaving scene.

2639

379.367 (4)

3rd

Willful molestation of a
commercial harvester's
spiny lobster trap,
line, or buoy.

2640

379.3671

3rd

Willful molestation,



460300

576-03397-16

	(2) (c) 3.		possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.
2641	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
2642	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
2643	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
2644	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
2645	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or



460300

576-03397-16

2646			authority; premium collected \$20,000 or more but less than \$100,000.
	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
2647			
	790.01 (2)	3rd	Carrying a concealed firearm.
2648			
	790.162	2nd	Threat to throw or discharge destructive device.
2649			
	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2650			
	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2651			
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
2652			



460300

576-03397-16

2653	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2654	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2655	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2656	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2657	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2658	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
2659	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.



460300

576-03397-16

2660

812.131 (2) (b)

3rd

Robbery by sudden
snatching.

2661

812.16 (2)

3rd

Owning, operating, or
conducting a chop shop.

2662

817.034 (4) (a) 2.

2nd

Communications fraud,
value \$20,000 to
\$50,000.

2663

817.234 (11) (b)

2nd

Insurance fraud;
property value \$20,000
or more but less than
\$100,000.

2664

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.

817.568 (2) (b)

2nd

Fraudulent use of
personal identification
information; value of
benefit, services
received, payment



460300

576-03397-16

2665			avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
2666			
	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
2667			
	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
2668			
	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc.,



460300

576-03397-16

2669

839.13 (2) (b)

2nd

which includes sexual
conduct by a child.

Falsifying records of an
individual in the care
and custody of a state
agency involving great
bodily harm or death.

2670

843.01

3rd

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

2671

847.0135 (5) (b)

2nd

Lewd or lascivious
exhibition using
computer; offender 18
years or older.

2672

847.0137
(2) & (3)

3rd

Transmission of
pornography by
electronic device or
equipment.

2673

847.0138
(2) & (3)

3rd

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

2674



460300

576-03397-16

2675	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
2676	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
2677	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
	893.13 (1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or



460300

576-03397-16

2678

893.13(1)(d)1.

1st

municipal park or
publicly owned
recreational facility or
community center.

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.

2679

893.13(1)(e)2.

2nd

Sell, manufacture, or
deliver cannabis or
other drug prohibited
under s. 893.03(1)(c),
(2)(c)1., (2)(c)2.,
(2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7.,
(2)(c)8., (2)(c)9., (3),
or (4) within 1,000 feet
of property used for
religious services or a
specified business site.

2680

893.13(1)(f)1.

1st

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



460300

576-03397-16

2681

893.13(4)(b)

2nd

(1)(b), (1)(d), or
(2)(a), (2)(b), or
(2)(c)4. drugs) within
1,000 feet of public
housing facility.

Use or hire of minor;
deliver to minor other
controlled substance
~~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).~~

2682

893.1351(1)

3rd

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

2683

2684

2685

(g) LEVEL 7

2686

Florida

Felony

Statute

Degree

Description

2687

316.027(2)(c)

1st

Accident involving death,



460300

576-03397-16

2688

316.193 (3) (c) 2.

3rd

failure to stop; leaving scene.

DUI resulting in serious bodily injury.

2689

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.

2690

327.35 (3) (c) 2.

3rd

Vessel BUI resulting in serious bodily injury.

2691

402.319 (2)

2nd

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

2692

409.920
(2) (b) 1.a.

3rd

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



460300

576-03397-16

2693
2694
2695
2696
2697
2698
2699
2700

409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
456.065 (2)	3rd	Practicing a health care profession without a license.
456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
458.327 (1)	3rd	Practicing medicine without a license.
459.013 (1)	3rd	Practicing osteopathic medicine without a license.
460.411 (1)	3rd	Practicing chiropractic medicine without a license.
461.012 (1)	3rd	Practicing podiatric medicine without a license.



460300

576-03397-16

2701	462.17	3rd	Practicing naturopathy without a license.
2702	463.015 (1)	3rd	Practicing optometry without a license.
2703	464.016 (1)	3rd	Practicing nursing without a license.
2704	465.015 (2)	3rd	Practicing pharmacy without a license.
2705	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
2706	467.201	3rd	Practicing midwifery without a license.
2707	468.366	3rd	Delivering respiratory care services without a license.
2708	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
	483.901 (9)	3rd	Practicing medical physics without a license.



460300

576-03397-16

2709

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

2710

484.053 3rd Dispensing hearing aids without a license.

2711

494.0018 (2) 1st Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

2712

560.123 (8) (b) 1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

2713

560.125 (5) (a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

2714

655.50 (10) (b) 1. 3rd Failure to report



460300

576-03397-16

2715			financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
2716			
	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
2717			
	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2718			
	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2719			
	782.07 (1)	2nd	Killing of a human being by the act, procurement,



460300

576-03397-16

2720

782.071

2nd

or culpable negligence of
another (manslaughter).

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

2721

782.072

2nd

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

2722

784.045 (1) (a) 1.

2nd

Aggravated battery;
intentionally causing
great bodily harm or
disfigurement.

2723

784.045 (1) (a) 2.

2nd

Aggravated battery; using
deadly weapon.

2724

784.045 (1) (b)

2nd

Aggravated battery;
perpetrator aware victim
pregnant.

2725

784.048 (4)

3rd

Aggravated stalking;
violation of injunction or



460300

576-03397-16

			court order.
2726	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2727	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2728	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2729	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2730	784.081 (1)	1st	Aggravated battery on specified official or employee.
2731	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2732	784.083 (1)	1st	Aggravated battery on code inspector.
2733	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and



460300

576-03397-16

2734

787.06(3)(e)2.

1st

services of an adult.

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

2735

790.07(4)

1st

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

2736

790.16(1)

1st

Discharge of a machine gun under specified circumstances.

2737

790.165(2)

2nd

Manufacture, sell, possess, or deliver hoax bomb.

2738

790.165(3)

2nd

Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.

2739

790.166(3)

2nd

Possessing, selling,



460300

576-03397-16

2740

790.166(4)

2nd

using, or attempting to use a hoax weapon of mass destruction.

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

2741

790.23

1st,PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

2742

794.08(4)

3rd

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

2743

796.05(1)

1st

Live on earnings of a prostitute; 2nd offense.

2744

796.05(1)

1st

Live on earnings of a prostitute; 3rd and subsequent offense.



460300

576-03397-16

2750

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

2751

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

2752

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

2753

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

2754

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

2755

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



460300

576-03397-16

2756

812.014 (2) (b) 4. 2nd Property stolen, law enforcement equipment from authorized emergency vehicle.

2757

812.0145 (2) (a) 1st Theft from person 65 years of age or older; \$50,000 or more.

2758

812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

2759

812.131 (2) (a) 2nd Robbery by sudden snatching.

2760

812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

2761

817.034 (4) (a) 1. 1st Communications fraud, value greater than \$50,000.

2762

817.234 (8) (a) 2nd Solicitation of motor vehicle accident victims



460300

576-03397-16

2763			with intent to defraud.
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2764			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
2765			
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
2766			
	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
2767			
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
2768			
	825.103 (3) (b)	2nd	Exploiting an elderly



460300

576-03397-16

2769			person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2770			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2771			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2772			
	838.015	2nd	Bribery.
2773			
	838.016	2nd	Unlawful compensation or reward for official behavior.
2774			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2775			



460300

576-03397-16

2776	838.22	2nd	Bid tampering.
2777	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2778	843.0855 (3)	3rd	Unlawful simulation of legal process.
2779	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2780	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2781	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2782	872.06	2nd	Abuse of a dead human body.
2783	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st, PBL	Knowingly initiates,



460300

576-03397-16

2784

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

893.13(1)(c)1.

1st

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

2785

893.13(1)(e)1.

1st

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



460300

576-03397-16

2786

893.13(4)(a) 1st Use or hire of minor;
deliver to minor other
controlled substance
~~cocaine (or other s.~~
~~893.03(1)(a), (1)(b),~~
~~(1)(d), (2)(a), (2)(b), or~~
~~(2)(c)4. drugs).~~

2787

893.135(1)(a)1. 1st Trafficking in cannabis,
more than 25 lbs., less
than 2,000 lbs.

2788

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

2789

893.135 1st Trafficking in illegal
(1)(c)1.a. drugs, more than 4 grams,
less than 14 grams.

2790

893.135 1st Trafficking in
(1)(c)2.a. hydrocodone, 14 grams or
more, less than 28 grams.

2791

893.135 1st Trafficking in
(1)(c)2.b. hydrocodone, 28 grams or
more, less than 50 grams.

2792



460300

576-03397-16

2793	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2794	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2795	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2796	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2797	893.135 (1) (g) 1.a.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
2798	893.135 (1) (h) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less



460300

576-03397-16

2799

893.135
(1) (j) 1.a.

1st

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

2800

893.135
(1) (k) 2.a.

1st

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

2801

893.1351 (2)

2nd

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

2802

896.101 (5) (a)

3rd

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

2803

896.104 (4) (a) 1.

3rd

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

2804



460300

576-03397-16

2805	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2806	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2807	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2808	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2809	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
	944.607 (9)	3rd	Sexual offender; failure



460300

576-03397-16

2810

944.607(10)(a)

3rd

to comply with reporting requirements.

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

2811

944.607(12)

3rd

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

2812

944.607(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

2813

985.4815(10)

3rd

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

2814

985.4815(12)

3rd

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



460300

576-03397-16

2815

985.4815 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
---------------	-----	--

2816

2817

2818 (h) LEVEL 8

2819

Florida Statute	Felony Degree	Description
-----------------	---------------	-------------

2820

316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
-------------------------	-----	-------------------

2821

316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
------------------	-----	--

2822

327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
-------------------	-----	--------------------------

2823

499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
--------------	-----	---

2824

499.0051 (8)	1st	Knowing forgery of
--------------	-----	--------------------



460300

576-03397-16

2825

560.123(8)(b)2.

2nd

prescription labels or
prescription drug labels.

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

2826

560.125(5)(b)

2nd

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

2827

655.50(10)(b)2.

2nd

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

2828

777.03(2)(a)

1st

Accessory after the fact,
capital felony.

2829

782.04(4)

2nd

Killing of human without



460300

576-03397-16

			design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.
2830	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
2831	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
2832	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
2833	787.06(3) (a)1.	1st	Human trafficking for



460300

576-03397-16

2834

787.06(3)(b)

1st

labor and services of a
child.

Human trafficking using
coercion for commercial
sexual activity of an
adult.

2835

787.06(3)(c)2.

1st

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

2836

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.

2837

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.

2838

790.161(3)

1st

Discharging a destructive



460300

576-03397-16

2839

794.011 (5) (a)

1st

device which results in
bodily harm or property
damage.

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.

2840

794.011 (5) (b)

2nd

Sexual battery; victim
and offender 18 years of
age or older; offender
does not use physical
force likely to cause
serious injury.

2841

794.011 (5) (c)

2nd

Sexual battery; victim 12
years of age or older;
offender younger than 18
years; offender does not
use physical force likely
to cause injury.

2842

794.011 (5) (d)

1st

Sexual battery; victim 12
years of age or older;
offender does not use



460300

576-03397-16

2843			physical force likely to cause serious injury; prior conviction for specified sex offense.
	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
2844			
	800.04 (4) (b)	2nd	Lewd or lascivious battery.
2845			
	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
2846			
	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
2847			
	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
2848			



460300

576-03397-16

2849	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
2850	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
2851	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
2852	812.13 (2) (b)	1st	Robbery with a weapon.
2853	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
2854	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner



460300

576-03397-16

2855

817.535 (4) (a) 1.

2nd

is a public officer or
employee.

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

2856

817.535 (5) (a)

2nd

Filing false lien or
other unauthorized
document; owner of the
property incurs financial
loss as a result of the
false instrument.

2857

817.568 (6)

2nd

Fraudulent use of
personal identification
information of an
individual under the age
of 18.

2858

825.102 (2)

1st

Aggravated abuse of an
elderly person or
disabled adult.

2859

825.1025 (2)

2nd

Lewd or lascivious
battery upon an elderly
person or disabled adult.



460300

576-03397-16

2860

825.103 (3) (a) 1st Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.

2861

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

2862

837.021 (2) 2nd Making contradictory statements in official proceedings relating to prosecution of a capital felony.

2863

860.121 (2) (c) 1st Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.

2864

860.16 1st Aircraft piracy.

2865

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).



460300

576-03397-16

2866

893.13(2)(b) 1st Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).

2867

893.13(6)(c) 1st Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).

2868

893.135(1)(a)2. 1st Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.

2869

893.135(1)(b)1.b. 1st Trafficking in cocaine, more than 200 grams, less than 400 grams.

2870

893.135(1)(c)1.b. 1st Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

2871

893.135(1)(c)2.c. 1st Trafficking in hydrocodone, 50 grams or more, less than 200 grams.

2872



460300

576-03397-16

2873

893.135 1st Trafficking in oxycodone,
(1) (c) 3.c. 25 grams or more, less
than 100 grams.

2874

893.135 1st Trafficking in
(1) (d) 1.b. phencyclidine, more than
200 grams, less than 400
grams.

2875

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

2876

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

2877

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

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



460300

576-03397-16

2884

896.101 (5) (b)

2nd

any enterprise through
pattern of racketeering
activity.

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

2885

896.104 (4) (a) 2.

2nd

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

2886

2887

2888

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

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

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

2897 (a) Inflicts or allows to be inflicted upon the child



460300

576-03397-16

2898 physical, mental, or emotional injury. In determining whether
2899 harm has occurred, the following factors must be considered in
2900 evaluating any physical, mental, or emotional injury to a child:
2901 the age of the child; any prior history of injuries to the
2902 child; the location of the injury on the body of the child; the
2903 multiplicity of the injury; and the type of trauma inflicted.
2904 Such injury includes, but is not limited to:

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

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

2923 2. Purposely giving a child poison, alcohol, drugs, or
2924 other substances that substantially affect the child's behavior,
2925 motor coordination, or judgment or that result in sickness or
2926 internal injury. For the purposes of this subparagraph, the term



460300

576-03397-16

2927 "drugs" means prescription drugs not prescribed for the child or
2928 not administered as prescribed, and controlled substances as
2929 outlined in Schedule I or Schedule II of s. 893.03.

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

2935 4. Inappropriate or excessively harsh disciplinary action
2936 that is likely to result in physical injury, mental injury as
2937 defined in this section, or emotional injury. The significance
2938 of any injury must be evaluated in light of the following
2939 factors: the age of the child; any prior history of injuries to
2940 the child; the location of the injury on the body of the child;
2941 the multiplicity of the injury; and the type of trauma
2942 inflicted. Corporal discipline may be considered excessive or
2943 abusive when it results in any of the following or other similar
2944 injuries:

- 2945 a. Sprains, dislocations, or cartilage damage.
- 2946 b. Bone or skull fractures.
- 2947 c. Brain or spinal cord damage.
- 2948 d. Intracranial hemorrhage or injury to other internal
2949 organs.
- 2950 e. Asphyxiation, suffocation, or drowning.
- 2951 f. Injury resulting from the use of a deadly weapon.
- 2952 g. Burns or scalding.
- 2953 h. Cuts, lacerations, punctures, or bites.
- 2954 i. Permanent or temporary disfigurement.
- 2955 j. Permanent or temporary loss or impairment of a body part



460300

576-03397-16

2956 or function.

2957 k. Significant bruises or welts.

2958 (g) Exposes a child to a controlled substance or alcohol.
2959 Exposure to a controlled substance or alcohol is established by:

2960 1. A test, administered at birth, which indicated that the
2961 child's blood, urine, or meconium contained any amount of
2962 alcohol or a controlled substance or metabolites of such
2963 substances, the presence of which was not the result of medical
2964 treatment administered to the mother or the newborn infant; or

2965 2. Evidence of extensive, abusive, and chronic use of a
2966 controlled substance or alcohol by a parent when the child is
2967 demonstrably adversely affected by such usage.

2968
2969 As used in this paragraph, the term "controlled substance" means
2970 prescription drugs not prescribed for the parent or not
2971 administered as prescribed and controlled substances as outlined
2972 in Schedule I or Schedule II of s. 893.03.

2973 Section 12. For the purpose of incorporating the amendment
2974 made by this act to section 893.03, Florida Statutes, in a
2975 reference thereto, subsection (5) of section 316.193, Florida
2976 Statutes, is reenacted to read:

2977 316.193 Driving under the influence; penalties.—

2978 (5) The court shall place all offenders convicted of
2979 violating this section on monthly reporting probation and shall
2980 require completion of a substance abuse course conducted by a
2981 DUI program licensed by the department under s. 322.292, which
2982 must include a psychosocial evaluation of the offender. If the
2983 DUI program refers the offender to an authorized substance abuse
2984 treatment provider for substance abuse treatment, in addition to



460300

576-03397-16

2985 any sentence or fine imposed under this section, completion of
2986 all such education, evaluation, and treatment is a condition of
2987 reporting probation. The offender shall assume reasonable costs
2988 for such education, evaluation, and treatment. The referral to
2989 treatment resulting from a psychosocial evaluation shall not be
2990 waived without a supporting independent psychosocial evaluation
2991 conducted by an authorized substance abuse treatment provider
2992 appointed by the court, which shall have access to the DUI
2993 program's psychosocial evaluation before the independent
2994 psychosocial evaluation is conducted. The court shall review the
2995 results and recommendations of both evaluations before
2996 determining the request for waiver. The offender shall bear the
2997 full cost of this procedure. The term "substance abuse" means
2998 the abuse of alcohol or any substance named or described in
2999 Schedules I through V of s. 893.03. If an offender referred to
3000 treatment under this subsection fails to report for or complete
3001 such treatment or fails to complete the DUI program substance
3002 abuse education course and evaluation, the DUI program shall
3003 notify the court and the department of the failure. Upon receipt
3004 of the notice, the department shall cancel the offender's
3005 driving privilege, notwithstanding the terms of the court order
3006 or any suspension or revocation of the driving privilege. The
3007 department may temporarily reinstate the driving privilege on a
3008 restricted basis upon verification from the DUI program that the
3009 offender is currently participating in treatment and the DUI
3010 education course and evaluation requirement has been completed.
3011 If the DUI program notifies the department of the second failure
3012 to complete treatment, the department shall reinstate the
3013 driving privilege only after notice of completion of treatment



460300

576-03397-16

3014 from the DUI program. The organization that conducts the
3015 substance abuse education and evaluation may not provide
3016 required substance abuse treatment unless a waiver has been
3017 granted to that organization by the department. A waiver may be
3018 granted only if the department determines, in accordance with
3019 its rules, that the service provider that conducts the substance
3020 abuse education and evaluation is the most appropriate service
3021 provider and is licensed under chapter 397 or is exempt from
3022 such licensure. A statistical referral report shall be submitted
3023 quarterly to the department by each organization authorized to
3024 provide services under this section.

3025 Section 13. For the purpose of incorporating the amendment
3026 made by this act to section 893.03, Florida Statutes, in a
3027 reference thereto, paragraph (c) of subsection (2) of section
3028 322.2616, Florida Statutes, is reenacted to read:

3029 322.2616 Suspension of license; persons under 21 years of
3030 age; right to review.—

3031 (2)

3032 (c) When a driver subject to this section has a blood-
3033 alcohol or breath-alcohol level of 0.05 or higher, the
3034 suspension shall remain in effect until such time as the driver
3035 has completed a substance abuse course offered by a DUI program
3036 licensed by the department. The driver shall assume the
3037 reasonable costs for the substance abuse course. As part of the
3038 substance abuse course, the program shall conduct a substance
3039 abuse evaluation of the driver, and notify the parents or legal
3040 guardians of drivers under the age of 19 years of the results of
3041 the evaluation. The term "substance abuse" means the abuse of
3042 alcohol or any substance named or described in Schedules I



460300

576-03397-16

3043 through V of s. 893.03. If a driver fails to complete the
3044 substance abuse education course and evaluation, the driver
3045 license shall not be reinstated by the department.

3046 Section 14. For the purpose of incorporating the amendment
3047 made by this act to section 893.03, Florida Statutes, in a
3048 reference thereto, subsection (5) of section 327.35, Florida
3049 Statutes, is reenacted to read:

3050 327.35 Boating under the influence; penalties; "designated
3051 drivers."—

3052 (5) In addition to any sentence or fine, the court shall
3053 place any offender convicted of violating this section on
3054 monthly reporting probation and shall require attendance at a
3055 substance abuse course specified by the court; and the agency
3056 conducting the course may refer the offender to an authorized
3057 service provider for substance abuse evaluation and treatment,
3058 in addition to any sentence or fine imposed under this section.
3059 The offender shall assume reasonable costs for such education,
3060 evaluation, and treatment, with completion of all such
3061 education, evaluation, and treatment being a condition of
3062 reporting probation. Treatment resulting from a psychosocial
3063 evaluation may not be waived without a supporting psychosocial
3064 evaluation conducted by an agency appointed by the court and
3065 with access to the original evaluation. The offender shall bear
3066 the cost of this procedure. The term "substance abuse" means the
3067 abuse of alcohol or any substance named or described in
3068 Schedules I-V of s. 893.03.

3069 Section 15. For the purpose of incorporating the amendment
3070 made by this act to section 893.03, Florida Statutes, in a
3071 reference thereto, paragraph (b) of subsection (11) of section



460300

576-03397-16

3072 440.102, Florida Statutes, is reenacted to read:

3073 440.102 Drug-free workplace program requirements.—The
3074 following provisions apply to a drug-free workplace program
3075 implemented pursuant to law or to rules adopted by the Agency
3076 for Health Care Administration:

3077 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK
3078 POSITIONS.—

3079 (b) An employee who is employed by a public employer in a
3080 special-risk position may be discharged or disciplined by a
3081 public employer for the first positive confirmed test result if
3082 the drug confirmed is an illicit drug under s. 893.03. A
3083 special-risk employee who is participating in an employee
3084 assistance program or drug rehabilitation program may not be
3085 allowed to continue to work in any special-risk or mandatory-
3086 testing position of the public employer, but may be assigned to
3087 a position other than a mandatory-testing position or placed on
3088 leave while the employee is participating in the program.
3089 However, the employee shall be permitted to use any accumulated
3090 annual leave credits before leave may be ordered without pay.

3091 Section 16. For the purpose of incorporating the amendment
3092 made by this act to section 893.03, Florida Statutes, in a
3093 reference thereto, subsection (2) of section 456.44, Florida
3094 Statutes, is reenacted to read:

3095 456.44 Controlled substance prescribing.—

3096 (2) REGISTRATION.—Effective January 1, 2012, a physician
3097 licensed under chapter 458, chapter 459, chapter 461, or chapter
3098 466 who prescribes any controlled substance, listed in Schedule
3099 II, Schedule III, or Schedule IV as defined in s. 893.03, for
3100 the treatment of chronic nonmalignant pain, must:



460300

576-03397-16

3101 (a) Designate himself or herself as a controlled substance
3102 prescribing practitioner on the physician's practitioner
3103 profile.

3104 (b) Comply with the requirements of this section and
3105 applicable board rules.

3106 Section 17. For the purpose of incorporating the amendment
3107 made by this act to section 893.03, Florida Statutes, in a
3108 reference thereto, subsection (3) of section 458.326, Florida
3109 Statutes, is reenacted to read:

3110 458.326 Intractable pain; authorized treatment.—

3111 (3) Notwithstanding any other provision of law, a physician
3112 may prescribe or administer any controlled substance under
3113 Schedules II-V, as provided for in s. 893.03, to a person for
3114 the treatment of intractable pain, provided the physician does
3115 so in accordance with that level of care, skill, and treatment
3116 recognized by a reasonably prudent physician under similar
3117 conditions and circumstances.

3118 Section 18. For the purpose of incorporating the amendment
3119 made by this act to section 893.03, Florida Statutes, in a
3120 reference thereto, paragraph (e) of subsection (1) of section
3121 458.3265, Florida Statutes, is reenacted to read:

3122 458.3265 Pain-management clinics.—

3123 (1) REGISTRATION.—

3124 (e) The department shall deny registration to any pain-
3125 management clinic owned by or with any contractual or employment
3126 relationship with a physician:

3127 1. Whose Drug Enforcement Administration number has ever
3128 been revoked.

3129 2. Whose application for a license to prescribe, dispense,



460300

576-03397-16

3130 or administer a controlled substance has been denied by any
3131 jurisdiction.

3132 3. Who has been convicted of or pleaded guilty or nolo
3133 contendere to, regardless of adjudication, an offense that
3134 constitutes a felony for receipt of illicit and diverted drugs,
3135 including a controlled substance listed in Schedule I, Schedule
3136 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3137 this state, any other state, or the United States.

3138 Section 19. For the purpose of incorporating the amendment
3139 made by this act to section 893.03, Florida Statutes, in a
3140 reference thereto, paragraph (e) of subsection (1) of section
3141 459.0137, Florida Statutes, is reenacted to read:

3142 459.0137 Pain-management clinics.—

3143 (1) REGISTRATION.—

3144 (e) The department shall deny registration to any pain-
3145 management clinic owned by or with any contractual or employment
3146 relationship with a physician:

3147 1. Whose Drug Enforcement Administration number has ever
3148 been revoked.

3149 2. Whose application for a license to prescribe, dispense,
3150 or administer a controlled substance has been denied by any
3151 jurisdiction.

3152 3. Who has been convicted of or pleaded guilty or nolo
3153 contendere to, regardless of adjudication, an offense that
3154 constitutes a felony for receipt of illicit and diverted drugs,
3155 including a controlled substance listed in Schedule I, Schedule
3156 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3157 this state, any other state, or the United States.

3158 Section 20. For the purpose of incorporating the amendment



460300

576-03397-16

3159 made by this act to section 893.03, Florida Statutes, in a
3160 reference thereto, paragraph (a) of subsection (4) of section
3161 463.0055, Florida Statutes, is reenacted to read:

3162 463.0055 Administration and prescription of ocular
3163 pharmaceutical agents.—

3164 (4) A certified optometrist shall be issued a prescriber
3165 number by the board. Any prescription written by a certified
3166 optometrist for an ocular pharmaceutical agent pursuant to this
3167 section shall have the prescriber number printed thereon. A
3168 certified optometrist may not administer or prescribe:

3169 (a) A controlled substance listed in Schedule III, Schedule
3170 IV, or Schedule V of s. 893.03, except for an oral analgesic
3171 placed on the formulary pursuant to this section for the relief
3172 of pain due to ocular conditions of the eye and its appendages.

3173 Section 21. For the purpose of incorporating the amendment
3174 made by this act to section 893.03, Florida Statutes, in a
3175 reference thereto, paragraph (b) of subsection (1) of section
3176 465.0276, Florida Statutes, is reenacted to read:

3177 465.0276 Dispensing practitioner.—

3178 (1)

3179 (b) A practitioner registered under this section may not
3180 dispense a controlled substance listed in Schedule II or
3181 Schedule III as provided in s. 893.03. This paragraph does not
3182 apply to:

3183 1. The dispensing of complimentary packages of medicinal
3184 drugs which are labeled as a drug sample or complimentary drug
3185 as defined in s. 499.028 to the practitioner's own patients in
3186 the regular course of her or his practice without the payment of
3187 a fee or remuneration of any kind, whether direct or indirect,



460300

576-03397-16

3188 as provided in subsection (5).

3189 2. The dispensing of controlled substances in the health
3190 care system of the Department of Corrections.

3191 3. The dispensing of a controlled substance listed in
3192 Schedule II or Schedule III in connection with the performance
3193 of a surgical procedure. The amount dispensed pursuant to the
3194 subparagraph may not exceed a 14-day supply. This exception does
3195 not allow for the dispensing of a controlled substance listed in
3196 Schedule II or Schedule III more than 14 days after the
3197 performance of the surgical procedure. For purposes of this
3198 subparagraph, the term "surgical procedure" means any procedure
3199 in any setting which involves, or reasonably should involve:

3200 a. Perioperative medication and sedation that allows the
3201 patient to tolerate unpleasant procedures while maintaining
3202 adequate cardiorespiratory function and the ability to respond
3203 purposefully to verbal or tactile stimulation and makes intra-
3204 and postoperative monitoring necessary; or

3205 b. The use of general anesthesia or major conduction
3206 anesthesia and preoperative sedation.

3207 4. The dispensing of a controlled substance listed in
3208 Schedule II or Schedule III pursuant to an approved clinical
3209 trial. For purposes of this subparagraph, the term "approved
3210 clinical trial" means a clinical research study or clinical
3211 investigation that, in whole or in part, is state or federally
3212 funded or is conducted under an investigational new drug
3213 application that is reviewed by the United States Food and Drug
3214 Administration.

3215 5. The dispensing of methadone in a facility licensed under
3216 s. 397.427 where medication-assisted treatment for opiate



460300

576-03397-16

3217 addiction is provided.

3218 6. The dispensing of a controlled substance listed in
3219 Schedule II or Schedule III to a patient of a facility licensed
3220 under part IV of chapter 400.

3221 Section 22. For the purpose of incorporating the amendment
3222 made by this act to section 893.03, Florida Statutes, in
3223 references thereto, subsection (14) and paragraph (a) of
3224 subsection (15) of section 499.0121, Florida Statutes, are
3225 reenacted to read:

3226 499.0121 Storage and handling of prescription drugs;
3227 recordkeeping.—The department shall adopt rules to implement
3228 this section as necessary to protect the public health, safety,
3229 and welfare. Such rules shall include, but not be limited to,
3230 requirements for the storage and handling of prescription drugs
3231 and for the establishment and maintenance of prescription drug
3232 distribution records.

3233 (14) DISTRIBUTION REPORTING.—Each prescription drug
3234 wholesale distributor, out-of-state prescription drug wholesale
3235 distributor, retail pharmacy drug wholesale distributor,
3236 manufacturer, or repackager that engages in the wholesale
3237 distribution of controlled substances as defined in s. 893.02
3238 shall submit a report to the department of its receipts and
3239 distributions of controlled substances listed in Schedule II,
3240 Schedule III, Schedule IV, or Schedule V as provided in s.
3241 893.03. Wholesale distributor facilities located within this
3242 state shall report all transactions involving controlled
3243 substances, and wholesale distributor facilities located outside
3244 this state shall report all distributions to entities located in
3245 this state. If the prescription drug wholesale distributor, out-



460300

576-03397-16

3246 of-state prescription drug wholesale distributor, retail
3247 pharmacy drug wholesale distributor, manufacturer, or repackager
3248 does not have any controlled substance distributions for the
3249 month, a report shall be sent indicating that no distributions
3250 occurred in the period. The report shall be submitted monthly by
3251 the 20th of the next month, in the electronic format used for
3252 controlled substance reporting to the Automation of Reports and
3253 Consolidated Orders System division of the federal Drug
3254 Enforcement Administration. Submission of electronic data must
3255 be made in a secured Internet environment that allows for manual
3256 or automated transmission. Upon successful transmission, an
3257 acknowledgment page must be displayed to confirm receipt. The
3258 report must contain the following information:

3259 (a) The federal Drug Enforcement Administration
3260 registration number of the wholesale distributing location.

3261 (b) The federal Drug Enforcement Administration
3262 registration number of the entity to which the drugs are
3263 distributed or from which the drugs are received.

3264 (c) The transaction code that indicates the type of
3265 transaction.

3266 (d) The National Drug Code identifier of the product and
3267 the quantity distributed or received.

3268 (e) The Drug Enforcement Administration Form 222 number or
3269 Controlled Substance Ordering System Identifier on all Schedule
3270 II transactions.

3271 (f) The date of the transaction.

3272

3273 The department must share the reported data with the Department
3274 of Law Enforcement and local law enforcement agencies upon



460300

576-03397-16

3275 request and must monitor purchasing to identify purchasing
3276 levels that are inconsistent with the purchasing entity's
3277 clinical needs. The Department of Law Enforcement shall
3278 investigate purchases at levels that are inconsistent with the
3279 purchasing entity's clinical needs to determine whether
3280 violations of chapter 893 have occurred.

3281 (15) DUE DILIGENCE OF PURCHASERS.—

3282 (a) Each prescription drug wholesale distributor, out-of-
3283 state prescription drug wholesale distributor, and retail
3284 pharmacy drug wholesale distributor must establish and maintain
3285 policies and procedures to credential physicians licensed under
3286 chapter 458, chapter 459, chapter 461, or chapter 466 and
3287 pharmacies that purchase or otherwise receive from the wholesale
3288 distributor controlled substances listed in Schedule II or
3289 Schedule III as provided in s. 893.03. The prescription drug
3290 wholesale distributor, out-of-state prescription drug wholesale
3291 distributor, or retail pharmacy drug wholesale distributor shall
3292 maintain records of such credentialing and make the records
3293 available to the department upon request. Such credentialing
3294 must, at a minimum, include:

3295 1. A determination of the clinical nature of the receiving
3296 entity, including any specialty practice area.

3297 2. A review of the receiving entity's history of Schedule
3298 II and Schedule III controlled substance purchasing from the
3299 wholesale distributor.

3300 3. A determination that the receiving entity's Schedule II
3301 and Schedule III controlled substance purchasing history, if
3302 any, is consistent with and reasonable for that entity's
3303 clinical business needs.



460300

576-03397-16

3304 Section 23. For the purpose of incorporating the amendment
3305 made by this act to section 893.03, Florida Statutes, in a
3306 reference thereto, paragraph (a) of subsection (3) of section
3307 499.029, Florida Statutes, is reenacted to read:

3308 499.029 Cancer Drug Donation Program.—

3309 (3) As used in this section:

3310 (a) "Cancer drug" means a prescription drug that has been
3311 approved under s. 505 of the federal Food, Drug, and Cosmetic
3312 Act and is used to treat cancer or its side effects or is used
3313 to treat the side effects of a prescription drug used to treat
3314 cancer or its side effects. "Cancer drug" does not include a
3315 substance listed in Schedule II, Schedule III, Schedule IV, or
3316 Schedule V of s. 893.03.

3317 Section 24. For the purpose of incorporating the amendment
3318 made by this act to section 893.03, Florida Statutes, in
3319 references thereto, subsections (1) and (4) of section 782.04,
3320 Florida Statutes, are reenacted to read:

3321 782.04 Murder.—

3322 (1) (a) The unlawful killing of a human being:

3323 1. When perpetrated from a premeditated design to effect
3324 the death of the person killed or any human being;

3325 2. When committed by a person engaged in the perpetration
3326 of, or in the attempt to perpetrate, any:

3327 a. Trafficking offense prohibited by s. 893.135(1),

3328 b. Arson,

3329 c. Sexual battery,

3330 d. Robbery,

3331 e. Burglary,

3332 f. Kidnapping,



460300

576-03397-16

- 3333 g. Escape,
- 3334 h. Aggravated child abuse,
- 3335 i. Aggravated abuse of an elderly person or disabled adult,
- 3336 j. Aircraft piracy,
- 3337 k. Unlawful throwing, placing, or discharging of a
- 3338 destructive device or bomb,
- 3339 l. Carjacking,
- 3340 m. Home-invasion robbery,
- 3341 n. Aggravated stalking,
- 3342 o. Murder of another human being,
- 3343 p. Resisting an officer with violence to his or her person,
- 3344 q. Aggravated fleeing or eluding with serious bodily injury
- 3345 or death,
- 3346 r. Felony that is an act of terrorism or is in furtherance
- 3347 of an act of terrorism; or
- 3348 3. Which resulted from the unlawful distribution of any
- 3349 substance controlled under s. 893.03(1), cocaine as described in
- 3350 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
- 3351 compound, derivative, or preparation of opium, or methadone by a
- 3352 person 18 years of age or older, when such drug is proven to be
- 3353 the proximate cause of the death of the user,
- 3354
- 3355 is murder in the first degree and constitutes a capital felony,
- 3356 punishable as provided in s. 775.082.
- 3357 (b) In all cases under this section, the procedure set
- 3358 forth in s. 921.141 shall be followed in order to determine
- 3359 sentence of death or life imprisonment.
- 3360 (4) The unlawful killing of a human being, when perpetrated
- 3361 without any design to effect death, by a person engaged in the



460300

576-03397-16

3362 perpetration of, or in the attempt to perpetrate, any felony
3363 other than any:
3364 (a) Trafficking offense prohibited by s. 893.135(1),
3365 (b) Arson,
3366 (c) Sexual battery,
3367 (d) Robbery,
3368 (e) Burglary,
3369 (f) Kidnapping,
3370 (g) Escape,
3371 (h) Aggravated child abuse,
3372 (i) Aggravated abuse of an elderly person or disabled
3373 adult,
3374 (j) Aircraft piracy,
3375 (k) Unlawful throwing, placing, or discharging of a
3376 destructive device or bomb,
3377 (l) Unlawful distribution of any substance controlled under
3378 s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., or
3379 opium or any synthetic or natural salt, compound, derivative, or
3380 preparation of opium by a person 18 years of age or older, when
3381 such drug is proven to be the proximate cause of the death of
3382 the user,
3383 (m) Carjacking,
3384 (n) Home-invasion robbery,
3385 (o) Aggravated stalking,
3386 (p) Murder of another human being,
3387 (q) Aggravated fleeing or eluding with serious bodily
3388 injury or death,
3389 (r) Resisting an officer with violence to his or her
3390 person, or



460300

576-03397-16

3391 (s) Felony that is an act of terrorism or is in furtherance
3392 of an act of terrorism,

3393
3394 is murder in the third degree and constitutes a felony of the
3395 second degree, punishable as provided in s. 775.082, s. 775.083,
3396 or s. 775.084.

3397 Section 25. For the purpose of incorporating the amendment
3398 made by this act to section 893.03, Florida Statutes, in a
3399 reference thereto, paragraph (a) of subsection (2) of section
3400 787.06, Florida Statutes, is reenacted to read:

3401 787.06 Human trafficking.—

3402 (2) As used in this section, the term:

3403 (a) "Coercion" means:

3404 1. Using or threatening to use physical force against any
3405 person;

3406 2. Restraining, isolating, or confining or threatening to
3407 restrain, isolate, or confine any person without lawful
3408 authority and against her or his will;

3409 3. Using lending or other credit methods to establish a
3410 debt by any person when labor or services are pledged as a
3411 security for the debt, if the value of the labor or services as
3412 reasonably assessed is not applied toward the liquidation of the
3413 debt, the length and nature of the labor or services are not
3414 respectively limited and defined;

3415 4. Destroying, concealing, removing, confiscating,
3416 withholding, or possessing any actual or purported passport,
3417 visa, or other immigration document, or any other actual or
3418 purported government identification document, of any person;

3419 5. Causing or threatening to cause financial harm to any



460300

576-03397-16

3420 person;

3421 6. Enticing or luring any person by fraud or deceit; or

3422 7. Providing a controlled substance as outlined in Schedule
3423 I or Schedule II of s. 893.03 to any person for the purpose of
3424 exploitation of that person.

3425 Section 26. For the purpose of incorporating the amendment
3426 made by this act to section 893.03, Florida Statutes, in a
3427 reference thereto, subsection (1) of section 817.563, Florida
3428 Statutes, is reenacted to read:

3429 817.563 Controlled substance named or described in s.
3430 893.03; sale of substance in lieu thereof.—It is unlawful for
3431 any person to agree, consent, or in any manner offer to
3432 unlawfully sell to any person a controlled substance named or
3433 described in s. 893.03 and then sell to such person any other
3434 substance in lieu of such controlled substance. Any person who
3435 violates this section with respect to:

3436 (1) A controlled substance named or described in s.
3437 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3438 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3439 775.084.

3440 Section 27. For the purpose of incorporating the amendment
3441 made by this act to section 893.03, Florida Statutes, in a
3442 reference thereto, section 831.31, Florida Statutes, is
3443 reenacted to read:

3444 831.31 Counterfeit controlled substance; sale, manufacture,
3445 delivery, or possession with intent to sell, manufacture, or
3446 deliver.—

3447 (1) It is unlawful for any person to sell, manufacture, or
3448 deliver, or to possess with intent to sell, manufacture, or



460300

576-03397-16

3449 deliver, a counterfeit controlled substance. Any person who
3450 violates this subsection with respect to:

3451 (a) A controlled substance named or described in s.
3452 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3453 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3454 775.084.

3455 (b) A controlled substance named or described in s.
3456 893.03(5) is guilty of a misdemeanor of the second degree,
3457 punishable as provided in s. 775.082 or s. 775.083.

3458 (2) For purposes of this section, "counterfeit controlled
3459 substance" means:

3460 (a) A controlled substance named or described in s. 893.03
3461 which, or the container or labeling of which, without
3462 authorization bears the trademark, trade name, or other
3463 identifying mark, imprint, or number, or any likeness thereof,
3464 of a manufacturer other than the person who in fact manufactured
3465 the controlled substance; or

3466 (b) Any substance which is falsely identified as a
3467 controlled substance named or described in s. 893.03.

3468 Section 28. For the purpose of incorporating the amendment
3469 made by this act to section 893.03, Florida Statutes, in a
3470 reference thereto, section 893.0301, Florida Statutes, is
3471 reenacted to read:

3472 893.0301 Death resulting from apparent drug overdose;
3473 reporting requirements.—If a person dies of an apparent drug
3474 overdose:

3475 (1) A law enforcement agency shall prepare a report
3476 identifying each prescribed controlled substance listed in
3477 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is



460300

576-03397-16

3478 found on or near the deceased or among the deceased's
3479 possessions. The report must identify the person who prescribed
3480 the controlled substance, if known or ascertainable. Thereafter,
3481 the law enforcement agency shall submit a copy of the report to
3482 the medical examiner.

3483 (2) A medical examiner who is preparing a report pursuant
3484 to s. 406.11 shall include in the report information identifying
3485 each prescribed controlled substance listed in Schedule II,
3486 Schedule III, or Schedule IV of s. 893.03 that was found in, on,
3487 or near the deceased or among the deceased's possessions.

3488 Section 29. For the purpose of incorporating the amendment
3489 made by this act to section 893.03, Florida Statutes, in a
3490 reference thereto, paragraph (a) of subsection (7) of section
3491 893.035, Florida Statutes, is reenacted to read:

3492 893.035 Control of new substances; findings of fact;
3493 delegation of authority to Attorney General to control
3494 substances by rule.—

3495 (7) (a) If the Attorney General finds that the scheduling of
3496 a substance in Schedule I of s. 893.03 on a temporary basis is
3497 necessary to avoid an imminent hazard to the public safety, he
3498 or she may by rule and without regard to the requirements of
3499 subsection (5) relating to the Department of Health and the
3500 Department of Law Enforcement schedule such substance in
3501 Schedule I if the substance is not listed in any other schedule
3502 of s. 893.03. The Attorney General shall be required to
3503 consider, with respect to his or her finding of imminent hazard
3504 to the public safety, only those factors set forth in paragraphs
3505 (3) (a) and (4) (d), (e), and (f), including actual abuse,
3506 diversion from legitimate channels, and clandestine importation,



460300

576-03397-16

3507 manufacture, or distribution.

3508 Section 30. For the purpose of incorporating the amendment
3509 made by this act to section 893.03, Florida Statutes, in a
3510 reference thereto, subsection (1) of section 893.05, Florida
3511 Statutes, is reenacted to read:

3512 893.05 Practitioners and persons administering controlled
3513 substances in their absence.—

3514 (1) A practitioner, in good faith and in the course of his
3515 or her professional practice only, may prescribe, administer,
3516 dispense, mix, or otherwise prepare a controlled substance, or
3517 the practitioner may cause the same to be administered by a
3518 licensed nurse or an intern practitioner under his or her
3519 direction and supervision only. A veterinarian may so prescribe,
3520 administer, dispense, mix, or prepare a controlled substance for
3521 use on animals only, and may cause it to be administered by an
3522 assistant or orderly under the veterinarian's direction and
3523 supervision only. A certified optometrist licensed under chapter
3524 463 may not administer or prescribe a controlled substance
3525 listed in Schedule I or Schedule II of s. 893.03.

3526 Section 31. For the purpose of incorporating the amendment
3527 made by this act to section 893.03, Florida Statutes, in a
3528 reference thereto, paragraph (b) of subsection (1) of section
3529 893.055, Florida Statutes, is reenacted to read:

3530 893.055 Prescription drug monitoring program.—

3531 (1) As used in this section, the term:

3532 (b) "Controlled substance" means a controlled substance
3533 listed in Schedule II, Schedule III, or Schedule IV in s.
3534 893.03.

3535 Section 32. For the purpose of incorporating the amendment



460300

576-03397-16

3536 made by this act to section 893.03, Florida Statutes, in a
3537 reference thereto, paragraph (b) of subsection (5) of section
3538 893.07, Florida Statutes, is reenacted to read:

3539 893.07 Records.—

3540 (5) Each person described in subsection (1) shall:

3541 (b) In the event of the discovery of the theft or
3542 significant loss of controlled substances, report such theft or
3543 significant loss to the sheriff of that county within 24 hours
3544 after discovery. A person who fails to report a theft or
3545 significant loss of a substance listed in s. 893.03(3), (4), or
3546 (5) within 24 hours after discovery as required in this
3547 paragraph commits a misdemeanor of the second degree, punishable
3548 as provided in s. 775.082 or s. 775.083. A person who fails to
3549 report a theft or significant loss of a substance listed in s.
3550 893.03(2) within 24 hours after discovery as required in this
3551 paragraph commits a misdemeanor of the first degree, punishable
3552 as provided in s. 775.082 or s. 775.083.

3553 Section 33. For the purpose of incorporating the amendment
3554 made by this act to section 893.03, Florida Statutes, in
3555 references thereto, paragraphs (b), (c), and (d) of subsection
3556 (2) of section 893.12, Florida Statutes, are reenacted to read:

3557 893.12 Contraband; seizure, forfeiture, sale.—

3558 (2)

3559 (b) All real property, including any right, title,
3560 leasehold interest, and other interest in the whole of any lot
3561 or tract of land and any appurtenances or improvements, which
3562 real property is used, or intended to be used, in any manner or
3563 part, to commit or to facilitate the commission of, or which
3564 real property is acquired with proceeds obtained as a result of,



460300

576-03397-16

3565 a violation of any provision of this chapter related to a
3566 controlled substance described in s. 893.03(1) or (2) may be
3567 seized and forfeited as provided by the Florida Contraband
3568 Forfeiture Act except that no property shall be forfeited under
3569 this paragraph to the extent of an interest of an owner or
3570 lienholder by reason of any act or omission established by that
3571 owner or lienholder to have been committed or omitted without
3572 the knowledge or consent of that owner or lienholder.

3573 (c) All moneys, negotiable instruments, securities, and
3574 other things of value furnished or intended to be furnished by
3575 any person in exchange for a controlled substance described in
3576 s. 893.03(1) or (2) or a listed chemical in violation of any
3577 provision of this chapter, all proceeds traceable to such an
3578 exchange, and all moneys, negotiable instruments, and securities
3579 used or intended to be used to facilitate any violation of any
3580 provision of this chapter or which are acquired with proceeds
3581 obtained in violation of any provision of this chapter may be
3582 seized and forfeited as provided by the Florida Contraband
3583 Forfeiture Act, except that no property shall be forfeited under
3584 this paragraph to the extent of an interest of an owner or
3585 lienholder by reason of any act or omission established by that
3586 owner or lienholder to have been committed or omitted without
3587 the knowledge or consent of that owner or lienholder.

3588 (d) All books, records, and research, including formulas,
3589 microfilm, tapes, and data which are used, or intended for use,
3590 or which are acquired with proceeds obtained, in violation of
3591 any provision of this chapter related to a controlled substance
3592 described in s. 893.03(1) or (2) or a listed chemical may be
3593 seized and forfeited as provided by the Florida Contraband



460300

576-03397-16

3594 Forfeiture Act.

3595 Section 34. For the purpose of incorporating the amendment
3596 made by this act to section 893.03, Florida Statutes, in a
3597 reference thereto, subsection (2) of section 944.474, Florida
3598 Statutes, is reenacted to read:

3599 944.474 Legislative intent; employee wellness program; drug
3600 and alcohol testing.-

3601 (2) An employee of the department may not test positive for
3602 illegal use of controlled substances. An employee of the
3603 department may not be under the influence of alcohol while on
3604 duty. In order to ensure that these prohibitions are adhered to
3605 by all employees of the department and notwithstanding s.
3606 112.0455, the department may develop a program for the drug
3607 testing of all job applicants and for the random drug testing of
3608 all employees. The department may randomly evaluate employees
3609 for the contemporaneous use or influence of alcohol through the
3610 use of alcohol tests and observation methods. Notwithstanding s.
3611 112.0455, the department may develop a program for the
3612 reasonable suspicion drug testing of employees who are in
3613 mandatory-testing positions, as defined in s. 440.102(1)(o), or
3614 special risk positions, as defined in s. 112.0455(5), for the
3615 controlled substances listed in s. 893.03(3)(d). The reasonable
3616 suspicion drug testing authorized by this subsection shall be
3617 conducted in accordance with s. 112.0455, but may also include
3618 testing upon reasonable suspicion based on violent acts or
3619 violent behavior of an employee who is on or off duty. The
3620 department shall adopt rules pursuant to ss. 120.536(1) and
3621 120.54 that are necessary to administer this subsection.

3622 Section 35. For the purpose of incorporating the amendment



460300

576-03397-16

3623 made by this act to section 893.033, Florida Statutes, in a
3624 reference thereto, subsection (4) of section 893.149, Florida
3625 Statutes, is reenacted to read:

3626 893.149 Unlawful possession of listed chemical.—

3627 (4) Any damages arising out of the unlawful possession of,
3628 storage of, or tampering with a listed chemical, as defined in
3629 s. 893.033, shall be the sole responsibility of the person or
3630 persons unlawfully possessing, storing, or tampering with the
3631 listed chemical. In no case shall liability for damages arising
3632 out of the unlawful possession of, storage of, or tampering with
3633 a listed chemical extend to the lawful owner, installer,
3634 maintainer, designer, manufacturer, possessor, or seller of the
3635 listed chemical, unless such damages arise out of the acts or
3636 omissions of the owner, installer, maintainer, designer,
3637 manufacturer, possessor, or seller which constitute negligent
3638 misconduct or failure to abide by the laws regarding the
3639 possession or storage of a listed chemical.

3640 Section 36. For the purpose of incorporating the amendment
3641 made by this act to section 893.13, Florida Statutes, in a
3642 reference thereto, paragraph (b) of subsection (4) of section
3643 397.451, Florida Statutes, is reenacted to read:

3644 397.451 Background checks of service provider personnel.—

3645 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3646 (b) Since rehabilitated substance abuse impaired persons
3647 are effective in the successful treatment and rehabilitation of
3648 substance abuse impaired adolescents, for service providers
3649 which treat adolescents 13 years of age and older, service
3650 provider personnel whose background checks indicate crimes under
3651 s. 817.563, s. 893.13, or s. 893.147 may be exempted from



460300

576-03397-16

3652 disqualification from employment pursuant to this paragraph.

3653 Section 37. For the purpose of incorporating the amendment
3654 made by this act to section 893.13, Florida Statutes, in a
3655 reference thereto, subsection (2) of section 435.07, Florida
3656 Statutes, is reenacted to read:

3657 435.07 Exemptions from disqualification.—Unless otherwise
3658 provided by law, the provisions of this section apply to
3659 exemptions from disqualification for disqualifying offenses
3660 revealed pursuant to background screenings required under this
3661 chapter, regardless of whether those disqualifying offenses are
3662 listed in this chapter or other laws.

3663 (2) Persons employed, or applicants for employment, by
3664 treatment providers who treat adolescents 13 years of age and
3665 older who are disqualified from employment solely because of
3666 crimes under s. 817.563, s. 893.13, or s. 893.147 may be
3667 exempted from disqualification from employment pursuant to this
3668 chapter without application of the waiting period in
3669 subparagraph (1)(a)1.

3670 Section 38. For the purpose of incorporating the amendment
3671 made by this act to section 893.13, Florida Statutes, in a
3672 reference thereto, subsection (2) of section 772.12, Florida
3673 Statutes, is reenacted to read:

3674 772.12 Drug Dealer Liability Act.—

3675 (2) A person, including any governmental entity, has a
3676 cause of action for threefold the actual damages sustained and
3677 is entitled to minimum damages in the amount of \$1,000 and
3678 reasonable attorney's fees and court costs in the trial and
3679 appellate courts, if the person proves by the greater weight of
3680 the evidence that:



460300

576-03397-16

3681 (a) The person was injured because of the defendant's
3682 actions that resulted in the defendant's conviction for:

3683 1. A violation of s. 893.13, except for a violation of s.
3684 893.13(2)(a) or (b), (3), (5), (6)(a), (b), or (c), (7); or

3685 2. A violation of s. 893.135; and

3686 (b) The person was not injured by reason of his or her
3687 participation in the same act or transaction that resulted in
3688 the defendant's conviction for any offense described in
3689 subparagraph (a)1.

3690 Section 39. For the purpose of incorporating the amendment
3691 made by this act to section 893.13, Florida Statutes, in a
3692 reference thereto, paragraph (a) of subsection (1) of section
3693 775.084, Florida Statutes, is reenacted to read:

3694 775.084 Violent career criminals; habitual felony offenders
3695 and habitual violent felony offenders; three-time violent felony
3696 offenders; definitions; procedure; enhanced penalties or
3697 mandatory minimum prison terms.-

3698 (1) As used in this act:

3699 (a) "Habitual felony offender" means a defendant for whom
3700 the court may impose an extended term of imprisonment, as
3701 provided in paragraph (4)(a), if it finds that:

3702 1. The defendant has previously been convicted of any
3703 combination of two or more felonies in this state or other
3704 qualified offenses.

3705 2. The felony for which the defendant is to be sentenced
3706 was committed:

3707 a. While the defendant was serving a prison sentence or
3708 other sentence, or court-ordered or lawfully imposed supervision
3709 that is imposed as a result of a prior conviction for a felony



460300

576-03397-16

3710 or other qualified offense; or

3711 b. Within 5 years of the date of the conviction of the
3712 defendant's last prior felony or other qualified offense, or
3713 within 5 years of the defendant's release from a prison
3714 sentence, probation, community control, control release,
3715 conditional release, parole or court-ordered or lawfully imposed
3716 supervision or other sentence that is imposed as a result of a
3717 prior conviction for a felony or other qualified offense,
3718 whichever is later.

3719 3. The felony for which the defendant is to be sentenced,
3720 and one of the two prior felony convictions, is not a violation
3721 of s. 893.13 relating to the purchase or the possession of a
3722 controlled substance.

3723 4. The defendant has not received a pardon for any felony
3724 or other qualified offense that is necessary for the operation
3725 of this paragraph.

3726 5. A conviction of a felony or other qualified offense
3727 necessary to the operation of this paragraph has not been set
3728 aside in any postconviction proceeding.

3729 Section 40. For the purpose of incorporating the amendment
3730 made by this act to section 893.13, Florida Statutes, in a
3731 reference thereto, subsection (3) of section 810.02, Florida
3732 Statutes, is reenacted to read:

3733 810.02 Burglary.—

3734 (3) Burglary is a felony of the second degree, punishable
3735 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
3736 course of committing the offense, the offender does not make an
3737 assault or battery and is not and does not become armed with a
3738 dangerous weapon or explosive, and the offender enters or



460300

576-03397-16

3739 remains in a:

3740 (a) Dwelling, and there is another person in the dwelling
3741 at the time the offender enters or remains;

3742 (b) Dwelling, and there is not another person in the
3743 dwelling at the time the offender enters or remains;

3744 (c) Structure, and there is another person in the structure
3745 at the time the offender enters or remains;

3746 (d) Conveyance, and there is another person in the
3747 conveyance at the time the offender enters or remains;

3748 (e) Authorized emergency vehicle, as defined in s. 316.003;
3749 or

3750 (f) Structure or conveyance when the offense intended to be
3751 committed therein is theft of a controlled substance as defined
3752 in s. 893.02. Notwithstanding any other law, separate judgments
3753 and sentences for burglary with the intent to commit theft of a
3754 controlled substance under this paragraph and for any applicable
3755 possession of controlled substance offense under s. 893.13 or
3756 trafficking in controlled substance offense under s. 893.135 may
3757 be imposed when all such offenses involve the same amount or
3758 amounts of a controlled substance.

3759
3760 However, if the burglary is committed within a county that is
3761 subject to a state of emergency declared by the Governor under
3762 chapter 252 after the declaration of emergency is made and the
3763 perpetration of the burglary is facilitated by conditions
3764 arising from the emergency, the burglary is a felony of the
3765 first degree, punishable as provided in s. 775.082, s. 775.083,
3766 or s. 775.084. As used in this subsection, the term "conditions
3767 arising from the emergency" means civil unrest, power outages,



460300

576-03397-16

3768 curfews, voluntary or mandatory evacuations, or a reduction in
3769 the presence of or response time for first responders or
3770 homeland security personnel. A person arrested for committing a
3771 burglary within a county that is subject to such a state of
3772 emergency may not be released until the person appears before a
3773 committing magistrate at a first appearance hearing. For
3774 purposes of sentencing under chapter 921, a felony offense that
3775 is reclassified under this subsection is ranked one level above
3776 the ranking under s. 921.0022 or s. 921.0023 of the offense
3777 committed.

3778 Section 41. For the purpose of incorporating the amendment
3779 made by this act to section 893.13, Florida Statutes, in a
3780 reference thereto, subsection (2) of section 812.014, Florida
3781 Statutes, is reenacted to read:

3782 812.014 Theft.—

3783 (2)(a)1. If the property stolen is valued at \$100,000 or
3784 more or is a semitrailer that was deployed by a law enforcement
3785 officer; or

3786 2. If the property stolen is cargo valued at \$50,000 or
3787 more that has entered the stream of interstate or intrastate
3788 commerce from the shipper's loading platform to the consignee's
3789 receiving dock; or

3790 3. If the offender commits any grand theft and:

3791 a. In the course of committing the offense the offender
3792 uses a motor vehicle as an instrumentality, other than merely as
3793 a getaway vehicle, to assist in committing the offense and
3794 thereby damages the real property of another; or

3795 b. In the course of committing the offense the offender
3796 causes damage to the real or personal property of another in



460300

576-03397-16

3797 excess of \$1,000,
3798
3799 the offender commits grand theft in the first degree, punishable
3800 as a felony of the first degree, as provided in s. 775.082, s.
3801 775.083, or s. 775.084.

3802 (b)1. If the property stolen is valued at \$20,000 or more,
3803 but less than \$100,000;

3804 2. The property stolen is cargo valued at less than \$50,000
3805 that has entered the stream of interstate or intrastate commerce
3806 from the shipper's loading platform to the consignee's receiving
3807 dock;

3808 3. The property stolen is emergency medical equipment,
3809 valued at \$300 or more, that is taken from a facility licensed
3810 under chapter 395 or from an aircraft or vehicle permitted under
3811 chapter 401; or

3812 4. The property stolen is law enforcement equipment, valued
3813 at \$300 or more, that is taken from an authorized emergency
3814 vehicle, as defined in s. 316.003,

3815
3816 the offender commits grand theft in the second degree,
3817 punishable as a felony of the second degree, as provided in s.
3818 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
3819 means mechanical or electronic apparatus used to provide
3820 emergency services and care as defined in s. 395.002(9) or to
3821 treat medical emergencies. Law enforcement equipment means any
3822 property, device, or apparatus used by any law enforcement
3823 officer as defined in s. 943.10 in the officer's official
3824 business. However, if the property is stolen within a county
3825 that is subject to a state of emergency declared by the Governor



460300

576-03397-16

3826 under chapter 252, the theft is committed after the declaration
3827 of emergency is made, and the perpetration of the theft is
3828 facilitated by conditions arising from the emergency, the theft
3829 is a felony of the first degree, punishable as provided in s.
3830 775.082, s. 775.083, or s. 775.084. As used in this paragraph,
3831 the term "conditions arising from the emergency" means civil
3832 unrest, power outages, curfews, voluntary or mandatory
3833 evacuations, or a reduction in the presence of or response time
3834 for first responders or homeland security personnel. For
3835 purposes of sentencing under chapter 921, a felony offense that
3836 is reclassified under this paragraph is ranked one level above
3837 the ranking under s. 921.0022 or s. 921.0023 of the offense
3838 committed.

3839 (c) It is grand theft of the third degree and a felony of
3840 the third degree, punishable as provided in s. 775.082, s.
3841 775.083, or s. 775.084, if the property stolen is:

- 3842 1. Valued at \$300 or more, but less than \$5,000.
- 3843 2. Valued at \$5,000 or more, but less than \$10,000.
- 3844 3. Valued at \$10,000 or more, but less than \$20,000.
- 3845 4. A will, codicil, or other testamentary instrument.
- 3846 5. A firearm.
- 3847 6. A motor vehicle, except as provided in paragraph (a).
- 3848 7. Any commercially farmed animal, including any animal of
3849 the equine, bovine, or swine class or other grazing animal; a
3850 bee colony of a registered beekeeper; and aquaculture species
3851 raised at a certified aquaculture facility. If the property
3852 stolen is aquaculture species raised at a certified aquaculture
3853 facility, then a \$10,000 fine shall be imposed.
- 3854 8. Any fire extinguisher.



460300

576-03397-16

3855 9. Any amount of citrus fruit consisting of 2,000 or more
3856 individual pieces of fruit.

3857 10. Taken from a designated construction site identified by
3858 the posting of a sign as provided for in s. 810.09(2)(d).

3859 11. Any stop sign.

3860 12. Anhydrous ammonia.

3861 13. Any amount of a controlled substance as defined in s.
3862 893.02. Notwithstanding any other law, separate judgments and
3863 sentences for theft of a controlled substance under this
3864 subparagraph and for any applicable possession of controlled
3865 substance offense under s. 893.13 or trafficking in controlled
3866 substance offense under s. 893.135 may be imposed when all such
3867 offenses involve the same amount or amounts of a controlled
3868 substance.

3869

3870 However, if the property is stolen within a county that is
3871 subject to a state of emergency declared by the Governor under
3872 chapter 252, the property is stolen after the declaration of
3873 emergency is made, and the perpetration of the theft is
3874 facilitated by conditions arising from the emergency, the
3875 offender commits a felony of the second degree, punishable as
3876 provided in s. 775.082, s. 775.083, or s. 775.084, if the
3877 property is valued at \$5,000 or more, but less than \$10,000, as
3878 provided under subparagraph 2., or if the property is valued at
3879 \$10,000 or more, but less than \$20,000, as provided under
3880 subparagraph 3. As used in this paragraph, the term "conditions
3881 arising from the emergency" means civil unrest, power outages,
3882 curfews, voluntary or mandatory evacuations, or a reduction in
3883 the presence of or the response time for first responders or



460300

576-03397-16

3884 homeland security personnel. For purposes of sentencing under
3885 chapter 921, a felony offense that is reclassified under this
3886 paragraph is ranked one level above the ranking under s.
3887 921.0022 or s. 921.0023 of the offense committed.

3888 (d) It is grand theft of the third degree and a felony of
3889 the third degree, punishable as provided in s. 775.082, s.
3890 775.083, or s. 775.084, if the property stolen is valued at \$100
3891 or more, but less than \$300, and is taken from a dwelling as
3892 defined in s. 810.011(2) or from the unenclosed curtilage of a
3893 dwelling pursuant to s. 810.09(1).

3894 (e) Except as provided in paragraph (d), if the property
3895 stolen is valued at \$100 or more, but less than \$300, the
3896 offender commits petit theft of the first degree, punishable as
3897 a misdemeanor of the first degree, as provided in s. 775.082 or
3898 s. 775.083.

3899 Section 42. For the purpose of incorporating the amendment
3900 made by this act to section 893.13, Florida Statutes, in a
3901 reference thereto, subsection (1) of section 831.311, Florida
3902 Statutes, is reenacted to read:

3903 831.311 Unlawful sale, manufacture, alteration, delivery,
3904 uttering, or possession of counterfeit-resistant prescription
3905 blanks for controlled substances.—

3906 (1) It is unlawful for any person having the intent to
3907 injure or defraud any person or to facilitate any violation of
3908 s. 893.13 to sell, manufacture, alter, deliver, utter, or
3909 possess with intent to injure or defraud any person, or to
3910 facilitate any violation of s. 893.13, any counterfeit-resistant
3911 prescription blanks for controlled substances, the form and
3912 content of which are adopted by rule of the Department of Health



460300

576-03397-16

3913 pursuant to s. 893.065.

3914 Section 43. For the purpose of incorporating the amendment
3915 made by this act to section 893.13, Florida Statutes, in a
3916 reference thereto, subsection (1) of section 893.1351, Florida
3917 Statutes, is reenacted to read:

3918 893.1351 Ownership, lease, rental, or possession for
3919 trafficking in or manufacturing a controlled substance.—

3920 (1) A person may not own, lease, or rent any place,
3921 structure, or part thereof, trailer, or other conveyance with
3922 the knowledge that the place, structure, trailer, or conveyance
3923 will be used for the purpose of trafficking in a controlled
3924 substance, as provided in s. 893.135; for the sale of a
3925 controlled substance, as provided in s. 893.13; or for the
3926 manufacture of a controlled substance intended for sale or
3927 distribution to another. A person who violates this subsection
3928 commits a felony of the third degree, punishable as provided in
3929 s. 775.082, s. 775.083, or s. 775.084.

3930 Section 44. For the purpose of incorporating the amendment
3931 made by this act to section 893.138, Florida Statutes, in a
3932 reference thereto, subsection (3) of section 893.138, Florida
3933 Statutes, is reenacted to read:

3934 893.138 Local administrative action to abate drug-related,
3935 prostitution-related, or stolen-property-related public
3936 nuisances and criminal gang activity.—

3937 (3) Any pain-management clinic, as described in s. 458.3265
3938 or s. 459.0137, which has been used on more than two occasions
3939 within a 6-month period as the site of a violation of:

3940 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,
3941 relating to assault and battery;



460300

576-03397-16

3942 (b) Section 810.02, relating to burglary;
3943 (c) Section 812.014, relating to dealing in theft;
3944 (d) Section 812.131, relating to robbery by sudden
3945 snatching; or
3946 (e) Section 893.13, relating to the unlawful distribution
3947 of controlled substances,
3948
3949 may be declared to be a public nuisance, and such nuisance may
3950 be abated pursuant to the procedures provided in this section.
3951 Section 45. For the purpose of incorporating the amendment
3952 made by this act to section 893.13, Florida Statutes, in a
3953 reference thereto, section 893.15, Florida Statutes, is
3954 reenacted to read:
3955 893.15 Rehabilitation.—Any person who violates s.
3956 893.13(6) (a) or (b) relating to possession may, in the
3957 discretion of the trial judge, be required to participate in a
3958 substance abuse services program approved or regulated by the
3959 Department of Children and Families pursuant to the provisions
3960 of chapter 397, provided the director of such program approves
3961 the placement of the defendant in such program. Such required
3962 participation shall be imposed in addition to any penalty or
3963 probation otherwise prescribed by law. However, the total time
3964 of such penalty, probation, and program participation shall not
3965 exceed the maximum length of sentence possible for the offense.
3966 Section 46. For the purpose of incorporating the amendment
3967 made by this act to section 893.13, Florida Statutes, in a
3968 reference thereto, section 903.133, Florida Statutes, is
3969 reenacted to read:
3970 903.133 Bail on appeal; prohibited for certain felony



460300

576-03397-16

3971 convictions.—Notwithstanding the provisions of s. 903.132, no
3972 person adjudged guilty of a felony of the first degree for a
3973 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
3974 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
3975 violation of s. 794.011(2) or (3), shall be admitted to bail
3976 pending review either by posttrial motion or appeal.

3977 Section 47. For the purpose of incorporating the amendment
3978 made by this act to section 893.13, Florida Statutes, in a
3979 reference thereto, paragraph (1) of subsection (1) of section
3980 921.187, Florida Statutes, is reenacted to read:

3981 921.187 Disposition and sentencing; alternatives;
3982 restitution.—

3983 (1) The alternatives provided in this section for the
3984 disposition of criminal cases shall be used in a manner that
3985 will best serve the needs of society, punish criminal offenders,
3986 and provide the opportunity for rehabilitation. If the offender
3987 does not receive a state prison sentence, the court may:

3988 (1)1. Require the offender who violates any criminal
3989 provision of chapter 893 to pay an additional assessment in an
3990 amount up to the amount of any fine imposed, pursuant to ss.
3991 938.21 and 938.23.

3992 2. Require the offender who violates any provision of s.
3993 893.13 to pay an additional assessment in an amount of \$100,
3994 pursuant to ss. 938.055 and 943.361.

3995 Section 48. For the purpose of incorporating the amendment
3996 made by this act to section 893.145, Florida Statutes, in a
3997 reference thereto, paragraph (a) of subsection (2) of section
3998 893.12, Florida Statutes, is reenacted to read:

3999 893.12 Contraband; seizure, forfeiture, sale.—



460300

576-03397-16

4000 (2) (a) Any vessel, vehicle, aircraft, or drug paraphernalia
4001 as defined in s. 893.145 which has been or is being used in
4002 violation of any provision of this chapter or in, upon, or by
4003 means of which any violation of this chapter has taken or is
4004 taking place may be seized and forfeited as provided by the
4005 Florida Contraband Forfeiture Act.

4006 Section 49. For the purpose of incorporating the amendment
4007 made by this act to section 893.145, Florida Statutes, in a
4008 reference thereto, paragraph (a) of subsection (6) of section
4009 893.147, Florida Statutes, is reenacted to read:

4010 893.147 Use, possession, manufacture, delivery,
4011 transportation, advertisement, or retail sale of drug
4012 paraphernalia.—

4013 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

4014 (a) It is unlawful for a person to knowingly and willfully
4015 sell or offer for sale at retail any drug paraphernalia
4016 described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe
4017 that is primarily made of briar, meerschaum, clay, or corn cob.

4018 Section 50. For the purpose of incorporating the amendment
4019 made by this act to section 895.02, Florida Statutes, in a
4020 reference thereto, paragraph (a) of subsection (1) of section
4021 16.56, Florida Statutes, is reenacted to read:

4022 16.56 Office of Statewide Prosecution.—

4023 (1) There is created in the Department of Legal Affairs an
4024 Office of Statewide Prosecution. The office shall be a separate
4025 "budget entity" as that term is defined in chapter 216. The
4026 office may:

4027 (a) Investigate and prosecute the offenses of:

4028 1. Bribery, burglary, criminal usury, extortion, gambling,



460300

576-03397-16

4029 kidnapping, larceny, murder, prostitution, perjury, robbery,
4030 carjacking, and home-invasion robbery;
4031 2. Any crime involving narcotic or other dangerous drugs;
4032 3. Any violation of the Florida RICO (Racketeer Influenced
4033 and Corrupt Organization) Act, including any offense listed in
4034 the definition of racketeering activity in s. 895.02(1)(a),
4035 providing such listed offense is investigated in connection with
4036 a violation of s. 895.03 and is charged in a separate count of
4037 an information or indictment containing a count charging a
4038 violation of s. 895.03, the prosecution of which listed offense
4039 may continue independently if the prosecution of the violation
4040 of s. 895.03 is terminated for any reason;
4041 4. Any violation of the Florida Anti-Fencing Act;
4042 5. Any violation of the Florida Antitrust Act of 1980, as
4043 amended;
4044 6. Any crime involving, or resulting in, fraud or deceit
4045 upon any person;
4046 7. Any violation of s. 847.0135, relating to computer
4047 pornography and child exploitation prevention, or any offense
4048 related to a violation of s. 847.0135 or any violation of
4049 chapter 827 where the crime is facilitated by or connected to
4050 the use of the Internet or any device capable of electronic data
4051 storage or transmission;
4052 8. Any violation of chapter 815;
4053 9. Any criminal violation of part I of chapter 499;
4054 10. Any violation of the Florida Motor Fuel Tax Relief Act
4055 of 2004;
4056 11. Any criminal violation of s. 409.920 or s. 409.9201;
4057 12. Any crime involving voter registration, voting, or



460300

576-03397-16

4058 candidate or issue petition activities;

4059 13. Any criminal violation of the Florida Money Laundering
4060 Act;

4061 14. Any criminal violation of the Florida Securities and
4062 Investor Protection Act; or

4063 15. Any violation of chapter 787, as well as any and all
4064 offenses related to a violation of chapter 787;

4065
4066 or any attempt, solicitation, or conspiracy to commit any of the
4067 crimes specifically enumerated above. The office shall have such
4068 power only when any such offense is occurring, or has occurred,
4069 in two or more judicial circuits as part of a related
4070 transaction, or when any such offense is connected with an
4071 organized criminal conspiracy affecting two or more judicial
4072 circuits. Informations or indictments charging such offenses
4073 shall contain general allegations stating the judicial circuits
4074 and counties in which crimes are alleged to have occurred or the
4075 judicial circuits and counties in which crimes affecting such
4076 circuits or counties are alleged to have been connected with an
4077 organized criminal conspiracy.

4078 Section 51. For the purpose of incorporating the amendment
4079 made by this act to section 895.02, Florida Statutes, in a
4080 reference thereto, paragraph (g) of subsection (3) of section
4081 655.50, Florida Statutes, is reenacted to read:

4082 655.50 Florida Control of Money Laundering and Terrorist
4083 Financing in Financial Institutions Act.—

4084 (3) As used in this section, the term:

4085 (g) "Specified unlawful activity" means "racketeering
4086 activity" as defined in s. 895.02.



460300

576-03397-16

4087 Section 52. For the purpose of incorporating the amendment
4088 made by this act to section 895.02, Florida Statutes, in a
4089 reference thereto, paragraph (g) of subsection (2) of section
4090 896.101, Florida Statutes, is reenacted to read:

4091 896.101 Florida Money Laundering Act; definitions;
4092 penalties; injunctions; seizure warrants; immunity.-

4093 (2) As used in this section, the term:

4094 (g) "Specified unlawful activity" means any "racketeering
4095 activity" as defined in s. 895.02.

4096 Section 53. For the purpose of incorporating the amendment
4097 made by this act to section 895.02, Florida Statutes, in a
4098 reference thereto, section 905.34, Florida Statutes, is
4099 reenacted to read:

4100 905.34 Powers and duties; law applicable.-The jurisdiction
4101 of a statewide grand jury impaneled under this chapter shall
4102 extend throughout the state. The subject matter jurisdiction of
4103 the statewide grand jury shall be limited to the offenses of:

4104 (1) Bribery, burglary, carjacking, home-invasion robbery,
4105 criminal usury, extortion, gambling, kidnapping, larceny,
4106 murder, prostitution, perjury, and robbery;

4107 (2) Crimes involving narcotic or other dangerous drugs;

4108 (3) Any violation of the provisions of the Florida RICO
4109 (Racketeer Influenced and Corrupt Organization) Act, including
4110 any offense listed in the definition of racketeering activity in
4111 s. 895.02(1)(a), providing such listed offense is investigated
4112 in connection with a violation of s. 895.03 and is charged in a
4113 separate count of an information or indictment containing a
4114 count charging a violation of s. 895.03, the prosecution of
4115 which listed offense may continue independently if the



460300

576-03397-16

4116 prosecution of the violation of s. 895.03 is terminated for any
4117 reason;

4118 (4) Any violation of the provisions of the Florida Anti-
4119 Fencing Act;

4120 (5) Any violation of the provisions of the Florida
4121 Antitrust Act of 1980, as amended;

4122 (6) Any violation of the provisions of chapter 815;

4123 (7) Any crime involving, or resulting in, fraud or deceit
4124 upon any person;

4125 (8) Any violation of s. 847.0135, s. 847.0137, or s.
4126 847.0138 relating to computer pornography and child exploitation
4127 prevention, or any offense related to a violation of s.
4128 847.0135, s. 847.0137, or s. 847.0138 or any violation of
4129 chapter 827 where the crime is facilitated by or connected to
4130 the use of the Internet or any device capable of electronic data
4131 storage or transmission;

4132 (9) Any criminal violation of part I of chapter 499;

4133 (10) Any criminal violation of s. 409.920 or s. 409.9201;

4134 (11) Any criminal violation of the Florida Money Laundering
4135 Act;

4136 (12) Any criminal violation of the Florida Securities and
4137 Investor Protection Act; or

4138 (13) Any violation of chapter 787, as well as any and all
4139 offenses related to a violation of chapter 787;

4140
4141 or any attempt, solicitation, or conspiracy to commit any
4142 violation of the crimes specifically enumerated above, when any
4143 such offense is occurring, or has occurred, in two or more
4144 judicial circuits as part of a related transaction or when any



460300

576-03397-16

4145 such offense is connected with an organized criminal conspiracy
4146 affecting two or more judicial circuits. The statewide grand
4147 jury may return indictments and presentments irrespective of the
4148 county or judicial circuit where the offense is committed or
4149 triable. If an indictment is returned, it shall be certified and
4150 transferred for trial to the county where the offense was
4151 committed. The powers and duties of, and law applicable to,
4152 county grand juries shall apply to a statewide grand jury except
4153 when such powers, duties, and law are inconsistent with the
4154 provisions of ss. 905.31-905.40.

4155 Section 54. This act shall take effect July 1, 2016.