

By Senator Simpson

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1 A bill to be entitled
2 An act relating to illicit drugs; amending s. 561.29,
3 F.S.; revising the circumstances under which the
4 Division of Alcoholic Beverages and Tobacco of the
5 Department of Business and Professional Regulation may
6 revoke or suspend a person's license; requiring the
7 division to suspend the license of an establishment
8 licensed under the Beverage Law under certain
9 circumstances; prohibiting the division from reissuing
10 a license to such establishment for a specified length
11 of time under certain circumstances; amending s.
12 569.003, F.S.; requiring the division to suspend the
13 license of an establishment licensed under the
14 Beverage Law under certain circumstances; prohibiting
15 the division from reissuing a license to such
16 establishment for a specified length of time under
17 certain circumstances; amending s. 893.02, F.S.;
18 defining terms; deleting a definition; revising
19 definitions; amending s. 893.03, F.S.; providing that
20 class designation is a way to reference scheduled
21 controlled substances; adding, deleting, and revising
22 the list of Schedule I controlled substances; revising
23 the list of Schedule III anabolic steroids; amending
24 s. 893.033, F.S.; adding, deleting, and revising the
25 list of precursor and essential chemicals; amending s.
26 893.0356, F.S.; defining the term "substantially
27 similar"; deleting the term "potential for abuse";
28 requiring that a controlled substance analog be
29 treated as the highest scheduled controlled substance
30 of which it is an analog; amending s. 893.13, F.S.;
31 creating a noncriminal penalty for selling,
32 manufacturing, or delivering, or possessing with

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33 intent to sell, manufacture, or deliver any unlawful
34 controlled substance in, on, or near an assisted
35 living facility; creating a criminal penalty for a
36 person 18 years of age or older who delivers to a
37 person younger than 18 years of age any illegal
38 controlled substance, who uses or hires a person
39 younger than 18 years of age in the sale or delivery
40 of such substance, or who uses a person younger than
41 18 years of age to assist in avoiding detection for
42 specified violations; deleting a criminal penalty for
43 possession of a certain amount of specified controlled
44 substances; deleting certain exclusions to the
45 definition of the term "cannabis"; creating a criminal
46 penalty for possession of specified controlled
47 substances; correcting a cross-reference; amending s.
48 893.135, F.S.; revising a dosage unit to include a
49 gelatin capsule for the purpose of clarifying
50 legislative intent regarding the weighing of a mixture
51 containing a controlled substance; amending s.
52 893.138, F.S.; authorizing a place or premises that
53 has been used on two or more occasions for specified
54 violations within a certain time period to be declared
55 a public nuisance; amending s. 893.145, F.S.; revising
56 the definition of the term "drug paraphernalia";
57 amending s. 895.02, F.S.; revising the definition of
58 the term "racketeering activity"; amending s.
59 921.0022, F.S.; adding an adult delivering controlled
60 substances to a minor, using or hiring a minor to sell
61 controlled substances, or using a minor to avoid

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62 detection or apprehension to level 3 of the offense
63 severity ranking chart of the Criminal Punishment
64 Code; making technical changes; reenacting ss.
65 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c),
66 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3),
67 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a),
68 465.0276(1)(b), 499.0121(14) and (15)(a),
69 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a),
70 817.563(1), 831.31, 893.0301, 893.035(7)(a),
71 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b),
72 (c), and (d), and 944.474(2), F.S., to incorporate the
73 amendment made to s. 893.03, F.S., in references
74 thereto; reenacting s. 893.149(4), F.S., to
75 incorporate the amendment made to s. 893.033, F.S., in
76 a reference thereto; reenacting ss. 397.451(4)(b),
77 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3),
78 812.014(2), 831.311(1), 893.1351(1), 893.138(3),
79 893.15, 903.133, and 921.187(1)(l), F.S., to
80 incorporate the amendment made to s. 893.13, F.S., in
81 references thereto; reenacting ss. 893.12(2)(a) and
82 893.147(6)(a), F.S., to incorporate the amendment made
83 to s. 893.145, F.S., in references thereto; reenacting
84 ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and
85 905.34, F.S., to incorporate the amendment made to s.
86 895.02, F.S., in references thereto; providing an
87 effective date.

88

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

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

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

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

99 (a) Of a violation by the licensee or his or her or its
100 agents, officers, servants, or employees, on the licensed
101 premises, or elsewhere while in the scope of employment, of any
102 of the laws of this state or of the United States, or violation
103 of any municipal or county regulation in regard to the hours of
104 sale, service, or consumption of alcoholic beverages or license
105 requirements of special licenses issued under s. 561.20, or
106 engaging in or permitting disorderly conduct on the licensed
107 premises, or permitting another on the licensed premises to
108 violate any of the laws of this state or of the United States. A
109 conviction of the licensee or his or her or its agents,
110 officers, servants, or employees in any criminal court of any
111 violation as set forth in this paragraph shall not be considered
112 in proceedings before the division for suspension or revocation
113 of a license except as permitted by chapter 92 or the rules of
114 evidence.

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

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

119 (d) Of maintaining licensed premises that are unsanitary or

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120 are not approved as sanitary by the Division of Hotels and
121 Restaurants of the Department of Business and Professional
122 Regulation, the Department of Agriculture and Consumer Services,
123 the county board of health, or the Department of Health,
124 whichever has jurisdiction thereof.

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

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

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

138 (h) Of a failure by the holder of any license under s.
139 561.20(1) to maintain the licensed premises in an active manner
140 in which the licensed premises are open for the bona fide sale
141 of authorized alcoholic beverages during regular business hours
142 of at least 6 hours a day for a period of 120 days or more
143 during any 12-month period commencing 18 months after the
144 acquisition of the license by the licensee, regardless of the
145 date the license was originally issued. Every licensee must
146 notify the division in writing of any period during which his or
147 her license is inactive and place the physical license with the
148 division to be held in an inactive status. The division may

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149 waive or extend the requirement of this section upon the finding
150 of hardship, including the purchase of the license in order to
151 transfer it to a newly constructed or remodeled location.
152 However, during such closed period, the licensee shall make
153 reasonable efforts toward restoring the license to active
154 status. This paragraph shall apply to all annual license periods
155 commencing on or after July 1, 1981, but shall not apply to
156 licenses issued after September 30, 1988.

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

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178 licensee has suffered an incapacitating illness or injury which
179 is likely to be prolonged, or when the licensed premises has
180 been prohibited from making sales as a result of any action of
181 any court of competent jurisdiction. Any waiver given pursuant
182 to this subsection may be continued upon subsequent written
183 request showing that substantial progress has been made toward
184 restoring the licensed premises to a condition suitable for the
185 resumption of sales or toward allowing for a court having
186 jurisdiction over the premises to release said jurisdiction, or
187 that an incapacitating illness or injury continues to exist.
188 However, in no event may the waivers necessitated by any one
189 occurrence cumulatively total more than 24 months. Every
190 licensee shall notify the division in writing of any period
191 during which his or her license is inactive and place the
192 physical license with the division to be held in an inactive
193 status.

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

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

202 (l) That, if in a public hearing by a preponderance of the
203 evidence, the division finds that a person has been convicted of
204 a violation of chapter 499 which involved the sale or the offer
205 to sell, in the normal course of business, a misbranded, an
206 adulterated, or a contraband drug in an establishment that has

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207 been issued a license under the Beverage Law under this chapter
208 and the holder of the license knew or should have known of the
209 offense occurring within the establishment, the division:

210 1. Shall suspend the Beverage Law license for the
211 establishment for 1 year; and

212 2. May not issue another Beverage Law license under this
213 chapter for 1 year from the date of suspension to a person that:

214 a. Applies for or that made a retail transaction under the
215 suspended Beverage Law license pursuant to subparagraph 1.; or

216 b. Owned or co-owned, directly or indirectly, or was an
217 officer, a director, a manager, or a partner of the
218 establishment that had the license suspended pursuant to
219 subparagraph 1.

220 (4) Except for a violation of paragraph (1)(1), the
221 division may compromise any alleged violations of the Beverage
222 Law, by accepting from the licensee involved an amount not to
223 exceed \$1,000 for violations arising out of a single
224 transaction. All funds so collected are to be deposited in the
225 state General Revenue Fund.

226 (5) Except for a violation of paragraph (1)(1), the
227 division may suspend the imposition of any penalty conditioned
228 upon terms the division should in its discretion deem
229 appropriate.

230 Section 2. Subsection (5) is added to section 569.003,
231 Florida Statutes, to read:

232 569.003 Retail tobacco products dealer permits;
233 application; qualifications; fees; renewal; duplicates.—

234 (5) If the division finds in a public hearing by a
235 preponderance of the evidence that a person has been convicted

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

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

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

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

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

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

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

262 (2) "Cannabinoid receptor agonist" means a chemical
 263 compound or substance that, according to scientific or medical
 264 research, study, testing, or analysis demonstrates the presence

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265 of binding activity at one or more of the CB1 or CB2 cell
266 membrane receptors located within the human body ~~"Analog" or~~
267 ~~"chemical analog" means a structural derivative of a parent~~
268 ~~compound that is a controlled substance.~~

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

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

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

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

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

287 (20) "Positional isomer" means any substance that possesses
288 the same molecular formula and core structure and that has the
289 same functional group or substituent as those found in the
290 respective controlled substance, attached at any positions on
291 the core structure, but in such manner that no new chemical
292 functionalities are created and no existing chemical
293 functionalities are destroyed relative to the respective

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294 controlled substance. Rearrangements of alkyl moieties within or
295 between functional groups or substituents, or divisions or
296 combinations of alkyl moieties, which do not create new chemical
297 functionalities or destroy existing chemical functionalities,
298 are allowed and include resulting compounds that are positional
299 isomers. As used in this definition, the term "core structure"
300 means the parent molecule that is the common basis for the class
301 that includes, but is not limited to, tryptamine,
302 phenethylamine, or ergoline. Examples of rearrangements
303 resulting in creation or destruction of chemical
304 functionalities, and therefore resulting in compounds that are
305 not positional isomers, include, but are not limited to, ethoxy
306 to alpha-hydroxyethyl, hydroxy and methyl to methoxy, or the
307 repositioning of a phenolic or alcoholic hydroxy group to create
308 a hydroxyamine. Examples of rearrangements resulting in
309 compounds that would be positional isomers, include, but are not
310 limited to, tert-butyl to sec-butyl, methoxy and ethyl to
311 isopropoxy, N,N-diethyl to N-methyl-N-propyl, or alpha-
312 methylamino to N-methylamino.

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

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

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323 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
324 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
325 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
326 Anabolic Steroid Products."

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

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

- 338 1. Acetyl-alpha-methylfentanyl.
- 339 2. Acetylmethadol.
- 340 3. Allylprodine.
- 341 4. Alphacetylmethadol (except levo-alphacetylmethadol, also
342 known as levo-alpha-acetylmethadol, levomethadyl acetate, or
343 LAAM).
- 344 5. Alphamethadol.
- 345 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)
346 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
347 (N-propanilido) piperidine).
- 348 7. Alpha-methylthiofentanyl.
- 349 8. Alphameprodine.
- 350 9. Benzethidine.
- 351 10. Benzylfentanyl.

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- 352 11. Betacetylmethadol.
353 12. Beta-hydroxyfentanyl.
354 13. Beta-hydroxy-3-methylfentanyl.
355 14. Betameprodine.
356 15. Betamethadol.
357 16. Betaprodine.
358 17. Clonitazene.
359 18. Dextromoramide.
360 19. Diampromide.
361 20. Diethylthiambutene.
362 21. Difenoquin.
363 22. Dimenoxadol.
364 23. Dimepheptanol.
365 24. Dimethylthiambutene.
366 25. Dioxaphetyl butyrate.
367 26. Dipipanone.
368 27. Ethylmethylthiambutene.
369 28. Etonitazene.
370 29. Etoxadine.
371 30. Flunitrazepam.
372 31. Furethidine.
373 32. Hydroxypethidine.
374 33. Ketobemidone.
375 34. Levomoramide.
376 35. Levophenacetylmorphan.
377 36. Desmethylprodine (1-Methyl-4-Phenyl-4-
378 Propionoxypiperidine) ~~(MPPP)~~.
379 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
380 piperidyl]-N-phenylpropanamide).

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- 381 38. 3-Methylthiofentanyl.
- 382 39. Morpheridine.
- 383 40. Noracymethadol.
- 384 41. Norlevorphanol.
- 385 42. Normethadone.
- 386 43. Norpipanone.
- 387 44. Para-Fluorofentanyl.
- 388 45. Phenadoxone.
- 389 46. Phenampromide.
- 390 47. Phenomorphan.
- 391 48. Phenoperidine.
- 392 49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
- 393 Acetyloxypiperidine) ~~(PEPAP)~~.
- 394 50. Piritramide.
- 395 51. Proheptazine.
- 396 52. Properidine.
- 397 53. Propiram.
- 398 54. Racemoramide.
- 399 55. Thenylfentanyl.
- 400 56. Thiofentanyl.
- 401 57. Tilidine.
- 402 58. Trimeperidine.
- 403 59. Acetylfentanyl.
- 404 60. Butyrylfentanyl.
- 405 61. Beta-Hydroxythiofentanyl.

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

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410 specific chemical designation:

- 411 1. Acetorphine.
- 412 2. Acetyldihydrocodeine.
- 413 3. Benzylmorphine.
- 414 4. Codeine methylbromide.
- 415 5. Codeine-N-Oxide.
- 416 6. Cyprenorphine.
- 417 7. Desomorphine.
- 418 8. Dihydromorphine.
- 419 9. Drotebanol.
- 420 10. Etorphine (except hydrochloride salt).
- 421 11. Heroin.
- 422 12. Hydromorphanol.
- 423 13. Methyldesorphine.
- 424 14. Methyldihydromorphine.
- 425 15. Monoacetylmorphine.
- 426 16. Morphine methylbromide.
- 427 17. Morphine methylsulfonate.
- 428 18. Morphine-N-Oxide.
- 429 19. Myrophine.
- 430 20. Nicocodine.
- 431 21. Nicomorphine.
- 432 22. Normorphine.
- 433 23. Pholcodine.
- 434 24. Thebacon.

435 (c) Unless specifically excepted or unless listed in
436 another schedule, any material, compound, mixture, or
437 preparation that contains any quantity of the following
438 hallucinogenic substances or that contains any of their salts,

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439 isomers, including optical, positional, or geometric isomers,
440 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
441 salts of isomers, homologues, nitrogen-heterocyclic analogs,
442 esters, or ethers, if the existence of such salts, isomers, and
443 salts of isomers is possible within the specific chemical
444 designation or class description:

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

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

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- 497 37. Xylazine.
- 498 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) ~~(TCP)~~
- 499 (Thiophene analog of phencyclidine).
- 500 39. 3,4,5-Trimethoxyamphetamine.
- 501 40. Methylone (3,4-Methylenedioxyamphetaminone).
- 502 41. MDPV (3,4-Methylenedioxypropylamphetamine) ~~(MDPV)~~.
- 503 42. Methylmethcathinone.
- 504 43. Methoxymethcathinone.
- 505 44. Fluoromethcathinone.
- 506 45. Methylethcathinone.
- 507 46. CP 47,497 (2-((1R,3S)-3-Hydroxycyclohexyl)-5-(2-
- 508 methyloctan-2-yl)phenol), ~~also known as CP 47,497~~ and its
- 509 dimethyloctyl (C8) homologue.
- 510 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-
- 511 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol],
 512 ~~also known as HU-210.~~
- 513 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole), ~~also known as~~
- 514 ~~JWH-018.~~
- 515 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole), ~~also known as~~
- 516 ~~JWH-073.~~
- 517 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
- 518 naphthoyl)indole), ~~also known as JWH-200.~~
- 519 51. BZP (Benzylpiperazine).
- 520 52. Fluorophenylpiperazine.
- 521 53. Methylphenylpiperazine.
- 522 54. Chlorophenylpiperazine.
- 523 55. Methoxyphenylpiperazine.
- 524 56. DBZP (1,4-Dibenzylpiperazine).
- 525 57. TFMPP (~~3~~-Trifluoromethylphenylpiperazine).

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- 526 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
 527 Methylenedioxy-N-methylbutanamine).
- 528 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 529 60. 5-Hydroxy-N-methyltryptamine.
- 530 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 531 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 532 63. Methyltryptamine.
- 533 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 534 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 535 66. Tyramine (4-Hydroxyphenethylamine).
- 536 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 537 68. DiPT (N,N-Diisopropyltryptamine).
- 538 69. DPT (N,N-Dipropyltryptamine).
- 539 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 540 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine) ~~N,N-~~
 541 ~~Diallyl-5-Methoxytryptamine~~.
- 542 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 543 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 544 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 545 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine)
 546 ~~2,5-Dimethoxy-4-isopropylthiophenethylamine~~).
- 547 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 548 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
 549 ~~Dimethoxy-4-methylthiophenethylamine~~).
- 550 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
 551 ~~Dimethoxy-4-ethylthiophenethylamine~~).
- 552 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine)
 553 ~~2,5-Dimethoxy-4-(n)-propylthiophenethylamine~~).
- 554 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).

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- 555 81. Butylone (3,4-Methylenedioxy-alpha-
556 methylaminobutyrophenone) beta-keto-N-
557 methylbenzodioxolylpropylamine).
- 558 82. Ethcathinone.
- 559 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 560 84. Naphyrone (Naphthylpyrovalerone).
- 561 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone)
562 N-N-Dimethyl-3,4-methylenedioxyecathinone.
- 563 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~
564 ~~3,4-methylenedioxyecathinone.~~
- 565 87. 3,4-Methylenedioxy-propiofenone.
- 566 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~
567 ~~3,4-Methylenedioxypropiofenone.~~
- 568 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 569 90. 3,4-Methylenedioxy-N-acetylcathinone ~~N-Acetyl-3,4-~~
570 ~~methylenedioxyecathinone.~~
- 571 91. 3,4-Methylenedioxy-N-acetylmethcathinone ~~N-Acetyl-N-~~
572 ~~Methyl-3,4-Methylenedioxyecathinone.~~
- 573 92. 3,4-Methylenedioxy-N-acetylethcathinone ~~N-Acetyl-N-~~
574 ~~Ethyl-3,4-Methylenedioxyecathinone.~~
- 575 93. Bromomethcathinone.
- 576 94. Buphedrone (alpha-Methylamino-butyrophenone).
- 577 95. Eutylone (3,4-Methylenedioxy-alpha-
578 ethylaminobutyrophenone) beta-Keto-
579 Ethylbenzodioxolylbutanamine).
- 580 96. Dimethylcathinone.
- 581 97. Dimethylmethcathinone.
- 582 98. Pentylone (3,4-Methylenedioxy-alpha-
583 methylaminovalerophenone) (~~beta-Keto-~~

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- 584 ~~Methylbenzodioxolylpentanamine).~~
- 585 99. MDPPP (3,4-Methylenedioxy-alpha-
- 586 pyrrolidinopropiophenone) ~~(MDPPP) 3,4-Methylenedioxy-alpha-~~
- 587 ~~pyrrolidinopropiophenone.~~
- 588 100. MDPBP (3,4-Methylenedioxy-alpha-
- 589 pyrrolidinobutyrophenone) ~~(MDPBP) 3,4-Methylenedioxy-alpha-~~
- 590 ~~pyrrolidinobutiophenone.~~
- 591 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone)
- 592 ~~(MOPPP).~~
- 593 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone) ~~Methyl-~~
- 594 ~~alpha-pyrrolidinohexiophenone (MPHP).~~
- 595 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
- 596 (Benocyclidine) Benocyclidine (BCP) or
- 597 ~~benzothiophenylcyclohexylpiperidine (BTCP).~~
- 598 104. F-MABP (Fluoromethylaminobutyrophenone) ~~(F-MABP).~~
- 599 105. MeO-PBP (Methoxypyrrolidinobutyrophenone) ~~(MeO-PBP).~~
- 600 106. Et-PBP (Ethyl-pyrrolidinobutyrophenone) ~~(Et-PBP).~~
- 601 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone) ~~(3-~~
- 602 ~~Me-4-MeO-MCAT).~~
- 603 108. Me-EABP (Methylethylaminobutyrophenone) ~~(Me-EABP).~~
- 604 109. Etizolam Methylamino ~~butyrophenone (MABP).~~
- 605 110. PPP (Pyrrolidinopropiophenone) ~~(PPP).~~
- 606 111. PBP (Pyrrolidinobutyrophenone) ~~Pyrrolidinobutiophenone~~
- 607 ~~(PBP).~~
- 608 112. PVP (Pyrrolidinovalerophenone) or
- 609 (Pyrrolidinopentiophenone) ~~(PVP).~~
- 610 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone) ~~(MPPP).~~
- 611 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 612 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole) ~~2-~~

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- 613 ~~Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).~~
614 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
615 ~~yl-(1-hexylindol-3-yl)methanone).~~
616 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
617 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
618 ~~yl-(1-propyl-1H-indol-3-yl)methanone).~~
619 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole) ~~4-~~
620 ~~methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone).~~
621 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
622 121. JWH-133 (((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
623 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene) ~~((6aR,10aR)-3-~~
624 ~~(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-~~
625 ~~dibenzo[b,d]pyran)).~~
626 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole) ~~3-~~
627 ~~(naphthalen-1-ylmethyl)-1-pentyl-1H-indole).~~
628 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
629 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole) ~~2-~~
630 ~~(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone).~~
631 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole) ~~4-~~
632 ~~ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone).~~
633 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole) ~~2-~~
634 ~~(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone).~~
635 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole) ~~2-~~
636 ~~(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone).~~
637 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
638 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
639 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
640 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
641 ol).

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642 131. HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-methyloctan-
 643 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
 644 methanol) .

645 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
 646 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
 647 1,4-dione) .

648 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene)
 649 ~~Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone)~~ .

650 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
 651 undecanamide) .

652 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
 653 undecanamide) .

654 136. CP 55,940 (2-[3-Hydroxy-5-propanol-cyclohexyl]-5-(2-
 655 methyloctan-2-yl)phenol) ~~2-[(1R,2R,5R)-5-hydroxy-2-(3-~~
 656 ~~hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol)~~ .

657 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole) ~~1-~~
 658 ~~[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone)~~ .

659 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole) ~~1-~~
 660 ~~[(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen-1-yl)methanone)~~ .

661 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole) ~~(4-~~
 662 ~~methoxyphenyl)-(1-pentyl-1H-indol-3-yl)methanone)~~ .

663 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
 664 methoxyphenylacetyl)indole) ~~1-(1-(2-cyclohexylethyl)-1H-indol-3-~~
 665 ~~yl)-2-(2-methoxyphenylethanone)~~ .

666 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
 667 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
 668 naphthalenylmethanone) .

669 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
 670 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-

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- 671 naphthalenylmethanone).
- 672 143. Pentedrone (alpha-Methylaminovalerophenone) ~~2-~~
- 673 ~~(methylamino)-1-phenyl-1-pentanone).~~
- 674 144. Fluoroamphetamine.
- 675 145. Fluoromethamphetamine.
- 676 146. Methoxetamine.
- 677 147. Methiopropamine.
- 678 148. 4-Methylbuphedrone (Methyl-alpha-
- 679 methylaminobutyrophenone) ~~2-Methylamino-1-(4-methylphenyl)butan-~~
- 680 ~~1-one).~~
- 681 149. APB ((2-Aminopropyl)benzofuran).
- 682 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 683 151. UR-144 (1-Pentyl-3-(2,2,3,3-
- 684 tetramethylcyclopropanoyl)indole) ~~(1-pentyl-1H-indol-3-~~
- 685 ~~yl)(2,2,3,3-tetramethylecyclopropyl)methanone).~~
- 686 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 687 tetramethylcyclopropanoyl)indole) ~~(1-(5-fluoropentyl)-1H-indol-~~
- 688 ~~3-yl)(2,2,3,3-tetramethylecyclopropyl)methanone).~~
- 689 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
- 690 tetramethylcyclopropanoyl)indole) ~~(1-(5-chloropentyl)-1H-indol-~~
- 691 ~~3-yl)(2,2,3,3-tetramethylecyclopropyl)methanone.~~
- 692 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide)
- 693 ~~1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-~~
- 694 ~~carboxamide).~~
- 695 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 696 iodobenzoyl)indole) ~~(2-iodophenyl)[1-[(1-methyl-2-~~
- 697 ~~piperidinyl)methyl]-1H-indol-3-yl]methanone).~~
- 698 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
- 699 carboxamide) ~~1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-~~

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- 700 ~~1H-indole-3-carboxamide).~~
- 701 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
- 702 cyclohexylcarbamate).
- 703 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
- 704 cyclohexyl ester).
- 705 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
- 706 benzoxazin-4-one).
- 707 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~
- 708 ~~Dimethoxy-4-methylphenyl)ethanamine).~~
- 709 161. 2C-H (2,5-Dimethoxyphenethylamine) ~~2-(2,5-~~
- 710 ~~Dimethoxyphenyl)ethanamine).~~
- 711 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~
- 712 ~~Dimethoxy-4-nitrophenyl)ethanamine).~~
- 713 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) ~~2-~~
- 714 ~~(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).~~
- 715 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
- 716 methoxybenzyl)]phenethylamine) ~~4-iodo-2,5-dimethoxy-N-[(2-~~
- 717 ~~methoxyphenyl)methyl]-benzeneethanamine).~~
- 718 165. MDMA (3,4-Methylenedioxymethamphetamine) ~~(MDMA).~~
- 719 166. PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate) ~~1-~~
- 720 ~~pentyl-8-quinolinyll ester-1H-indole-3-carboxylic acid).~~
- 721 167. 5-Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl)indole-3-
- 722 carboxylate) ~~8-quinolinyll ester-1-(5-fluoropentyl)-1H-indole-3-~~
- 723 ~~carboxylic acid).~~
- 724 168. BB-22 (8-Quinolinyll 1-(cyclohexylmethyl)indole-3-
- 725 carboxylate) ~~1-(cyclohexylmethyl)-8-quinolinyll ester-1H-indole-~~
- 726 ~~3-carboxylic acid).~~
- 727 169. 5-Fluoro AKB48 (N-Adamant-1-yl 1-
- 728 (fluoropentyl)indazole-3-carboxamide) ~~N-((3s,5s,7s)-adamantan-1-~~

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

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

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

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

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

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

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

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

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

755 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
756 3-carboxamide) ~~: 1-(Fluoropentyl)-N-(naphthalen-1-yl)-1H-indole-~~
757 ~~3-carboxamide.~~

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- 758 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
759 (fluoropentyl)indazole-3-carboxamide): ~~Methyl 2-(1-~~
760 ~~(fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate.~~
- 761 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole)÷
762 ~~[1-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone.~~
- 763 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
764 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).
- 765 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
766 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
767 hexahydrobenzo[c]chromen-1-ol).
- 768 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
769 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
770 hexahydrobenzo[c]chromen-1-ol).
- 771 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
772 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
773 diol).
- 774 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
775 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
776 tetrahydro-6aH-benzo[c]chromen-1-ol).
- 777 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
778 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).
- 779 187. MAPB ((2-Methylaminopropyl)benzofuran).
- 780 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).
- 781 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).
- 782 190. Synthetic Cannabinoids. Unless specifically excepted
783 or unless listed in another schedule or contained within a
784 pharmaceutical product approved by the United States Food and
785 Drug Administration, any material, compound, mixture, or
786 preparation that contains any quantity of a synthetic

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787 cannabinoid found to be in any of the following chemical class
788 descriptions, or homologues, nitrogen-heterocyclic analogs,
789 isomers (including optical, positional, or geometric), esters,
790 ethers, salts, and salts of homologues, nitrogen-heterocyclic
791 analog, isomers, esters, or ethers, whenever the existence of
792 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
793 ethers, salts, and salts of isomers, esters, or ethers is
794 possible within the specific chemical class or designation.
795 Since nomenclature of these synthetically produced cannabinoids
796 is not internationally standardized and may continually evolve,
797 these structures or the compounds of these structures shall be
798 included under this subparagraph, regardless of their specific
799 numerical designation of atomic positions covered, if it can be
800 determined through a recognized method of scientific testing or
801 analysis that the substance contains properties that fit within
802 one or more of the following categories:

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

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- 816 (I) Tetrahydrocannabinol.
- 817 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 818 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 819 ol).
- 820 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 821 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 822 ol).
- 823 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 824 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 825 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
- 826 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 827 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
- 828 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 829 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-(2,3-
- 830 dimethylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 831 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
- 832 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 833 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
- 834 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 835 (X) Parahexyl.
- 836 b. Naphthoylindoles, Naphthoylindazoles,
- 837 Naphthoylcarbazoles, Naphthylmethylindoles,
- 838 Naphthylmethylindazoles, and Naphthylmethylcarbazoles. Any
- 839 compound containing a naphthoylindole, naphthoylindazole,
- 840 naphthoylcarbazole, naphthylmethylindole,
- 841 naphthylmethylindazole, or naphthylmethylcarbazole structure,
- 842 with or without substitution on the indole, indazole, or
- 843 carbazole ring to any extent, whether or not substituted on the
- 844 naphthyl ring to any extent, including, but not limited to:

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- 845 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl) indole).
- 846 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
- 847 naphthoyl) indole).
- 848 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl) indole).
- 849 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl) indole).
- 850 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl) indole).
- 851 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl) indole).
- 852 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl) indole).
- 853 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl) indole).
- 854 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl) indole).
- 855 (X) JWH-072 (1-Propyl-3-(1-naphthoyl) indole).
- 856 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl) indole).
- 857 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl) indole).
- 858 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl) indole).
- 859 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
- 860 naphthoyl) indole).
- 861 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl) indole).
- 862 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl) indole).
- 863 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
- 864 naphthoyl) indole).
- 865 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl) indole).
- 866 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl) indole).
- 867 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl) indole).
- 868 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl) indole).
- 869 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
- 870 naphthylmethyl] indole).
- 871 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-
- 872 naphthoyl) indole).
- 873 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-

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874 naphthoyl)indole).

875 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)

876 indole).

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

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

879 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).

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

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

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

883 naphthoyl)indole).

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

885 naphthoyl)indole).

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

887 naphthoyl)indole).

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

889 naphthoyl)indole).

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

891 naphthoyl)indole).

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

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

894 naphthoyl)indazole).

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

896 naphthoyl)indole).

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

898 naphthoyl)indole).

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

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

901 naphthoyl)carbazole).

902 c. Naphthoylpyrroles. Any compound containing a

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903 naphthoylpyrrole structure, with or without substitution on the
904 pyrrole ring to any extent, whether or not substituted on the
905 naphthyl ring to any extent, including, but not limited to:

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

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

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

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

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

911 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-
912 naphthoyl)pyrrole).

913 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
914 naphthoyl)pyrrole).

915 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
916 naphthoyl)pyrrole).

917 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
918 naphthoyl)pyrrole).

919 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
920 naphthoyl)pyrrole).

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

927 e. Phenylacetylindoles and Phenylacetylindazoles. Any
928 compound containing a phenylacetylindole or phenylacetylindazole
929 structure, with or without substitution on the indole or
930 indazole ring to any extent, whether or not substituted on the
931 phenyl ring to any extent, including, but not limited to:

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- 932 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).
- 933 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 934 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
- 935 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
- 936 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
- 937 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 938 (VII) Cannabipiperidiethanone.
- 939 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
- 940 methoxyphenylacetyl)indole).
- 941 f. Cyclohexylphenols. Any compound containing a
- 942 cyclohexylphenol structure, with or without substitution at the
- 943 5-position of the phenolic ring to any extent, whether or not
- 944 substituted on the cyclohexyl ring to any extent, including, but
- 945 not limited to:
- 946 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
- 947 yl)phenol).
- 948 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
- 949 homologue).
- 950 (III) CP-55,940 (2-(3-Hydroxy-5-propanol-cyclohexyl)-5-(2-
- 951 methyloctan-2-yl)phenol).
- 952 g. Benzoylindoles and Benzoylindazoles. Any compound
- 953 containing a benzoylindole or benzoylindazole structure, with or
- 954 without substitution on the indole or indazole ring to any
- 955 extent, whether or not substituted on the phenyl ring to any
- 956 extent, including, but not limited to:
- 957 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).
- 958 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).
- 959 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 960 iodo-5-nitrobenzoyl)indole).

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

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

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

966 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-
967 methoxybenzoyl)indole).

968 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-
969 3-(4-methoxybenzoyl)indole).

970 h. Tetramethylcyclopropanoylindoles and
971 Tetramethylcyclopropanoylindazoles. Any compound containing a
972 tetramethylcyclopropanoylindole or
973 tetramethylcyclopropanoylindazole structure, with or without
974 substitution on the indole or indazole ring to any extent,
975 whether or not substituted on the tetramethylcyclopropyl group
976 to any extent, including, but not limited to:

977 (I) UR-144 (1-Pentyl-3-(2,2,3,3-
978 tetramethylcyclopropanoyl)indole).

979 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
980 tetramethylcyclopropanoyl)indole).

981 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
982 tetramethylcyclopropanoyl)indole).

983 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-
984 tetramethylcyclopropanoyl)indole).

985 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-
986 tetramethylcyclopropanoyl)indole).

987 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
988 tetramethylcyclopropanoyl)indole).

989 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-

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990 tetramethylcyclopropanoyl)indole).

991 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-

992 tetramethylcyclopropanoyl)indazole).

993 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-

994 tetramethylcyclopropanoyl)indole).

995 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-

996 tetramethylcyclopropanoyl)indole).

997 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole

998 carboxamides, and Adamantylindazole carboxamides. Any compound

999 containing an adamantoyl indole, adamantoyl indazole, adamantyl

1000 indole carboxamide, or adamantyl indazole carboxamide structure,

1001 with or without substitution on the indole or indazole ring to

1002 any extent, whether or not substituted on the adamantyl ring to

1003 any extent, including, but not limited to:

1004 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).

1005 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-

1006 3-carboxamide).

1007 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-

1008 carboxamide).

1009 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-

1010 adamantoyl)indole).

1011 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).

1012 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).

1013 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-

1014 adamantoyl)indole).

1015 j. Quinolinylindolecarboxylates,

1016 Quinolinylindazolecarboxylates, Quinolinylindolecarboxamides,

1017 and Quinolinylindazolecarboxamides. Any compound containing a

1018 quinolinylindole carboxylate, quinolinylindazole carboxylate,

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1019 isoquinolinyndole carboxylate, isoquinolinyndazole
1020 carboxylate, quinolinyndole carboxamide, quinolinyndazole
1021 carboxamide, isoquinolinyndole carboxamide, or
1022 isoquinolinyndazole carboxamide structure, with or without
1023 substitution on the indole or indazole ring to any extent,
1024 whether or not substituted on the quinoline or isoquinoline ring
1025 to any extent, including, but not limited to:

1026 (I) PB-22 (8-Quinolinyndol 1-pentylindole-3-carboxylate).

1027 (II) Fluoro PB-22 (8-Quinolinyndol 1-(fluoropentyl)indole-3-
1028 carboxylate).

1029 (III) BB-22 (8-Quinolinyndol 1-(cyclohexylmethyl)indole-3-
1030 carboxylate).

1031 (IV) FUB-PB-22 (8-Quinolinyndol 1-(4-fluorobenzyl)indole-3-
1032 carboxylate).

1033 (V) NPB-22 (8-Quinolinyndol 1-pentylindazole-3-carboxylate).

1034 (VI) Fluoro NPB-22 (8-Quinolinyndol 1-(fluoropentyl)indazole-
1035 3-carboxylate).

1036 (VII) FUB-NPB-22 (8-Quinolinyndol 1-(4-fluorobenzyl)indazole-
1037 3-carboxylate).

1038 (VIII) THJ (8-Quinolinyndol 1-pentylindazole-3-carboxamide).

1039 (IX) Fluoro THJ (8-Quinolinyndol 1-(fluoropentyl)indazole-3-
1040 carboxamide).

1041 k. Naphthylindolecarboxylates and

1042 Naphthylindazolecarboxylates. Any compound containing a
1043 naphthylindole carboxylate or naphthylindazole carboxylate
1044 structure, with or without substitution on the indole or
1045 indazole ring to any extent, whether or not substituted on the
1046 naphthyl ring to any extent, including, but not limited to:

1047 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-

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- 1048 carboxylate).
- 1049 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-
- 1050 carboxylate).
- 1051 (III) Fluoro SDB-005 (1-Naphthalenyl 1-
- 1052 (fluoropentyl)indazole-3-carboxylate).
- 1053 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-
- 1054 carboxylate).
- 1055 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-
- 1056 carboxylate).
- 1057 1. Naphthylindole carboxamides and Naphthylindazole
- 1058 carboxamides. Any compound containing a naphthylindole
- 1059 carboxamide or naphthylindazole carboxamide structure, with or
- 1060 without substitution on the indole or indazole ring to any
- 1061 extent, whether or not substituted on the naphthyl ring to any
- 1062 extent, including, but not limited to:
- 1063 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).
- 1064 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
- 1065 3-carboxamide).
- 1066 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-(chloropentyl)
- 1067 indole-3-carboxamide).
- 1068 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
- 1069 carboxamide).
- 1070 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-
- 1071 (fluoropentyl)indazole-3-carboxamide).
- 1072 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
- 1073 indazole carboxamides, Alkylcarbonyl indole carboxylates, and
- 1074 Alkylcarbonyl indazole carboxylates. Any compound containing an
- 1075 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,
- 1076 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-

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1077 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
1078 indole carboxamide, indazole carboxamide, indole carboxylate, or
1079 indazole carboxylate, with or without substitution on the indole
1080 or indazole ring to any extent, whether or not substituted on
1081 the alkylcarbonyl group to any extent, including, but not
1082 limited to:

1083 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
1084 pentylindole-3-carboxamide).

1085 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1086 yl)-1-(fluoropentyl)indole-3-carboxamide).

1087 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1088 (fluoropentyl)indole-3-carboxamide).

1089 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1090 pentylindazole-3-carboxamide).

1091 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
1092 1-(fluoropentyl)indazole-3-carboxamide).

1093 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
1094 1-pentylindazole-3-carboxamide).

1095 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
1096 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

1097 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1098 (4-fluorobenzyl)indazole-3-carboxamide).

1099 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1100 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1101 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
1102 (cyclohexylmethyl)indazole-3-carboxamide).

1103 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
1104 (cyclohexylmethyl)indazole-3-carboxamide).

1105 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

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- 1106 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 1107 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
- 1108 pentylindazole-3-carboxamide).
- 1109 (XIV) Fluoro AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
- 1110 (fluoropentyl)indazole-3-carboxamide).
- 1111 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
- 1112 fluorobenzyl)indazole-3-carboxamide).
- 1113 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
- 1114 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 1115 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
- 1116 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 1117 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
- 1118 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).
- 1119 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
- 1120 fluoropentyl)indole-3-carboxamide).
- 1121 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
- 1122 fluoropentyl)indazole-3-carboxamide).
- 1123 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
- 1124 (cyclohexylmethyl)indazole-3-carboxamide).
- 1125 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
- 1126 fluorobenzyl)indazole-3-carboxamide).
- 1127 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
- 1128 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).
- 1129 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.
- 1130 Any compound containing a N-(2-phenylpropan-2-yl) indole
- 1131 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide
- 1132 structure, with or without substitution on the indole or
- 1133 indazole ring to any extent, whether or not substituted on the
- 1134 phenyl ring of the cumyl group to any extent, including, but not

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1135 limited to:

1136 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-
1137 carboxamide).

1138 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-
1139 (fluoropentyl)indole-3-carboxamide).

1140 o. Other Synthetic Cannabinoids. Any material, compound,
1141 mixture, or preparation that contains any quantity of a
1142 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

1143 (I) With or without modification or replacement of a
1144 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage
1145 between two core ring or group structures with or without the
1146 addition of a carbon or replacement of a carbon;

1147 (II) With or without replacement of a core ring or group
1148 structure, whether or not substituted on the ring or group
1149 structures to any extent; and

1150 (III) Is a cannabinoid receptor agonist, unless
1151 specifically excepted or unless listed in another schedule or
1152 contained within a pharmaceutical product approved by the United
1153 States Food and Drug Administration.

1154 191. Substituted Cathinones. Unless specifically excepted,
1155 listed in another schedule, or contained within a pharmaceutical
1156 product approved by the United States Food and Drug
1157 Administration, any material, compound, mixture, or preparation,
1158 including its salts, isomers, esters, or ethers, and salts of
1159 isomers, esters, or ethers, whenever the existence of such salts
1160 is possible within any of the following specific chemical
1161 designations:

1162 a. Any compound containing a 2-amino-1-phenyl-1 propanone
1163 structure;

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1164 b. Any compound containing a 2-amino-1-naphthyl-1-propanone
1165 structure; or

1166 c. Any compound containing a 2-amino-1-thiophene-1-
1167 propanone structure,

1168

1169 whether or not the compound is further modified:

1170 (I) With or without substitution on the ring system to any
1171 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
1172 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
1173 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
1174 substituents;

1175 (II) With or without substitution at the 3-propanone
1176 position with an alkyl substituent or removal of the methyl
1177 group at the 3-propanone position;

1178 (III) With or without substitution at the 2-amino nitrogen
1179 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1180 not further substituted in the ring system; or

1181 (IV) With or without inclusion of the 2-amino nitrogen atom
1182 in a cyclic structure, including, but not limited to:

1183 (A) Methcathinone.

1184 (B) Ethcathinone.

1185 (C) Methylone (3,4-Methylenedioxy-methcathinone).

1186 (D) 2,3-Methylenedioxy-methcathinone.

1187 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).

1188 (F) Methylmethcathinone.

1189 (G) Methoxymethcathinone.

1190 (H) Fluoromethcathinone.

1191 (I) Methylethcathinone.

1192 (J) Butylone (3,4-Methylenedioxy-alpha-

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- 1193 methylaminobutyrophenone).
- 1194 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 1195 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 1196 (M) Naphyrone (Naphthylpyrovalerone).
- 1197 (N) Bromomethcathinone.
- 1198 (O) Buphedrone (alpha-Methylaminobutyrophenone).
- 1199 (P) Eutylone (3,4-Methylenedioxy-alpha-
- 1200 ethylaminobutyrophenone).
- 1201 (Q) Dimethylcathinone.
- 1202 (R) Dimethylmethcathinone.
- 1203 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 1204 methylaminovalerophenone).
- 1205 (T) Pentedrone (alpha-Methylaminovalerophenone).
- 1206 (U) MDP PPP (3,4-Methylenedioxy-alpha-
- 1207 pyrrolidinopropiophenone).
- 1208 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1209 pyrrolidinobutyrophenone).
- 1210 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1211 (X) PPP (Pyrrolidinopropiophenone).
- 1212 (Y) PVP (Pyrrolidinovalerophenone) or
- 1213 (Pyrrolidinopentiophenone).
- 1214 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1215 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1216 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1217 (CC) Me-EABP (Methylethylaminobutyrophenone).
- 1218 (DD) PBP (Pyrrolidinobutyrophenone).
- 1219 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 1220 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 1221 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).

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1222 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
1223 dimethylcathinone).

1224 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.

1225 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.

1226 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.

1227 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.

1228 (MM) Methylbuphedrone (Methyl-alpha-
1229 methylaminobutyrophenone).

1230 (NN) Methyl-alpha-methylaminohexanophenone.

1231 (OO) N-Ethyl-N-methylcathinone.

1232 (PP) PHP (Pyrrolidinohexanophenone).

1233 (QQ) PV8 (Pyrrolidinoheptanophenone).

1234 (RR) Chloromethcathinone.

1235 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.

1236 192. Substituted Phenethylamines. Unless specifically
1237 excepted or unless listed in another schedule, or contained
1238 within a pharmaceutical product approved by the United States
1239 Food and Drug Administration, any material, compound, mixture,
1240 or preparation, including its salts, isomers, esters, or ethers,
1241 and salts of isomers, esters, or ethers, whenever the existence
1242 of such salts is possible within any of the following specific
1243 chemical designations, any compound containing a phenethylamine
1244 structure, without a beta-keto group, and without a benzyl group
1245 attached to the amine group, whether or not the compound is
1246 further modified with or without substitution on the phenyl ring
1247 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
1248 halide, fused alkylenedioxy, fused furan, fused benzofuran,
1249 fused dihydrofuran, or fused tetrahydropyran substituents,
1250 whether or not further substituted on a ring to any extent, with

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- 1251 or without substitution at the alpha or beta position by any
1252 alkyl substituent, with or without substitution at the nitrogen
1253 atom, and with or without inclusion of the 2-amino nitrogen atom
1254 in a cyclic structure, including, but not limited to:
- 1255 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
 - 1256 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
 - 1257 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
 - 1258 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
 - 1259 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
 - 1260 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
 - 1261 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
 - 1262 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
 - 1263 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
 - 1264 j. 2C-H (2,5-Dimethoxyphenethylamine).
 - 1265 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
 - 1266 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
 - 1267 m. MDMA (3,4-Methylenedioxyamphetamine).
 - 1268 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
1269 Methylenedioxy-N-methylbutanamine).
 - 1270 o. MDA (3,4-Methylenedioxyamphetamine).
 - 1271 p. 2,5-Dimethoxyamphetamine.
 - 1272 q. Fluoroamphetamine.
 - 1273 r. Fluoromethamphetamine.
 - 1274 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
 - 1275 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
 - 1276 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
 - 1277 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
 - 1278 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
 - 1279 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).

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- 1280 y. PMA (4-Methoxyamphetamine).
- 1281 z. N-Ethylamphetamine.
- 1282 aa. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 1283 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1284 cc. PMMA (4-Methoxymethamphetamine).
- 1285 dd. N,N-Dimethylamphetamine.
- 1286 ee. 3,4,5-Trimethoxyamphetamine.
- 1287 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1288 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1289 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1290 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1291 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1292 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1293 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1294 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1295 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1296 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1297 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1298 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1299 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1300 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1301 dihydrobenzofuran),

1302

1303 which does not include phenethylamine, mescaline as described in

1304 subparagraph (1)(c)20., substituted cathinones as described in

1305 subparagraph (1)(c)191., N-Benzyl phenethylamine compounds as

1306 described in subparagraph (1)(c)193., or methamphetamine as

1307 described in subparagraph (2)(c)4.

1308 193. N-Benzyl Phenethylamine Compounds. Unless specifically

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1309 excepted or unless listed in another schedule, or contained
1310 within a pharmaceutical product approved by the United States
1311 Food and Drug Administration, any material, compound, mixture,
1312 or preparation, including its salts, isomers, esters, or ethers,
1313 and salts of isomers, esters, or ethers, whenever the existence
1314 of such salts is possible within any of the following specific
1315 chemical designations, any compound containing a phenethylamine
1316 structure without a beta-keto group, with substitution on the
1317 nitrogen atom of the amino group with a benzyl substituent, with
1318 or without substitution on the phenyl or benzyl ring to any
1319 extent with alkyl, alkoxy, thio, alkylthio, halide, fused
1320 alkylenedioxy, fused furan, fused benzofuran, or fused
1321 tetrahydropyran substituents, whether or not further substituted
1322 on a ring to any extent, with or without substitution at the
1323 alpha position by any alkyl substituent, including, but not
1324 limited to:

1325 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1326 methoxybenzyl)]phenethylamine).

1327 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1328 hydroxybenzyl)]phenethylamine).

1329 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1330 fluorobenzyl)]phenethylamine).

1331 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1332 methylenedioxybenzyl)]phenethylamine).

1333 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1334 methoxybenzyl)]phenethylamine).

1335 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1336 hydroxybenzyl)]phenethylamine).

1337 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-

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- 1338 fluorobenzyl)]phenethylamine).
- 1339 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
- 1340 methylenedioxybenzyl)]phenethylamine).
- 1341 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
- 1342 methoxybenzyl)]phenethylanamine).
- 1343 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
- 1344 methoxybenzyl)]phenethylanamine).
- 1345 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
- 1346 methoxybenzyl)]phenethylanamine).
- 1347 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
- 1348 methoxybenzyl)]phenethylamine).
- 1349 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
- 1350 hydroxybenzyl)]phenethylamine).
- 1351 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
- 1352 fluorobenzyl)]phenethylamine).
- 1353 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
- 1354 methylenedioxybenzyl)]phenethylamine).
- 1355 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
- 1356 methoxybenzyl)]phenethylamine).
- 1357 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
- 1358 hydroxybenzyl)]phenethylamine).
- 1359 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
- 1360 fluorobenzyl)]phenethylamine).
- 1361 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
- 1362 methoxybenzyl)]phenethylamine),
- 1363
- 1364 which does not include substituted cathinones as described in
- 1365 subparagraph (1)(c)191.
- 1366 194. Substituted Tryptamines. Unless specifically excepted

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1367 or unless listed in another schedule, or contained within a
1368 pharmaceutical product approved by the United States Food and
1369 Drug Administration, any material, compound, mixture, or
1370 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1371 example tryptamine, structure with or without mono- or di-
1372 substitution of the amine nitrogen with alkyl or alkenyl groups,
1373 or by inclusion of the amino nitrogen atom in a cyclic
1374 structure, whether or not substituted at the alpha position with
1375 an alkyl group, whether or not substituted on the indole ring to
1376 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1377 groups, including, but not limited to:

- 1378 a. Alpha-Ethyltryptamine.
1379 b. Bufotenine.
1380 c. DET (Diethyltryptamine).
1381 d. DMT (Dimethyltryptamine).
1382 e. MET (N-Methyl-N-ethyltryptamine).
1383 f. DALT (N,N-Diallyltryptamine).
1384 g. EiPT (N-Ethyl-N-isopropyltryptamine).
1385 h. MiPT (N-Methyl-N-isopropyltryptamine).
1386 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
1387 j. 5-Hydroxy-N-methyltryptamine.
1388 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
1389 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
1390 m. Methyltryptamine.
1391 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
1392 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
1393 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
1394 q. DiPT (N,N-Diisopropyltryptamine).
1395 r. DPT (N,N-Dipropyltryptamine).

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- 1396 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
 1397 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
 1398 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
 1399 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
 1400 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
 1401 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
 1402 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
 1403 isopropyltryptamine).
 1404 z. Methyl-alpha-ethyltryptamine.
 1405 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1406
 1407 which does not include tryptamine, psilocyn as described in
 1408 subparagraph (1)(c)34., or psilocybin as described in
 1409 subparagraph (1)(c)33.

1410 195. Substituted Phenylcyclohexylamines. Unless
 1411 specifically excepted or unless listed in another schedule, or
 1412 contained within a pharmaceutical product approved by the United
 1413 States Food and Drug Administration, any material, compound,
 1414 mixture, or preparation containing a phenylcyclohexylamine
 1415 structure, with or without any substitution on the phenyl ring,
 1416 any substitution on the cyclohexyl ring, any replacement of the
 1417 phenyl ring with a thiophenyl or benzothiophenyl ring, with or
 1418 without substitution on the amine with alkyl, dialkyl, or alkoxy
 1419 substitutients, inclusion of the nitrogen in a cyclic structure,
 1420 or any combination of the above, including, but not limited to:

1421 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 1422 (Benocyclidine).

1423 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
 1424 of phencyclidine).

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- 1425 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
1426 analog of phencyclidine).
- 1427 d. PCPr (Phenylcyclohexylpropylamine).
- 1428 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
1429 analog of phencyclidine).
- 1430 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1431 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1432 h. Methoxetamine.
- 1433 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1434 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1435 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1436 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1437 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1438 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1439 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1440 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1441 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1442 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).

1443 (d) Unless specifically excepted or unless listed in
1444 another schedule, any material, compound, mixture, or
1445 preparation that ~~which~~ contains any quantity of the following
1446 substances, including any of its salts, isomers, optical
1447 isomers, salts of their isomers, and salts of these optical
1448 isomers whenever the existence of such isomers and salts is
1449 possible within the specific chemical designation:

- 1450 1. 1,4-Butanediol.
- 1451 2. Gamma-butyrolactone (GBL).
- 1452 3. Gamma-hydroxybutyric acid (GHB).
- 1453 4. Methaqualone.

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1454 5. Mecloqualone.

1455 (2) SCHEDULE II.—A substance in Schedule II has a high
1456 potential for abuse and has a currently accepted but severely
1457 restricted medical use in treatment in the United States, and
1458 abuse of the substance may lead to severe psychological or
1459 physical dependence. The following substances are controlled in
1460 Schedule II:

1461 (a) Unless specifically excepted or unless listed in
1462 another schedule, any of the following substances, whether
1463 produced directly or indirectly by extraction from substances of
1464 vegetable origin or independently by means of chemical
1465 synthesis:

1466 1. Opium and any salt, compound, derivative, or preparation
1467 of opium, except nalmefene or isoquinoline alkaloids of opium,
1468 including, but not limited to the following:

1469 a. Raw opium.

1470 b. Opium extracts.

1471 c. Opium fluid extracts.

1472 d. Powdered opium.

1473 e. Granulated opium.

1474 f. Tincture of opium.

1475 g. Codeine.

1476 h. Ethylmorphine.

1477 i. Etorphine hydrochloride.

1478 j. Hydrocodone.

1479 k. Hydromorphone.

1480 l. Levo-alphaacetylmethadol (also known as levo-alpha-
1481 acetylmethadol, levomethadyl acetate, or LAAM).

1482 m. Metopon (methyldihydromorphinone).

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- 1483 n. Morphine.
- 1484 o. Oxycodone.
- 1485 p. Oxymorphone.
- 1486 q. Thebaine.
- 1487 2. Any salt, compound, derivative, or preparation of a
- 1488 substance which is chemically equivalent to or identical with
- 1489 any of the substances referred to in subparagraph 1., except
- 1490 that these substances shall not include the isoquinoline
- 1491 alkaloids of opium.
- 1492 3. Any part of the plant of the species *Papaver somniferum*,
- 1493 *L.*
- 1494 4. Cocaine or ecgonine, including any of their
- 1495 stereoisomers, and any salt, compound, derivative, or
- 1496 preparation of cocaine or ecgonine.
- 1497 (b) Unless specifically excepted or unless listed in
- 1498 another schedule, any of the following substances, including
- 1499 their isomers, esters, ethers, salts, and salts of isomers,
- 1500 esters, and ethers, whenever the existence of such isomers,
- 1501 esters, ethers, and salts is possible within the specific
- 1502 chemical designation:
- 1503 1. Alfentanil.
- 1504 2. Alphaprodine.
- 1505 3. Anileridine.
- 1506 4. Bezitramide.
- 1507 5. Bulk propoxyphene (nondosage forms).
- 1508 6. Carfentanil.
- 1509 7. Dihydrocodeine.
- 1510 8. Diphenoxylate.
- 1511 9. Fentanyl.

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- 1512 10. Isomethadone.
- 1513 11. Levomethorphan.
- 1514 12. Levorphanol.
- 1515 13. Metazocine.
- 1516 14. Methadone.
- 1517 15. Methadone-Intermediate,4-cyano-2-
- 1518 dimethylamino-4,4-diphenylbutane.
- 1519 16. Moramide-Intermediate,2-methyl-
- 1520 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1521 17. Nabilone.
- 1522 18. Pethidine (meperidine).
- 1523 19. Pethidine-Intermediate-A,4-cyano-1-
- 1524 methyl-4-phenylpiperidine.
- 1525 20. Pethidine-Intermediate-B,ethyl-4-
- 1526 phenylpiperidine-4-carboxylate.
- 1527 21. Pethidine-Intermediate-C,1-methyl-4- phenylpiperidine-
- 1528 4-carboxylic acid.
- 1529 22. Phenazocine.
- 1530 23. Phencyclidine.
- 1531 24. 1-Phenylcyclohexylamine.
- 1532 25. Piminodine.
- 1533 26. 1-Piperidinocyclohexanecarbonitrile.
- 1534 27. Racemethorphan.
- 1535 28. Racemorphan.
- 1536 29. Sufentanil.
- 1537 (c) Unless specifically excepted or unless listed in
- 1538 another schedule, any material, compound, mixture, or
- 1539 preparation which contains any quantity of the following
- 1540 substances, including their salts, isomers, optical isomers,

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1541 salts of their isomers, and salts of their optical isomers:

1542 1. Amobarbital.

1543 2. Amphetamine.

1544 3. Glutethimide.

1545 4. Methamphetamine.

1546 5. Methylphenidate.

1547 6. Pentobarbital.

1548 7. Phenmetrazine.

1549 8. Phenylacetone.

1550 9. Secobarbital.

1551 (3) SCHEDULE III.—A substance in Schedule III has a
1552 potential for abuse less than the substances contained in
1553 Schedules I and II and has a currently accepted medical use in
1554 treatment in the United States, and abuse of the substance may
1555 lead to moderate or low physical dependence or high
1556 psychological dependence or, in the case of anabolic steroids,
1557 may lead to physical damage. The following substances are
1558 controlled in Schedule III:

1559 (a) Unless specifically excepted or unless listed in
1560 another schedule, any material, compound, mixture, or
1561 preparation which contains any quantity of the following
1562 substances having a depressant or stimulant effect on the
1563 nervous system:

1564 1. Any substance which contains any quantity of a
1565 derivative of barbituric acid, including thiobarbituric acid, or
1566 any salt of a derivative of barbituric acid or thiobarbituric
1567 acid, including, but not limited to, butabarbital and
1568 butalbital.

1569 2. Benzphetamine.

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- 1570 3. Chlorhexadol.
- 1571 4. Chlorphentermine.
- 1572 5. Clortermine.
- 1573 6. Lysergic acid.
- 1574 7. Lysergic acid amide.
- 1575 8. Methyprylon.
- 1576 9. Phendimetrazine.
- 1577 10. Sulfondiethylmethane.
- 1578 11. Sulfonethylmethane.
- 1579 12. Sulfonmethane.
- 1580 13. Tiletamine and zolazepam or any salt thereof.
- 1581 (b) Nalorphine.
- 1582 (c) Unless specifically excepted or unless listed in
- 1583 another schedule, any material, compound, mixture, or
- 1584 preparation containing limited quantities of any of the
- 1585 following controlled substances or any salts thereof:
- 1586 1. Not more than 1.8 grams of codeine per 100 milliliters
- 1587 or not more than 90 milligrams per dosage unit, with an equal or
- 1588 greater quantity of an isoquinoline alkaloid of opium.
- 1589 2. Not more than 1.8 grams of codeine per 100 milliliters
- 1590 or not more than 90 milligrams per dosage unit, with recognized
- 1591 therapeutic amounts of one or more active ingredients which are
- 1592 not controlled substances.
- 1593 3. Not more than 300 milligrams of hydrocodone per 100
- 1594 milliliters or not more than 15 milligrams per dosage unit, with
- 1595 a fourfold or greater quantity of an isoquinoline alkaloid of
- 1596 opium.
- 1597 4. Not more than 300 milligrams of hydrocodone per 100
- 1598 milliliters or not more than 15 milligrams per dosage unit, with

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1599 recognized therapeutic amounts of one or more active ingredients
1600 that are not controlled substances.

1601 5. Not more than 1.8 grams of dihydrocodeine per 100
1602 milliliters or not more than 90 milligrams per dosage unit, with
1603 recognized therapeutic amounts of one or more active ingredients
1604 which are not controlled substances.

1605 6. Not more than 300 milligrams of ethylmorphine per 100
1606 milliliters or not more than 15 milligrams per dosage unit, with
1607 one or more active, nonnarcotic ingredients in recognized
1608 therapeutic amounts.

1609 7. Not more than 50 milligrams of morphine per 100
1610 milliliters or per 100 grams, with recognized therapeutic
1611 amounts of one or more active ingredients which are not
1612 controlled substances.

1613

1614 For purposes of charging a person with a violation of s. 893.135
1615 involving any controlled substance described in subparagraph 3.
1616 or subparagraph 4., the controlled substance is a Schedule III
1617 controlled substance pursuant to this paragraph but the weight
1618 of the controlled substance per milliliters or per dosage unit
1619 is not relevant to the charging of a violation of s. 893.135.
1620 The weight of the controlled substance shall be determined
1621 pursuant to s. 893.135(6).

1622 (d) Anabolic steroids.

1623 1. The term "anabolic steroid" means any drug or hormonal
1624 substance, chemically and pharmacologically related to
1625 testosterone, other than estrogens, progestins, and
1626 corticosteroids, that promotes muscle growth and includes:

1627 a. Androsterone.

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- 1628 b. Androsterone acetate.
- 1629 c. Boldenone.
- 1630 d. Boldenone acetate.
- 1631 e. Boldenone benzoate.
- 1632 f. Boldenone undecylenate.
- 1633 g. Chlorotestosterone (Clostebol) ~~(4-chlorotestosterone)~~.
- 1634 ~~h. Clostebol.~~
- 1635 h.i. Dehydrochlormethyltestosterone.
- 1636 i.j. Dihydrotestosterone (Stanolone) ~~(4-~~
- 1637 ~~dihydrotestosterone)~~.
- 1638 j.k. Drostanolone.
- 1639 k.l. Ethylestrenol.
- 1640 l.m. Fluoxymesterone.
- 1641 m.n. Formebolone (Formebolone).
- 1642 n.o. Mesterolone.
- 1643 o.p. Methandrostenolone (Methandienone).
- 1644 p.q. Methandranone.
- 1645 q.r. Methandriol.
- 1646 ~~s. Methandrostenolone.~~
- 1647 r.t. Methenolone.
- 1648 s.u. Methyltestosterone.
- 1649 t.v. Mibolerone.
- 1650 u.w. Nortestosterone (Nandrolone).
- 1651 v.x. Norethandrolone.
- 1652 ~~y. Nortestosterone.~~
- 1653 w.z. Nortestosterone decanoate.
- 1654 x.aa. Nortestosterone phenylpropionate.
- 1655 y.bb. Nortestosterone propionate.
- 1656 z.cc. Oxandrolone.

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1657 aa.~~dd.~~ Oxymesterone.
 1658 bb.~~ee.~~ Oxymetholone.
 1659 ff.~~Stanolone.~~
 1660 cc.~~gg.~~ Stanozolol.
 1661 dd.~~hh.~~ Testolactone.
 1662 ee.~~ii.~~ Testosterone.
 1663 ff.~~jj.~~ Testosterone acetate.
 1664 gg.~~kk.~~ Testosterone benzoate.
 1665 hh.~~ll.~~ Testosterone cypionate.
 1666 ii.~~mm.~~ Testosterone decanoate.
 1667 jj.~~nn.~~ Testosterone enanthate.
 1668 kk.~~oo.~~ Testosterone isocaproate.
 1669 ll.~~pp.~~ Testosterone oleate.
 1670 mm.~~qq.~~ Testosterone phenylpropionate.
 1671 nn.~~rr.~~ Testosterone propionate.
 1672 oo.~~ss.~~ Testosterone undecanoate.
 1673 pp.~~tt.~~ Trenbolone.
 1674 qq.~~uu.~~ Trenbolone acetate.
 1675 rr.~~vv.~~ Any salt, ester, or isomer of a drug or substance
 1676 described or listed in this subparagraph if that salt, ester, or
 1677 isomer promotes muscle growth.
 1678 2. The term does not include an anabolic steroid that is
 1679 expressly intended for administration through implants to cattle
 1680 or other nonhuman species and that has been approved by the
 1681 United States Secretary of Health and Human Services for such
 1682 administration. However, any person who prescribes, dispenses,
 1683 or distributes such a steroid for human use is considered to
 1684 have prescribed, dispensed, or distributed an anabolic steroid
 1685 within the meaning of this paragraph.

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1686 (e) Ketamine, including any isomers, esters, ethers, salts,
1687 and salts of isomers, esters, and ethers, whenever the existence
1688 of such isomers, esters, ethers, and salts is possible within
1689 the specific chemical designation.

1690 (f) Dronabinol (synthetic THC) in sesame oil and
1691 encapsulated in a soft gelatin capsule in a drug product
1692 approved by the United States Food and Drug Administration.

1693 (g) Any drug product containing gamma-hydroxybutyric acid,
1694 including its salts, isomers, and salts of isomers, for which an
1695 application is approved under s. 505 of the Federal Food, Drug,
1696 and Cosmetic Act.

1697 (4) SCHEDULE IV.—A substance in Schedule IV has a low
1698 potential for abuse relative to the substances in Schedule III
1699 and has a currently accepted medical use in treatment in the
1700 United States, and abuse of the substance may lead to limited
1701 physical or psychological dependence relative to the substances
1702 in Schedule III. Unless specifically excepted or unless listed
1703 in another schedule, any material, compound, mixture, or
1704 preparation which contains any quantity of the following
1705 substances, including its salts, isomers, and salts of isomers
1706 whenever the existence of such salts, isomers, and salts of
1707 isomers is possible within the specific chemical designation,
1708 are controlled in Schedule IV:

- 1709 (a) Alprazolam.
1710 (b) Barbital.
1711 (c) Bromazepam.
1712 (d) Camazepam.
1713 (e) Cathine.
1714 (f) Chloral betaine.

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1715 (g) Chloral hydrate.
1716 (h) Chlordiazepoxide.
1717 (i) Clobazam.
1718 (j) Clonazepam.
1719 (k) Clorazepate.
1720 (l) Clotiazepam.
1721 (m) Cloxazolam.
1722 (n) Delorazepam.
1723 (o) Propoxyphene (dosage forms).
1724 (p) Diazepam.
1725 (q) Diethylpropion.
1726 (r) Estazolam.
1727 (s) Ethchlorvynol.
1728 (t) Ethinamate.
1729 (u) Ethyl loflazepate.
1730 (v) Fencamfamin.
1731 (w) Fenfluramine.
1732 (x) Fenproporex.
1733 (y) Fludiazepam.
1734 (z) Flurazepam.
1735 (aa) Halazepam.
1736 (bb) Haloxazolam.
1737 (cc) Ketazolam.
1738 (dd) Loprazolam.
1739 (ee) Lorazepam.
1740 (ff) Lormetazepam.
1741 (gg) Mazindol.
1742 (hh) Mebutamate.
1743 (ii) Medazepam.

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1744 (jj) Mefenorex.
 1745 (kk) Meprobamate.
 1746 (ll) Methohexital.
 1747 (mm) Methylphenobarbital.
 1748 (nn) Midazolam.
 1749 (oo) Nimetazepam.
 1750 (pp) Nitrazepam.
 1751 (qq) Nordiazepam.
 1752 (rr) Oxazepam.
 1753 (ss) Oxazolam.
 1754 (tt) Paraldehyde.
 1755 (uu) Pemoline.
 1756 (vv) Pentazocine.
 1757 (ww) Phenobarbital.
 1758 (xx) Phentermine.
 1759 (yy) Pinazepam.
 1760 (zz) Pipradrol.
 1761 (aaa) Prazepam.
 1762 (bbb) Propylhexedrine, excluding any patent or proprietary
 1763 preparation containing propylhexedrine, unless otherwise
 1764 provided by federal law.
 1765 (ccc) Quazepam.
 1766 (ddd) Tetrazepam.
 1767 (eee) SPA[(-)-1 dimethylamino-1, 2
 1768 diphenylethane].
 1769 (fff) Temazepam.
 1770 (ggg) Triazolam.
 1771 (hhh) Not more than 1 milligram of difenoxin and not less
 1772 than 25 micrograms of atropine sulfate per dosage unit.

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1773 (iii) Butorphanol tartrate.

1774 (jjj) Carisoprodol.

1775 (5) SCHEDULE V.—A substance, compound, mixture, or
1776 preparation of a substance in Schedule V has a low potential for
1777 abuse relative to the substances in Schedule IV and has a
1778 currently accepted medical use in treatment in the United
1779 States, and abuse of such compound, mixture, or preparation may
1780 lead to limited physical or psychological dependence relative to
1781 the substances in Schedule IV.

1782 (a) Substances controlled in Schedule V include any
1783 compound, mixture, or preparation containing any of the
1784 following limited quantities of controlled substances, which
1785 shall include one or more active medicinal ingredients which are
1786 not controlled substances in sufficient proportion to confer
1787 upon the compound, mixture, or preparation valuable medicinal
1788 qualities other than those possessed by the controlled substance
1789 alone:

1790 1. Not more than 200 milligrams of codeine per 100
1791 milliliters or per 100 grams.

1792 2. Not more than 100 milligrams of dihydrocodeine per 100
1793 milliliters or per 100 grams.

1794 3. Not more than 100 milligrams of ethylmorphine per 100
1795 milliliters or per 100 grams.

1796 4. Not more than 2.5 milligrams of diphenoxylate and not
1797 less than 25 micrograms of atropine sulfate per dosage unit.

1798 5. Not more than 100 milligrams of opium per 100
1799 milliliters or per 100 grams.

1800 (b) Narcotic drugs. Unless specifically excepted or unless
1801 listed in another schedule, any material, compound, mixture, or

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1802 preparation containing any of the following narcotic drugs and
1803 their salts: Buprenorphine.

1804 (c) Stimulants. Unless specifically excepted or unless
1805 listed in another schedule, any material, compound, mixture, or
1806 preparation which contains any quantity of the following
1807 substances having a stimulant effect on the central nervous
1808 system, including its salts, isomers, and salts of isomers:
1809 Pyrovalerone.

1810 Section 5. Section 893.033, Florida Statutes, is amended to
1811 read:

1812 893.033 Listed chemicals.—The chemicals listed in this
1813 section are included by whatever official, common, usual,
1814 chemical, or trade name designated.

1815 (1) PRECURSOR CHEMICALS.—The term "listed precursor
1816 chemical" means a chemical that may be used in manufacturing a
1817 controlled substance in violation of this chapter and is
1818 critical to the creation of the controlled substance, and such
1819 term includes any salt, optical isomer, or salt of an optical
1820 isomer, whenever the existence of such salt, optical isomer, or
1821 salt of optical isomer is possible within the specific chemical
1822 designation. The following are "listed precursor chemicals":

- 1823 (a) Anthranilic acid.
- 1824 (b) Benzaldehyde.
- 1825 (c) Benzyl cyanide.
- 1826 (d) Chloroephedrine.
- 1827 (e) Chloropseudoephedrine.
- 1828 (f) Ephedrine.
- 1829 (g) Ergonovine.
- 1830 (h) Ergotamine.

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- 1831 (i) Ergocristine.
 1832 ~~(i) Hydriodic acid.~~
 1833 (j) Ethylamine.
 1834 (k) Iodine tincture above 2.2 percent.
 1835 (l)~~(k)~~ Isosafrole.
 1836 (m)~~(l)~~ Methylamine.
 1837 (n)~~(m)~~ 3, 4-Methylenedioxyphenyl-2-propanone.
 1838 (o)~~(n)~~ N-Acetylanthranilic acid.
 1839 (p)~~(o)~~ N-Ethylephedrine.
 1840 (q)~~(p)~~ N-Ethylpseudoephedrine.
 1841 (r)~~(q)~~ N-Methylephedrine.
 1842 (s)~~(r)~~ N-Methylpseudoephedrine.
 1843 (t) ANPP (4-Anilino-N-phenethyl-4-piperidine).
 1844 (u) NPP (N-Phenethyl-4-piperidone).
 1845 (v)~~(s)~~ Nitroethane.
 1846 (w)~~(t)~~ Norpseudoephedrine.
 1847 (x)~~(u)~~ Phenylacetic acid.
 1848 (y)~~(v)~~ Phenylpropanolamine.
 1849 (z)~~(w)~~ Piperidine.
 1850 (aa)~~(x)~~ Piperonal.
 1851 (bb)~~(y)~~ Propionic anhydride.
 1852 (cc)~~(z)~~ Pseudoephedrine.
 1853 (dd)~~(aa)~~ Safrole.

1854 (2) ESSENTIAL CHEMICALS.—The term “listed essential
 1855 chemical” means a chemical that may be used as a solvent,
 1856 reagent, or catalyst in manufacturing a controlled substance in
 1857 violation of this chapter. The following are “listed essential
 1858 chemicals”:

- 1859 (a) Acetic anhydride.

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- 1860 (b) Acetone.
- 1861 (c) Ammonium salts, including, but not limited to, nitrate,
- 1862 sulfate, phosphate, or chloride.
- 1863 (d)~~(e)~~ Anhydrous ammonia.
- 1864 (e) Benzoquinone.
- 1865 (f)~~(d)~~ Benzyl chloride.
- 1866 (g)~~(e)~~ 2-Butanone.
- 1867 (h)~~(f)~~ Ethyl ether.
- 1868 (i) Formic acid.
- 1869 (j)~~(g)~~ Hydrochloric acid gas.
- 1870 (k)~~(h)~~ Hydriodic acid.
- 1871 (l)~~(i)~~ Iodine.
- 1872 (m) Lithium.
- 1873 (n) Organic solvents, including, but not limited to,
- 1874 Coleman Fuel, camping fuel, ether, toluene, or lighter fluid.
- 1875 (o) Organic cosolvents, including, but not limited to,
- 1876 glycerol, propylene glycol, or polyethylene glycol.
- 1877 (p) Potassium dichromate.
- 1878 (q)~~(j)~~ Potassium permanganate.
- 1879 (r) Sodium.
- 1880 (s) Sodium dichromate.
- 1881 (t) Sodium borohydride.
- 1882 (u) Sodium cyanoborohydride.
- 1883 (v) Sodium hydroxide.
- 1884 (w) Sulfuric acid.
- 1885 ~~(k) Toluene.~~
- 1886 Section 6. Subsections (3) and (5) of section 893.0356,
- 1887 Florida Statutes, are amended, paragraph (j) is added to
- 1888 subsection (4) of that section, and paragraph (a) of subsection

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1889 (2) of that section is republished, to read:

1890 893.0356 Control of new substances; findings of fact;
1891 "controlled substance analog" defined.-

1892 (2) (a) As used in this section, "controlled substance
1893 analog" means a substance which, due to its chemical structure
1894 and potential for abuse, meets the following criteria:

- 1895 1. Is substantially similar to that of a controlled
1896 substance listed in Schedule I or Schedule II of s. 893.03; and
1897 2. Has a stimulant, depressant, or hallucinogenic effect on
1898 the central nervous system or is represented or intended to have
1899 a stimulant, depressant, or hallucinogenic effect on the central
1900 nervous system substantially similar to or greater than that of
1901 a controlled substance listed in Schedule I or Schedule II of s.
1902 893.03.

1903 (3) As used in this section, the term "substantially
1904 similar," as the term applies to the chemical structure of a
1905 substance, means that the chemical structure of the substance
1906 compared to the structure of a controlled substance has a single
1907 difference in the structural formula that substitutes one atom
1908 or functional group for another, including, but not limited to,
1909 one halogen for another halogen, one hydrogen for a halogen or
1910 vice versa, an alkyl group added or deleted as a side chain to
1911 or from a molecule, or an alkyl group added or deleted from a
1912 side chain of a molecule. ~~"potential for abuse" in this section~~
1913 ~~means that a substance has properties as a central nervous~~
1914 ~~system stimulant or depressant or a hallucinogen that create a~~
1915 ~~substantial likelihood of its being:~~

1916 ~~(a) Used in amounts that create a hazard to the user's~~
1917 ~~health or the safety of the community;~~

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1918 ~~(b) Diverted from legal channels and distributed through~~
1919 ~~illegal channels; or~~

1920 ~~(c) Taken on the user's own initiative rather than on the~~
1921 ~~basis of professional medical advice.~~

1922
1923 ~~Proof of potential for abuse can be based upon a showing that~~
1924 ~~these activities are already taking place, or upon a showing~~
1925 ~~that the nature and properties of the substance make it~~
1926 ~~reasonable to assume that there is a substantial likelihood that~~
1927 ~~such activities will take place, in other than isolated or~~
1928 ~~occasional instances.~~

1929 (4) The following factors shall be relevant to a finding
1930 that a substance is a controlled substance analog within the
1931 purview of this section:

1932 (j) Comparisons to the accepted methods of marketing,
1933 distribution, and sales of the substance and that which the
1934 substance is purported to be, including, but not limited to:

1935 1. The difference in price at which the substance is sold
1936 and the price at which the substance it is purported to be or
1937 advertised as is normally sold;

1938 2. The difference in how the substance is imported,
1939 manufactured, or distributed compared to how the substance it is
1940 purported to be or advertised as is normally imported,
1941 manufactured, or distributed;

1942 3. The difference in the appearance of the substance in
1943 overall finished dosage form compared to the substance it is
1944 purported to be or advertised as normally appears in overall
1945 finished dosage form; and

1946 4. The difference in how the substance is labeled for sale,

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1947 packaged for sale, or the method of sale, including, but not
1948 limited to, the placement of the substance in an area commonly
1949 viewable to the public for purchase consideration compared to
1950 how the substance it is purported to be or advertised as is
1951 normally labeled for sale, packaged for sale, or sold to the
1952 public.

1953 (5) A controlled substance analog shall, for purposes of
1954 drug abuse prevention and control, be treated as the highest
1955 scheduled a controlled substance of which it is a controlled
1956 substance analog to in ~~Schedule I~~ of s. 893.03.

1957 Section 7. Subsections (1), (4), and (6), and paragraph (d)
1958 of subsection (8) of section 893.13, Florida Statutes, are
1959 amended, and subsection (2), paragraphs (a) and (b) of
1960 subsection (5), and paragraph (a) of subsection (7) of that
1961 section are republished, to read:

1962 893.13 Prohibited acts; penalties.—

1963 (1) (a) Except as authorized by this chapter and chapter
1964 499, a person may not sell, manufacture, or deliver, or possess
1965 with intent to sell, manufacture, or deliver, a controlled
1966 substance. A person who violates this provision with respect to:

1967 1. A controlled substance named or described in s.
1968 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1969 commits a felony of the second degree, punishable as provided in
1970 s. 775.082, s. 775.083, or s. 775.084.

1971 2. A controlled substance named or described in s.
1972 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
1973 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1974 the third degree, punishable as provided in s. 775.082, s.
1975 775.083, or s. 775.084.

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1976 3. A controlled substance named or described in s.
1977 893.03(5) commits a misdemeanor of the first degree, punishable
1978 as provided in s. 775.082 or s. 775.083.

1979 (b) Except as provided in this chapter, a person may not
1980 sell or deliver in excess of 10 grams of any substance named or
1981 described in s. 893.03(1)(a) or (1)(b), or any combination
1982 thereof, or any mixture containing any such substance. A person
1983 who violates this paragraph commits a felony of the first
1984 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1985 775.084.

1986 (c) Except as authorized by this chapter, a person may not
1987 sell, manufacture, or deliver, or possess with intent to sell,
1988 manufacture, or deliver, a controlled substance in, on, or
1989 within 1,000 feet of the real property comprising a child care
1990 facility as defined in s. 402.302 or a public or private
1991 elementary, middle, or secondary school between the hours of 6
1992 a.m. and 12 midnight, or at any time in, on, or within 1,000
1993 feet of real property comprising a state, county, or municipal
1994 park, a community center, or a publicly owned recreational
1995 facility. As used in this paragraph, the term "community center"
1996 means a facility operated by a nonprofit community-based
1997 organization for the provision of recreational, social, or
1998 educational services to the public. A person who violates this
1999 paragraph with respect to:

2000 1. 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 first degree, punishable as provided in
2003 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
2004 sentenced to a minimum term of imprisonment of 3 calendar years

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2005 unless the offense was committed within 1,000 feet of the real
2006 property comprising a child care facility as defined in s.
2007 402.302.

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

2013 3. Any other controlled substance, except as lawfully sold,
2014 manufactured, or delivered, must be sentenced to pay a \$500 fine
2015 and to serve 100 hours of public service in addition to any
2016 other penalty prescribed by law.

2017
2018 This paragraph does not apply to a child care facility unless
2019 the owner or operator of the facility posts a sign that is not
2020 less than 2 square feet in size with a word legend identifying
2021 the facility as a licensed child care facility and that is
2022 posted on the property of the child care facility in a
2023 conspicuous place where the sign is reasonably visible to the
2024 public.

2025 (d) Except as authorized by this chapter, a person may not
2026 sell, manufacture, or deliver, or possess with intent to sell,
2027 manufacture, or deliver, a controlled substance in, on, or
2028 within 1,000 feet of the real property comprising a public or
2029 private college, university, or other postsecondary educational
2030 institution. A person who violates this paragraph with respect
2031 to:

2032 1. A controlled substance named or described in s.
2033 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.

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2034 commits a felony of the first degree, punishable as provided in
2035 s. 775.082, s. 775.083, or s. 775.084.

2036 2. A controlled substance named or described in s.
2037 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2038 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2039 the second degree, punishable as provided in s. 775.082, s.
2040 775.083, or s. 775.084.

2041 3. Any other controlled substance, except as lawfully sold,
2042 manufactured, or delivered, must be sentenced to pay a \$500 fine
2043 and to serve 100 hours of public service in addition to any
2044 other penalty prescribed by law.

2045 (e) Except as authorized by this chapter, a person may not
2046 sell, manufacture, or deliver, or possess with intent to sell,
2047 manufacture, or deliver, a controlled substance not authorized
2048 by law in, on, or within 1,000 feet of a physical place for
2049 worship at which a church or religious organization regularly
2050 conducts religious services or within 1,000 feet of a
2051 convenience business as defined in s. 812.171. A person who
2052 violates this paragraph with respect to:

2053 1. A controlled substance named or described in s.
2054 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2055 commits a felony of the first degree, punishable as provided in
2056 s. 775.082, s. 775.083, or s. 775.084.

2057 2. A controlled substance named or described in s.
2058 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2059 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2060 the second degree, punishable as provided in s. 775.082, s.
2061 775.083, or s. 775.084.

2062 3. Any other controlled substance, except as lawfully sold,

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2063 manufactured, or delivered, must be sentenced to pay a \$500 fine
2064 and to serve 100 hours of public service in addition to any
2065 other penalty prescribed by law.

2066 (f) Except as authorized by this chapter, a person may not
2067 sell, manufacture, or deliver, or possess with intent to sell,
2068 manufacture, or deliver, a controlled substance in, on, or
2069 within 1,000 feet of the real property comprising a public
2070 housing facility at any time. As used in this section, the term
2071 "real property comprising a public housing facility" means real
2072 property, as defined in s. 421.03(12), of a public corporation
2073 created as a housing authority pursuant to part I of chapter
2074 421. A person who violates this paragraph with respect to:

2075 1. A controlled substance named or described in s.
2076 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2077 commits a felony of the first degree, punishable as provided in
2078 s. 775.082, s. 775.083, or s. 775.084.

2079 2. A controlled substance named or described in s.
2080 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2081 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2082 the second degree, punishable as provided in s. 775.082, s.
2083 775.083, or s. 775.084.

2084 3. Any other controlled substance, except as lawfully sold,
2085 manufactured, or delivered, must be sentenced to pay a \$500 fine
2086 and to serve 100 hours of public service in addition to any
2087 other penalty prescribed by law.

2088 (g) Except as authorized by this chapter, a person may not
2089 manufacture methamphetamine or phencyclidine, or possess any
2090 listed chemical as defined in s. 893.033 in violation of s.
2091 893.149 and with intent to manufacture methamphetamine or

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2092 phencyclidine. If a person violates this paragraph and:

2093 1. The commission or attempted commission of the crime
2094 occurs in a structure or conveyance where any child younger than
2095 16 years of age is present, the person commits a felony of the
2096 first degree, punishable as provided in s. 775.082, s. 775.083,
2097 or s. 775.084. In addition, the defendant must be sentenced to a
2098 minimum term of imprisonment of 5 calendar years.

2099 2. The commission of the crime causes any child younger
2100 than 16 years of age to suffer great bodily harm, the person
2101 commits a felony of the first degree, punishable as provided in
2102 s. 775.082, s. 775.083, or s. 775.084. In addition, the
2103 defendant must be sentenced to a minimum term of imprisonment of
2104 10 calendar years.

2105 (h) Except as authorized by this chapter, a person may not
2106 sell, manufacture, or deliver, or possess with intent to sell,
2107 manufacture, or deliver, a controlled substance in, on, or
2108 within 1,000 feet of the real property comprising an assisted
2109 living facility, as that term is used in chapter 429. A person
2110 who violates this paragraph with respect to:

2111 1. A controlled substance named or described in s.
2112 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2113 commits a felony of the first degree, punishable as provided in
2114 s. 775.082, s. 775.083, or s. 775.084.

2115 2. A controlled substance named or described in s.
2116 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2117 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2118 the second degree, punishable as provided in s. 775.082, s.
2119 775.083, or s. 775.084.

2120 3. Any other controlled substance, except as lawfully sold,

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2121 manufactured, or delivered, must be sentenced to pay a \$500 fine
2122 and to serve 100 hours of public service in addition to any
2123 other penalty prescribed by law.

2124 (2) (a) Except as authorized by this chapter and chapter
2125 499, a person may not purchase, or possess with intent to
2126 purchase, a controlled substance. A person who violates this
2127 provision with respect to:

2128 1. A controlled substance named or described in s.
2129 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
2130 commits a felony of the second degree, punishable as provided in
2131 s. 775.082, s. 775.083, or s. 775.084.

2132 2. A controlled substance named or described in s.
2133 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
2134 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
2135 the third degree, punishable as provided in s. 775.082, s.
2136 775.083, or s. 775.084.

2137 3. A controlled substance named or described in s.
2138 893.03(5) commits a misdemeanor of the first degree, punishable
2139 as provided in s. 775.082 or s. 775.083.

2140 (b) Except as provided in this chapter, a person may not
2141 purchase more than 10 grams of any substance named or described
2142 in s. 893.03(1) (a) or (1) (b), or any combination thereof, or any
2143 mixture containing any such substance. A person who violates
2144 this paragraph commits a felony of the first degree, punishable
2145 as provided in s. 775.082, s. 775.083, or s. 775.084.

2146 (4) Except as authorized by this chapter, a person 18 years
2147 of age or older may not deliver any controlled substance to a
2148 person younger than 18 years of age, use or hire a person
2149 younger than 18 years of age as an agent or employee in the sale

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2150 or delivery of such a substance, or use such person to assist in
2151 avoiding detection or apprehension for a violation of this
2152 chapter. A person who violates this paragraph ~~provision~~ with
2153 respect to:

2154 (a) A controlled substance named or described in s.
2155 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2156 commits a felony of the first degree, punishable as provided in
2157 s. 775.082, s. 775.083, or s. 775.084.

2158 (b) A controlled substance named or described in s.
2159 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2160 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2161 the second degree, punishable as provided in s. 775.082, s.
2162 775.083, or s. 775.084.

2163 (c) Any other controlled substance, except as lawfully
2164 sold, manufactured, or delivered, commits a felony of the third
2165 degree, punishable as provided in s. 775.082, s. 775.083, or s.
2166 775.084.

2167
2168 Imposition of sentence may not be suspended or deferred, and the
2169 person so convicted may not be placed on probation.

2170 (5) A person may not bring into this state any controlled
2171 substance unless the possession of such controlled substance is
2172 authorized by this chapter or unless such person is licensed to
2173 do so by the appropriate federal agency. A person who violates
2174 this provision with respect to:

2175 (a) A controlled substance named or described in s.
2176 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2177 commits a felony of the second degree, punishable as provided in
2178 s. 775.082, s. 775.083, or s. 775.084.

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2179 (b) A controlled substance named or described in s.
2180 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
2181 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
2182 the third degree, punishable as provided in s. 775.082, s.
2183 775.083, or s. 775.084.

2184 (6)(a) A person may not be in actual or constructive
2185 possession of a controlled substance unless such controlled
2186 substance was lawfully obtained from a practitioner or pursuant
2187 to a valid prescription or order of a practitioner while acting
2188 in the course of his or her professional practice or to be in
2189 actual or constructive possession of a controlled substance
2190 except as otherwise authorized by this chapter. A person who
2191 violates this provision commits a felony of the third degree,
2192 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2193 (b) If the offense is the possession of 20 grams or less of
2194 cannabis, as defined in this chapter, ~~or 3 grams or less of a~~
2195 ~~controlled substance described in s. 893.03(1)(c)46., 50., 114.,~~
2196 ~~142., 151., 159., or 166.-173.,~~ the person commits a misdemeanor
2197 of the first degree, punishable as provided in s. 775.082 or s.
2198 775.083. As used in this subsection, the term "cannabis" does
2199 not include the resin extracted from the plants of the genus
2200 *Cannabis*, or any compound manufacture, salt, derivative,
2201 mixture, or preparation of such resin, ~~and a controlled~~
2202 ~~substance described in s. 893.03(1)(c)46., 50., 114., 142., 151.,~~
2203 ~~159., or 166.-173. does not include the substance in a powdered~~
2204 ~~form.~~

2205 (c) Except as provided in this chapter, a person may not
2206 possess more than 10 grams of any substance named or described
2207 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any

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2208 mixture containing any such substance. A person who violates
2209 this paragraph commits a felony of the first degree, punishable
2210 as provided in s. 775.082, s. 775.083, or s. 775.084.

2211 (d) If the offense is possession of a controlled substance
2212 named or described in s. 893.03(5), the person commits a
2213 misdemeanor of the second degree, punishable as provided in s.
2214 775.082 or s. 775.083.

2215 (e)~~(d)~~ Notwithstanding any provision to the contrary of the
2216 laws of this state relating to arrest, a law enforcement officer
2217 may arrest without warrant any person who the officer has
2218 probable cause to believe is violating the provisions of this
2219 chapter relating to possession of cannabis.

2220 (7) (a) A person may not:

2221 1. Distribute or dispense a controlled substance in
2222 violation of this chapter.

2223 2. Refuse or fail to make, keep, or furnish any record,
2224 notification, order form, statement, invoice, or information
2225 required under this chapter.

2226 3. Refuse entry into any premises for any inspection or
2227 refuse to allow any inspection authorized by this chapter.

2228 4. Distribute a controlled substance named or described in
2229 s. 893.03(1) or (2) except pursuant to an order form as required
2230 by s. 893.06.

2231 5. Keep or maintain any store, shop, warehouse, dwelling,
2232 building, vehicle, boat, aircraft, or other structure or place
2233 which is resorted to by persons using controlled substances in
2234 violation of this chapter for the purpose of using these
2235 substances, or which is used for keeping or selling them in
2236 violation of this chapter.

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2237 6. Use to his or her own personal advantage, or reveal, any
2238 information obtained in enforcement of this chapter except in a
2239 prosecution or administrative hearing for a violation of this
2240 chapter.

2241 7. Possess a prescription form unless it has been signed by
2242 the practitioner whose name appears printed thereon and
2243 completed. This subparagraph does not apply if the person in
2244 possession of the form is the practitioner whose name appears
2245 printed thereon, an agent or employee of that practitioner, a
2246 pharmacist, or a supplier of prescription forms who is
2247 authorized by that practitioner to possess those forms.

2248 8. Withhold information from a practitioner from whom the
2249 person seeks to obtain a controlled substance or a prescription
2250 for a controlled substance that the person making the request
2251 has received a controlled substance or a prescription for a
2252 controlled substance of like therapeutic use from another
2253 practitioner within the previous 30 days.

2254 9. Acquire or obtain, or attempt to acquire or obtain,
2255 possession of a controlled substance by misrepresentation,
2256 fraud, forgery, deception, or subterfuge.

2257 10. Affix any false or forged label to a package or
2258 receptacle containing a controlled substance.

2259 11. Furnish false or fraudulent material information in, or
2260 omit any material information from, any report or other document
2261 required to be kept or filed under this chapter or any record
2262 required to be kept by this chapter.

2263 12. Store anhydrous ammonia in a container that is not
2264 approved by the United States Department of Transportation to
2265 hold anhydrous ammonia or is not constructed in accordance with

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2266 sound engineering, agricultural, or commercial practices.

2267 13. With the intent to obtain a controlled substance or
2268 combination of controlled substances that are not medically
2269 necessary for the person or an amount of a controlled substance
2270 or substances that is not medically necessary for the person,
2271 obtain or attempt to obtain from a practitioner a controlled
2272 substance or a prescription for a controlled substance by
2273 misrepresentation, fraud, forgery, deception, subterfuge, or
2274 concealment of a material fact. For purposes of this
2275 subparagraph, a material fact includes whether the person has an
2276 existing prescription for a controlled substance issued for the
2277 same period of time by another practitioner or as described in
2278 subparagraph 8.

2279 (8)

2280 (d) Notwithstanding paragraph (c), if a prescribing
2281 practitioner has violated paragraph (a) and received \$1,000 or
2282 more in payment for writing one or more prescriptions or, in the
2283 case of a prescription written for a controlled substance
2284 described in s. 893.135, has written one or more prescriptions
2285 for a quantity of a controlled substance which, individually or
2286 in the aggregate, meets the threshold for the offense of
2287 trafficking in a controlled substance under s. 893.135 ~~s.~~
2288 ~~893.15~~, the violation is reclassified as a felony of the second
2289 degree and ranked in level 4 of the Criminal Punishment Code.

2290 Section 8. Paragraphs (g) and (l) of subsection (1) of
2291 section 893.135, Florida Statutes, are republished, paragraph
2292 (k) of that subsection is amended, and subsection (6) of that
2293 section is amended, to read:

2294 893.135 Trafficking; mandatory sentences; suspension or

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2295 reduction of sentences; conspiracy to engage in trafficking.-

2296 (1) Except as authorized in this chapter or in chapter 499
2297 and notwithstanding the provisions of s. 893.13:

2298 (g)1. Any person who knowingly sells, purchases,
2299 manufactures, delivers, or brings into this state, or who is
2300 knowingly in actual or constructive possession of, 4 grams or
2301 more of flunitrazepam or any mixture containing flunitrazepam as
2302 described in s. 893.03(1)(a) commits a felony of the first
2303 degree, which felony shall be known as "trafficking in
2304 flunitrazepam," punishable as provided in s. 775.082, s.
2305 775.083, or s. 775.084. If the quantity involved:

2306 a. Is 4 grams or more but less than 14 grams, such person
2307 shall be sentenced to a mandatory minimum term of imprisonment
2308 of 3 years, and the defendant shall be ordered to pay a fine of
2309 \$50,000.

2310 b. Is 14 grams or more but less than 28 grams, such person
2311 shall be sentenced to a mandatory minimum term of imprisonment
2312 of 7 years, and the defendant shall be ordered to pay a fine of
2313 \$100,000.

2314 c. Is 28 grams or more but less than 30 kilograms, such
2315 person shall be sentenced to a mandatory minimum term of
2316 imprisonment of 25 calendar years and pay a fine of \$500,000.

2317 2. Any person who knowingly sells, purchases, manufactures,
2318 delivers, or brings into this state or who is knowingly in
2319 actual or constructive possession of 30 kilograms or more of
2320 flunitrazepam or any mixture containing flunitrazepam as
2321 described in s. 893.03(1)(a) commits the first degree felony of
2322 trafficking in flunitrazepam. A person who has been convicted of
2323 the first degree felony of trafficking in flunitrazepam under

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2324 this subparagraph shall be punished by life imprisonment and is
2325 ineligible for any form of discretionary early release except
2326 pardon or executive clemency or conditional medical release
2327 under s. 947.149. However, if the court determines that, in
2328 addition to committing any act specified in this paragraph:

2329 a. The person intentionally killed an individual or
2330 counseled, commanded, induced, procured, or caused the
2331 intentional killing of an individual and such killing was the
2332 result; or

2333 b. The person's conduct in committing that act led to a
2334 natural, though not inevitable, lethal result,

2335
2336 such person commits the capital felony of trafficking in
2337 flunitrazepam, punishable as provided in ss. 775.082 and
2338 921.142. Any person sentenced for a capital felony under this
2339 paragraph shall also be sentenced to pay the maximum fine
2340 provided under subparagraph 1.

2341 (k)1. A person who knowingly sells, purchases,
2342 manufactures, delivers, or brings into this state, or who is
2343 knowingly in actual or constructive possession of, 10 grams or
2344 more of any of the following substances described in s.
2345 893.03(1)(c):

2346 a. (MDMA) 3,4-Methylenedioxymethamphetamine ~~(MDMA)~~;

2347 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);

2348 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);

2349 d. 2,5-Dimethoxyamphetamine;

2350 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-4-~~
2351 ~~ethylamphetamine (DOET)~~;

2352 f. N-ethylamphetamine;

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- 2353 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2354 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2355 i. PMA (4-methoxyamphetamine);
- 2356 j. PMMA (4-methoxymethamphetamine);
- 2357 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2358 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2359 m. MDA (3,4-Methylenedioxyamphetamine);
- 2360 n. N,N-dimethylamphetamine;
- 2361 o. 3,4,5-Trimethoxyamphetamine;
- 2362 p. Methylone (3,4-Methylenedioxymethcathinone);
- 2363 q. MDPV (3,4-Methylenedioxypyrovalerone) ~~(MDPV)~~; or
- 2364 r. Methylnmethcathinone,

2365
 2366 individually or analogs thereto or isomers thereto or in any
 2367 combination of or any mixture containing any substance listed in
 2368 sub-subparagraphs a.-r., commits a felony of the first degree,
 2369 which felony shall be known as "trafficking in Phenethylamines,"
 2370 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2371 2. If the quantity involved:

2372 a. Is 10 grams or more, but less than 200 grams, such
 2373 person shall be sentenced to a mandatory minimum term of
 2374 imprisonment of 3 years and shall be ordered to pay a fine of
 2375 \$50,000.

2376 b. Is 200 grams or more, but less than 400 grams, such
 2377 person shall be sentenced to a mandatory minimum term of
 2378 imprisonment of 7 years and shall be ordered to pay a fine of
 2379 \$100,000.

2380 c. Is 400 grams or more, such person shall be sentenced to
 2381 a mandatory minimum term of imprisonment of 15 years and shall

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2382 be ordered to pay a fine of \$250,000.

2383 3. A person who knowingly manufactures or brings into this
2384 state 30 kilograms or more of any of the following substances
2385 described in s. 893.03(1)(c):

- 2386 a. MDMA (3,4-Methylenedioxyamphetamine) ~~(MDMA)~~;
- 2387 b. 2C-B (4-Bromo-2,5-dimethoxyamphetamine);
- 2388 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2389 d. 2,5-Dimethoxyamphetamine;
- 2390 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-4-~~
2391 ~~ethylamphetamine (DOET)~~;
- 2392 f. N-ethylamphetamine;
- 2393 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2394 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2395 i. PMA (4-methoxyamphetamine);
- 2396 j. PMMA (4-methoxymethamphetamine);
- 2397 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2398 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2399 m. MDA (3,4-Methylenedioxyamphetamine);
- 2400 n. N,N-dimethylamphetamine;
- 2401 o. 3,4,5-Trimethoxyamphetamine;
- 2402 p. Methylone (3,4-Methylenedioxy-methcathinone);
- 2403 q. MDPV (3,4-Methylenedioxypropylvalerone) ~~(MDPV)~~; or
- 2404 r. Methylmethcathinone,

2405

2406 individually or analogs thereto or isomers thereto or in any
2407 combination of or any mixture containing any substance listed in
2408 sub-subparagraphs a.-r., and who knows that the probable result
2409 of such manufacture or importation would be the death of any
2410 person commits capital manufacture or importation of

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2411 Phenethylamines, a capital felony punishable as provided in ss.
2412 775.082 and 921.142. A person sentenced for a capital felony
2413 under this paragraph shall also be sentenced to pay the maximum
2414 fine provided under subparagraph 1.

2415 (1)1. Any person who knowingly sells, purchases,
2416 manufactures, delivers, or brings into this state, or who is
2417 knowingly in actual or constructive possession of, 1 gram or
2418 more of lysergic acid diethylamide (LSD) as described in s.
2419 893.03(1)(c), or of any mixture containing lysergic acid
2420 diethylamide (LSD), commits a felony of the first degree, which
2421 felony shall be known as "trafficking in lysergic acid
2422 diethylamide (LSD)," punishable as provided in s. 775.082, s.
2423 775.083, or s. 775.084. If the quantity involved:

2424 a. Is 1 gram or more, but less than 5 grams, such person
2425 shall be sentenced to a mandatory minimum term of imprisonment
2426 of 3 years, and the defendant shall be ordered to pay a fine of
2427 \$50,000.

2428 b. Is 5 grams or more, but less than 7 grams, such person
2429 shall be sentenced to a mandatory minimum term of imprisonment
2430 of 7 years, and the defendant shall be ordered to pay a fine of
2431 \$100,000.

2432 c. Is 7 grams or more, such person shall be sentenced to a
2433 mandatory minimum term of imprisonment of 15 calendar years and
2434 pay a fine of \$500,000.

2435 2. Any person who knowingly manufactures or brings into
2436 this state 7 grams or more of lysergic acid diethylamide (LSD)
2437 as described in s. 893.03(1)(c), or any mixture containing
2438 lysergic acid diethylamide (LSD), and who knows that the
2439 probable result of such manufacture or importation would be the

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2440 death of any person commits capital manufacture or importation
2441 of lysergic acid diethylamide (LSD), a capital felony punishable
2442 as provided in ss. 775.082 and 921.142. Any person sentenced for
2443 a capital felony under this paragraph shall also be sentenced to
2444 pay the maximum fine provided under subparagraph 1.

2445 (6) A mixture, as defined in s. 893.02, containing any
2446 controlled substance described in this section includes, but is
2447 not limited to, a solution or a dosage unit, including but not
2448 limited to, a gelatin capsule, pill, or tablet, containing a
2449 controlled substance. For the purpose of clarifying legislative
2450 intent regarding the weighing of a mixture containing a
2451 controlled substance described in this section, the weight of
2452 the controlled substance is the total weight of the mixture,
2453 including the controlled substance and any other substance in
2454 the mixture. If there is more than one mixture containing the
2455 same controlled substance, the weight of the controlled
2456 substance is calculated by aggregating the total weight of each
2457 mixture.

2458 Section 9. Subsection (2) of section 893.138, Florida
2459 Statutes, is amended to read:

2460 893.138 Local administrative action to abate drug-related,
2461 prostitution-related, or stolen-property-related public
2462 nuisances and criminal gang activity.—

2463 (2) Any place or premises that has been used:

2464 (a) On more than two occasions within a 6-month period, as
2465 the site of a violation of s. 796.07;

2466 (b) On more than two occasions within a 6-month period, as
2467 the site of the unlawful sale, delivery, manufacture, or
2468 cultivation of any controlled substance;

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2469 (c) On one occasion as the site of the unlawful possession
2470 of a controlled substance, where such possession constitutes a
2471 felony and that has been previously used on more than one
2472 occasion as the site of the unlawful sale, delivery,
2473 manufacture, or cultivation of any controlled substance;

2474 (d) By a criminal gang for the purpose of conducting
2475 criminal gang activity as defined by s. 874.03; ~~or~~

2476 (e) On more than two occasions within a 6-month period, as
2477 the site of a violation of s. 812.019 relating to dealing in
2478 stolen property; or

2479 (f) On two or more occasions within a 6-month period, as
2480 the site of a violation of chapter 499,

2481
2482 may be declared to be a public nuisance, and such nuisance may
2483 be abated pursuant to the procedures provided in this section.

2484 Section 10. Subsections (6) and (12) of section 893.145,
2485 Florida Statutes, are amended to read:

2486 893.145 "Drug paraphernalia" defined.—The term "drug
2487 paraphernalia" means all equipment, products, and materials of
2488 any kind which are used, intended for use, or designed for use
2489 in planting, propagating, cultivating, growing, harvesting,
2490 manufacturing, compounding, converting, producing, processing,
2491 preparing, testing, analyzing, packaging, repackaging, storing,
2492 containing, concealing, transporting, injecting, ingesting,
2493 inhaling, or otherwise introducing into the human body a
2494 controlled substance in violation of this chapter or s. 877.111.
2495 Drug paraphernalia is deemed to be contraband which shall be
2496 subject to civil forfeiture. The term includes, but is not
2497 limited to:

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2498 (6) Diluents and adulterants, such as quinine
2499 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,
2500 dextrose, and lactose, used, intended for use, or designed for
2501 use in diluting ~~cutting~~ controlled substances; or substances
2502 such as damiana leaf, marshmallow leaf, and mullein leaf, used,
2503 intended for use, or designed for use as carrier mediums of
2504 controlled substances.

2505 (12) Objects used, intended for use, or designed for use in
2506 ingesting, inhaling, or otherwise introducing controlled
2507 substances, as described in s. 893.03, or substances described
2508 in s. 877.111(1) ~~cannabis, cocaine, hashish, hashish oil, or~~
2509 ~~nitrous oxide~~ into the human body, such as:

2510 (a) Metal, wooden, acrylic, glass, stone, plastic, or
2511 ceramic pipes, with or without screens, permanent screens,
2512 hashish heads, or punctured metal bowls.

2513 (b) Water pipes.

2514 (c) Carburetion tubes and devices.

2515 (d) Smoking and carburetion masks.

2516 (e) Roach clips: meaning objects used to hold burning
2517 material, such as a cannabis cigarette, that has become too
2518 small or too short to be held in the hand.

2519 (f) Miniature cocaine spoons, and cocaine vials.

2520 (g) Chamber pipes.

2521 (h) Carburetor pipes.

2522 (i) Electric pipes.

2523 (j) Air-driven pipes.

2524 (k) Chillums.

2525 (l) Bongs.

2526 (m) Ice pipes or chillers.

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2527 (n) A cartridge or canister, which means a small metal
2528 device used to contain nitrous oxide.

2529 (o) A charger, sometimes referred to as a "cracker," which
2530 means a small metal or plastic device that contains an interior
2531 pin that may be used to expel nitrous oxide from a cartridge or
2532 container.

2533 (p) A charging bottle, which means a device that may be
2534 used to expel nitrous oxide from a cartridge or canister.

2535 (q) A whip-it, which means a device that may be used to
2536 expel nitrous oxide.

2537 (r) A tank.

2538 (s) A balloon.

2539 (t) A hose or tube.

2540 (u) A 2-liter-type soda bottle.

2541 (v) Duct tape.

2542 Section 11. Paragraph (a) of subsection (1) of section
2543 895.02, Florida Statutes, is amended to read:

2544 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

2545 (1) "Racketeering activity" means to commit, to attempt to
2546 commit, to conspire to commit, or to solicit, coerce, or
2547 intimidate another person to commit:

2548 (a) Any crime that is chargeable by petition, indictment,
2549 or information under the following provisions of the Florida
2550 Statutes:

2551 1. Section 210.18, relating to evasion of payment of
2552 cigarette taxes.

2553 2. Section 316.1935, relating to fleeing or attempting to
2554 elude a law enforcement officer and aggravated fleeing or
2555 eluding.

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- 2556 3. Section 403.727(3)(b), relating to environmental
2557 control.
- 2558 4. Section 409.920 or s. 409.9201, relating to Medicaid
2559 fraud.
- 2560 5. Section 414.39, relating to public assistance fraud.
- 2561 6. Section 440.105 or s. 440.106, relating to workers'
2562 compensation.
- 2563 7. Section 443.071(4), relating to creation of a fictitious
2564 employer scheme to commit reemployment assistance fraud.
- 2565 8. Section 465.0161, relating to distribution of medicinal
2566 drugs without a permit as an Internet pharmacy.
- 2567 9. Section 499.0051, relating to crimes involving
2568 contraband, ~~and~~ adulterated, or misbranded drugs.
- 2569 10. Part IV of chapter 501, relating to telemarketing.
- 2570 11. Chapter 517, relating to sale of securities and
2571 investor protection.
- 2572 12. Section 550.235 or s. 550.3551, relating to dogracing
2573 and horseracing.
- 2574 13. Chapter 550, relating to jai alai frontons.
- 2575 14. Section 551.109, relating to slot machine gaming.
- 2576 15. Chapter 552, relating to the manufacture, distribution,
2577 and use of explosives.
- 2578 16. Chapter 560, relating to money transmitters, if the
2579 violation is punishable as a felony.
- 2580 17. Chapter 562, relating to beverage law enforcement.
- 2581 18. Section 624.401, relating to transacting insurance
2582 without a certificate of authority, s. 624.437(4)(c)1., relating
2583 to operating an unauthorized multiple-employer welfare
2584 arrangement, or s. 626.902(1)(b), relating to representing or

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2585 aiding an unauthorized insurer.

2586 19. Section 655.50, relating to reports of currency
2587 transactions, when such violation is punishable as a felony.

2588 20. Chapter 687, relating to interest and usurious
2589 practices.

2590 21. Section 721.08, s. 721.09, or s. 721.13, relating to
2591 real estate timeshare plans.

2592 22. Section 775.13(5)(b), relating to registration of
2593 persons found to have committed any offense for the purpose of
2594 benefiting, promoting, or furthering the interests of a criminal
2595 gang.

2596 23. Section 777.03, relating to commission of crimes by
2597 accessories after the fact.

2598 24. Chapter 782, relating to homicide.

2599 25. Chapter 784, relating to assault and battery.

2600 26. Chapter 787, relating to kidnapping or human
2601 trafficking.

2602 27. Chapter 790, relating to weapons and firearms.

2603 28. Chapter 794, relating to sexual battery, but only if
2604 such crime was committed with the intent to benefit, promote, or
2605 further the interests of a criminal gang, or for the purpose of
2606 increasing a criminal gang member's own standing or position
2607 within a criminal gang.

2608 29. Former s. 796.03, former s. 796.035, s. 796.04, s.
2609 796.05, or s. 796.07, relating to prostitution.

2610 30. Chapter 806, relating to arson and criminal mischief.

2611 31. Chapter 810, relating to burglary and trespass.

2612 32. Chapter 812, relating to theft, robbery, and related
2613 crimes.

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- 2614 33. Chapter 815, relating to computer-related crimes.
- 2615 34. Chapter 817, relating to fraudulent practices, false
2616 pretenses, fraud generally, and credit card crimes.
- 2617 35. Chapter 825, relating to abuse, neglect, or
2618 exploitation of an elderly person or disabled adult.
- 2619 36. Section 827.071, relating to commercial sexual
2620 exploitation of children.
- 2621 37. Section 828.122, relating to fighting or baiting
2622 animals.
- 2623 38. Chapter 831, relating to forgery and counterfeiting.
- 2624 39. Chapter 832, relating to issuance of worthless checks
2625 and drafts.
- 2626 40. Section 836.05, relating to extortion.
- 2627 41. Chapter 837, relating to perjury.
- 2628 42. Chapter 838, relating to bribery and misuse of public
2629 office.
- 2630 43. Chapter 843, relating to obstruction of justice.
- 2631 44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
2632 s. 847.07, relating to obscene literature and profanity.
- 2633 45. Chapter 849, relating to gambling, lottery, gambling or
2634 gaming devices, slot machines, or any of the provisions within
2635 that chapter.
- 2636 46. Chapter 874, relating to criminal gangs.
- 2637 47. Chapter 893, relating to drug abuse prevention and
2638 control.
- 2639 48. Chapter 896, relating to offenses related to financial
2640 transactions.
- 2641 49. Sections 914.22 and 914.23, relating to tampering with
2642 or harassing a witness, victim, or informant, and retaliation

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2643 against a witness, victim, or informant.

2644 50. Sections 918.12 and 918.13, relating to tampering with
2645 jurors and evidence.

2646 Section 12. Paragraphs (c), (e), and (g) of subsection (3)
2647 of section 921.0022, Florida Statutes, are amended, and
2648 paragraphs (b), (d), and (h) of that subsection are republished,
2649 to read:

2650 921.0022 Criminal Punishment Code; offense severity ranking
2651 chart.—

2652 (3) OFFENSE SEVERITY RANKING CHART

2653 (b) LEVEL 2

2654

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet

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2658	517.07 (2)	3rd	in volume or any quantity for commercial purposes, or hazardous waste.
2659	590.28 (1)	3rd	Failure to furnish a prospectus meeting requirements.
2660	784.05 (3)	3rd	Intentional burning of lands.
2661	787.04 (1)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
2662	806.13 (1) (b) 3.	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
2663			Criminal mischief; damage \$1,000 or more to public communication or any other public service.

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2664 810.061 (2) 3rd Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

2665 810.09 (2) (e) 3rd Trespassing on posted commercial horticulture property.

2666 812.014 (2) (c) 1. 3rd Grand theft, 3rd degree; \$300 or more but less than \$5,000.

2667 812.014 (2) (d) 3rd Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.

2668 812.015 (7) 3rd Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.

2669 817.234 (1) (a) 2. 3rd False statement in support of insurance claim.

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	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
2670	817.52 (3)	3rd	Failure to redeliver hired vehicle.
2671	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
2672	817.60 (5)	3rd	Dealing in credit cards of another.
2673	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
2674	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
2675	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
2676			

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2677	831.01	3rd	Forgery.
2678	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2679	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2680	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2681	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
2682	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
2683	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
	843.08	3rd	False personation.

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2684
2685
2686
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2688
2689
2690
2691
2692
2693

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.

893.147 (2)

3rd

Manufacture or delivery
of drug paraphernalia.

(c) LEVEL 3

Florida
Statute

Felony
Degree

Description

119.10 (2) (b)

3rd

Unlawful use of
confidential information
from police reports.

316.066
(3) (b) - (d)

3rd

Unlawfully obtaining or
using confidential crash
reports.

316.193 (2) (b)

3rd

Felony DUI, 3rd conviction.

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	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2694	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2695	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2696	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2697	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2698	327.35 (2) (b)	3rd	Felony BUI.
2699	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious,

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2700

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

328.07(4)

3rd

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

2701

376.302(5)

3rd

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

2702

379.2431
(1) (e) 5.

3rd

Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

2703

379.2431
(1) (e) 6.

3rd

Soliciting to commit or conspiring to commit a violation of the Marine

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2704			Turtle Protection Act.
	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
2705			
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
2706			
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2707			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2708			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2709			
	624.401 (4) (b) 1.	3rd	Transacting insurance

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2710			without a certificate of authority; premium collected less than \$20,000.
2711	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2712	697.08	3rd	Equity skimming.
2713	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2714	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2715	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2716	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.

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2717 812.014 (2) (c) 2. 3rd Grand theft; \$5,000 or more but less than \$10,000.

2718 812.0145 (2) (c) 3rd Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

2719 815.04 (5) (b) 2nd Computer offense devised to defraud or obtain property.

2720 817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

2721 817.233 3rd Burning to defraud insurer.

2722 817.234 (8) (b) & (c) 3rd Unlawful solicitation of persons involved in motor vehicle accidents.

2723 817.234 (11) (a) 3rd Insurance fraud; property value less than \$20,000.

2724 817.236 3rd Filing a false motor vehicle insurance application.

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2725	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2726	817.413 (2)	3rd	Sale of used goods as new.
2727	817.505 (4)	3rd	Patient brokering.
2728	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2729	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2730	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2731	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
	843.19	3rd	Injure, disable, or kill

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2732

police dog or horse.

860.15(3)

3rd

Overcharging for repairs and parts.

2733

870.01(2)

3rd

Riot; inciting or encouraging.

2734

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).

2735

893.13(1)(d)2.

2nd

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

2736

893.13(1)(f)2.

2nd

Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2.,

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(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.

2737

893.13 (4) (c)

3rd

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

2738

893.13 (6) (a)

3rd

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

2739

893.13 (7) (a) 8.

3rd

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

2740

893.13 (7) (a) 9.

3rd

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

2741

893.13 (7) (a) 10.

3rd

Affix false or forged label
 to package of controlled
 substance.

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2747			controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
2748	918.13 (1) (a)	3rd	Alter, destroy, or conceal investigation evidence.
2749	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
2750	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2751	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2752	(d) LEVEL 4		
2753	Florida Statute	Felony Degree	Description
2754	316.1935 (3) (a)	2nd	Driving at high speed or

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2755	499.0051 (1)	3rd	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.
2756	499.0051 (2)	3rd	Failure to maintain or deliver pedigree papers.
2757	499.0051 (6)	2nd	Failure to authenticate pedigree papers.
2758	517.07 (1)	3rd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
2759	517.12 (1)	3rd	Failure to register securities.
2760	784.07 (2) (b)	3rd	Failure of dealer, associated person, or issuer of securities to register.
			Battery of law

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			enforcement officer, firefighter, etc.
2761	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
2762	784.075	3rd	Battery on detention or commitment facility staff.
2763	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
2764	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2765	784.081 (3)	3rd	Battery on specified official or employee.
2766	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
2767	784.083 (3)	3rd	Battery on code inspector.

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2774			weapon within 1,000 feet of a school.
	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
2775			
	790.115 (2) (c)	3rd	Possessing firearm on school property.
2776			
	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
2777			
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2778			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
2779			
	810.06	3rd	Burglary; possession of

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2780			tools.
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2781			
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2782			
	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2783			
	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2784			
	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
2785			
	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
2786			

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2787	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
2788	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
2789	837.02 (1)	3rd	Perjury in official proceedings.
2790	837.021 (1)	3rd	Make contradictory statements in official proceedings.
2791	838.022	3rd	Official misconduct.
2792	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
2793	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.

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2794	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
2795	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
2796	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
2797	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
2798	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 4.

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2799			drugs).
	914.14 (2)	3rd	Witnesses accepting bribes.
2800			
	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
2801			
	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2802			
	918.12	3rd	Tampering with jurors.
2803			
	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
2804			
2805	(e) LEVEL 5		
2806			
	Florida Statute	Felony Degree	Description
2807			
	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily

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2808			injury, failure to stop; leaving scene.
2809	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
2810	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
2811	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
2812	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
2813	379.3671 (2) (c) 3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.
	381.0041 (11) (b)	3rd	Donate blood, plasma, or

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2814

organs knowing HIV
positive.

440.10(1)(g)

2nd

Failure to obtain
workers' compensation
coverage.

2815

440.105(5)

2nd

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

2816

440.381(2)

2nd

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

2817

624.401(4)(b)2.

2nd

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

2818

626.902(1)(c)

2nd

Representing an
unauthorized insurer;

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2819			repeat offender.
	790.01 (2)	3rd	Carrying a concealed firearm.
2820			
	790.162	2nd	Threat to throw or discharge destructive device.
2821			
	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2822			
	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2823			
	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
2824			
	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2825			
	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2826			

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2827	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2828	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2829	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2830	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
2831	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
2832	812.131 (2) (b)	3rd	Robbery by sudden snatching.
2833	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
	817.034 (4) (a) 2.	2nd	Communications fraud,

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2834

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

817.234 (11) (b)

2nd

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

2835

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.

2836

817.568 (2) (b)

2nd

Fraudulent use of
personal identification
information; value of
benefit, services
received, payment
avoided, or amount of
injury or fraud, \$5,000
or more or use of
personal identification
information of 10 or
more persons.

2837

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2838	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
2839	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
2840	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
2841	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great

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2842			bodily harm or death.
	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
2843			
	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
2844			
	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
2845			
	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
2846			
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
2847			
	874.05 (2) (a)	2nd	Encouraging or

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2848

recruiting person under
13 years of age to join
a criminal gang.

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).

2849

893.13(1)(c)2.

2nd

Sell, manufacture, or
deliver cannabis (or
other s. 893.03(1)(c),
(2)(c)1., (2)(c)2.,
(2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7.,
(2)(c)8., (2)(c)9., (3),
or (4) drugs) within
1,000 feet of a child
care facility, school,
or state, county, or
municipal park or
publicly owned
recreational facility or
community center.

2850

893.13(1)(d)1.

1st

Sell, manufacture, or
deliver cocaine (or

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2851

893.13(1)(e)2.

2nd

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.

2852

893.13(1)(f)1.

1st

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.

2853

893.13(4)(b)

2nd

Use or hire of minor;

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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).~~

2854

893.1351(1)

3rd

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

2855

2856

(g) LEVEL 7

2857

Florida

Felony

Statute

Degree

Description

2858

316.027(2)(c)

1st

Accident involving death,
 failure to stop; leaving
 scene.

2859

316.193(3)(c)2.

3rd

DUI resulting in serious
 bodily injury.

2860

316.1935(3)(b)

1st

Causing serious bodily
 injury or death to another

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2861	327.35(3)(c)2.	3rd	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.
2862	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2863	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2864	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2865	456.065(2)	3rd	Practicing a health care profession without a license.

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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.
462.17	3rd	Practicing naturopathy without a license.
463.015 (1)	3rd	Practicing optometry without a license.
464.016 (1)	3rd	Practicing nursing without a license.

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465.015 (2)	3rd	Practicing pharmacy without a license.
466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901 (9)	3rd	Practicing medical physics without a license.
484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.

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2883	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.
2884	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.
2885	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2886	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
2886	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or

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2887			identification card; other registration violations.
	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
2888			
	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2889			
	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2890			
	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2891			
	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular

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2892			homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2893			
	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2894			
	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2895			
	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2896			
	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
2897			
	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2898			
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2899			

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2900	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2901	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2902	784.081 (1)	1st	Aggravated battery on specified official or employee.
2903	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2904	784.083 (1)	1st	Aggravated battery on code inspector.
2905	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

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2906

790.07(4) 1st Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

2907

790.16(1) 1st Discharge of a machine gun under specified circumstances.

2908

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

2909

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

2910

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

2911

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

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2912			attempting to commit a felony.
	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2913			
	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.
2914			
	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2915			
	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2916			
	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2917			
	800.04 (5) (c) 2.	2nd	Lewd or lascivious

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2918	800.04 (5) (e)	1st	molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
2919	806.01 (2)	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
2920	810.02 (3) (a)	2nd	Maliciously damage structure by fire or explosive.
2921	810.02 (3) (b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2922	810.02 (3) (d)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
			Burglary of occupied conveyance; unarmed; no assault or battery.

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2923

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

2924

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.

2925

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

2926

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

2927

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

2928

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

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			or more.
2929	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
2930	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2931	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2932	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2933	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2934	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
2935	817.234 (11) (c)	1st	Insurance fraud; property

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2936

value \$100,000 or more.

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.

2937

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

2938

825.102 (3) (b)

2nd

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

2939

825.103 (3) (b)

2nd

Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.

2940

827.03 (2) (b)

2nd

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

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2941			disfigurement.
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2942			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2943			
	838.015	2nd	Bribery.
2944			
	838.016	2nd	Unlawful compensation or reward for official behavior.
2945			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2946			
	838.22	2nd	Bid tampering.
2947			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2948			
	843.0855 (3)	3rd	Unlawful simulation of legal process.
2949			

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2950	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2951	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2952	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2953	872.06	2nd	Abuse of a dead human body.
2954	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
2955	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13 (1) (c) 1.	1st	Sell, manufacture, or deliver cocaine (or other

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2956

893.13(1)(e)1.

1st

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

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

2957

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).~~

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

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2966	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2967	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2968	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
2969	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2970	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2971	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2971	893.135	1st	Trafficking in

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	(1) (k) 2.a.		Phenethylamines, 10 grams or more, less than 200 grams.
2972	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2973	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2974	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2975	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2976	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure

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2977			to comply with reporting requirements.
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2978			
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2979			
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2980			
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
2981			
	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2982			
	944.607 (12)	3rd	Failure to report or

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2983	944.607 (13)	3rd	providing false information about a sexual offender; harbor or conceal a sexual offender.
2984	985.4815 (10)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2985	985.4815 (12)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
2986	985.4815 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2987			Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

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2991
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2993
2994
2995

Florida Statute	Felony Degree	Description
(h) LEVEL 8		
316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.

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2996

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.

2997

655.50 (10) (b) 2.

2nd

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

2998

777.03 (2) (a)

1st

Accessory after the fact,
capital felony.

2999

782.04 (4)

2nd

Killing of human without
design when engaged in
act or attempt of any
felony other than arson,
sexual battery, robbery,
burglary, kidnapping,
aggravated fleeing or
eluding with serious
bodily injury or death,
aircraft piracy, or

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3000

unlawfully discharging
bomb.

782.051 (2)

1st

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

3001

782.071 (1) (b)

1st

Committing vehicular
homicide and failing to
render aid or give
information.

3002

782.072 (2)

1st

Committing vessel
homicide and failing to
render aid or give
information.

3003

787.06 (3) (a) 1.

1st

Human trafficking for
labor and services of a
child.

3004

787.06 (3) (b)

1st

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

3005

787.06 (3) (c) 2.

1st

Human trafficking using

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3006

coercion for labor and services of an unauthorized alien adult.

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.

3007

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.

3008

790.161(3)

1st

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

3009

794.011(5)(a)

1st

Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not

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3010

use physical force likely to cause serious injury.

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.

3011

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.

3012

794.011 (5) (d)

1st

Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.

3013

794.08 (3)

2nd

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

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			state.
3014	800.04 (4) (b)	2nd	Lewd or lascivious battery.
3015	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
3016	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
3017	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
3018	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
3019	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.

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3026

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

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3027	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.
3028	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
3029	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
3030	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
3031	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital

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3032

felony.

837.021 (2)

2nd

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

3033

860.121 (2) (c)

1st

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

3034

860.16

1st

Aircraft piracy.

3035

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).

3036

893.13 (2) (b)

1st

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

3037

893.13 (6) (c)

1st

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

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3038

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

893.135(1) (a) 2.

1st

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

3039

893.135
(1) (b) 1.b.

1st

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

3040

893.135
(1) (c) 1.b.

1st

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

3041

893.135
(1) (c) 2.c.

1st

Trafficking in
hydrocodone, 50 grams or
more, less than 200
grams.

3042

893.135
(1) (c) 3.c.

1st

Trafficking in oxycodone,
25 grams or more, less
than 100 grams.

3043

893.135
(1) (d) 1.b.

1st

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

3044

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3045	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
3046	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
3047	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
3048	893.135 (1) (h) 1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
3049	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than

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3050

893.1351(3)

1st

400 grams.

Possession of a place used to manufacture controlled substance when minor is present or resides there.

3051

895.03(1)

1st

Use or invest proceeds derived from pattern of racketeering activity.

3052

895.03(2)

1st

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

3053

895.03(3)

1st

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

3054

896.101(5)(b)

2nd

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

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- 3077 b. Bone or skull fractures.
- 3078 c. Brain or spinal cord damage.
- 3079 d. Intracranial hemorrhage or injury to other internal
- 3080 organs.
- 3081 e. Asphyxiation, suffocation, or drowning.
- 3082 f. Injury resulting from the use of a deadly weapon.
- 3083 g. Burns or scalding.
- 3084 h. Cuts, lacerations, punctures, or bites.
- 3085 i. Permanent or temporary disfigurement.
- 3086 j. Permanent or temporary loss or impairment of a body part
- 3087 or function.

3088

3089 As used in this subparagraph, the term "willful" refers to the

3090 intent to perform an action, not to the intent to achieve a

3091 result or to cause an injury.

3092 2. Purposely giving a child poison, alcohol, drugs, or

3093 other substances that substantially affect the child's behavior,

3094 motor coordination, or judgment or that result in sickness or

3095 internal injury. For the purposes of this subparagraph, the term

3096 "drugs" means prescription drugs not prescribed for the child or

3097 not administered as prescribed, and controlled substances as

3098 outlined in Schedule I or Schedule II of s. 893.03.

3099 3. Leaving a child without adult supervision or arrangement

3100 appropriate for the child's age or mental or physical condition,

3101 so that the child is unable to care for the child's own needs or

3102 another's basic needs or is unable to exercise good judgment in

3103 responding to any kind of physical or emotional crisis.

3104 4. Inappropriate or excessively harsh disciplinary action

3105 that is likely to result in physical injury, mental injury as

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3106 defined in this section, or emotional injury. The significance
3107 of any injury must be evaluated in light of the following
3108 factors: the age of the child; any prior history of injuries to
3109 the child; the location of the injury on the body of the child;
3110 the multiplicity of the injury; and the type of trauma
3111 inflicted. Corporal discipline may be considered excessive or
3112 abusive when it results in any of the following or other similar
3113 injuries:

- 3114 a. Sprains, dislocations, or cartilage damage.
- 3115 b. Bone or skull fractures.
- 3116 c. Brain or spinal cord damage.
- 3117 d. Intracranial hemorrhage or injury to other internal
3118 organs.
- 3119 e. Asphyxiation, suffocation, or drowning.
- 3120 f. Injury resulting from the use of a deadly weapon.
- 3121 g. Burns or scalding.
- 3122 h. Cuts, lacerations, punctures, or bites.
- 3123 i. Permanent or temporary disfigurement.
- 3124 j. Permanent or temporary loss or impairment of a body part
3125 or function.
- 3126 k. Significant bruises or welts.

3127 (g) Exposes a child to a controlled substance or alcohol.
3128 Exposure to a controlled substance or alcohol is established by:

- 3129 1. A test, administered at birth, which indicated that the
3130 child's blood, urine, or meconium contained any amount of
3131 alcohol or a controlled substance or metabolites of such
3132 substances, the presence of which was not the result of medical
3133 treatment administered to the mother or the newborn infant; or
3134 2. Evidence of extensive, abusive, and chronic use of a

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3135 controlled substance or alcohol by a parent when the child is
3136 demonstrably adversely affected by such usage.

3137
3138 As used in this paragraph, the term "controlled substance" means
3139 prescription drugs not prescribed for the parent or not
3140 administered as prescribed and controlled substances as outlined
3141 in Schedule I or Schedule II of s. 893.03.

3142 Section 14. For the purpose of incorporating the amendment
3143 made by this act to section 893.03, Florida Statutes, in a
3144 reference thereto, subsection (5) of section 316.193, Florida
3145 Statutes, is reenacted to read:

3146 316.193 Driving under the influence; penalties.—

3147 (5) The court shall place all offenders convicted of
3148 violating this section on monthly reporting probation and shall
3149 require completion of a substance abuse course conducted by a
3150 DUI program licensed by the department under s. 322.292, which
3151 must include a psychosocial evaluation of the offender. If the
3152 DUI program refers the offender to an authorized substance abuse
3153 treatment provider for substance abuse treatment, in addition to
3154 any sentence or fine imposed under this section, completion of
3155 all such education, evaluation, and treatment is a condition of
3156 reporting probation. The offender shall assume reasonable costs
3157 for such education, evaluation, and treatment. The referral to
3158 treatment resulting from a psychosocial evaluation shall not be
3159 waived without a supporting independent psychosocial evaluation
3160 conducted by an authorized substance abuse treatment provider
3161 appointed by the court, which shall have access to the DUI
3162 program's psychosocial evaluation before the independent
3163 psychosocial evaluation is conducted. The court shall review the

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3164 results and recommendations of both evaluations before
3165 determining the request for waiver. The offender shall bear the
3166 full cost of this procedure. The term "substance abuse" means
3167 the abuse of alcohol or any substance named or described in
3168 Schedules I through V of s. 893.03. If an offender referred to
3169 treatment under this subsection fails to report for or complete
3170 such treatment or fails to complete the DUI program substance
3171 abuse education course and evaluation, the DUI program shall
3172 notify the court and the department of the failure. Upon receipt
3173 of the notice, the department shall cancel the offender's
3174 driving privilege, notwithstanding the terms of the court order
3175 or any suspension or revocation of the driving privilege. The
3176 department may temporarily reinstate the driving privilege on a
3177 restricted basis upon verification from the DUI program that the
3178 offender is currently participating in treatment and the DUI
3179 education course and evaluation requirement has been completed.
3180 If the DUI program notifies the department of the second failure
3181 to complete treatment, the department shall reinstate the
3182 driving privilege only after notice of completion of treatment
3183 from the DUI program. The organization that conducts the
3184 substance abuse education and evaluation may not provide
3185 required substance abuse treatment unless a waiver has been
3186 granted to that organization by the department. A waiver may be
3187 granted only if the department determines, in accordance with
3188 its rules, that the service provider that conducts the substance
3189 abuse education and evaluation is the most appropriate service
3190 provider and is licensed under chapter 397 or is exempt from
3191 such licensure. A statistical referral report shall be submitted
3192 quarterly to the department by each organization authorized to

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3193 provide services under this section.

3194 Section 15. For the purpose of incorporating the amendment
3195 made by this act to section 893.03, Florida Statutes, in a
3196 reference thereto, paragraph (c) of subsection (2) of section
3197 322.2616, Florida Statutes, is reenacted to read:

3198 322.2616 Suspension of license; persons under 21 years of
3199 age; right to review.—

3200 (2)

3201 (c) When a driver subject to this section has a blood-
3202 alcohol or breath-alcohol level of 0.05 or higher, the
3203 suspension shall remain in effect until such time as the driver
3204 has completed a substance abuse course offered by a DUI program
3205 licensed by the department. The driver shall assume the
3206 reasonable costs for the substance abuse course. As part of the
3207 substance abuse course, the program shall conduct a substance
3208 abuse evaluation of the driver, and notify the parents or legal
3209 guardians of drivers under the age of 19 years of the results of
3210 the evaluation. The term "substance abuse" means the abuse of
3211 alcohol or any substance named or described in Schedules I
3212 through V of s. 893.03. If a driver fails to complete the
3213 substance abuse education course and evaluation, the driver
3214 license shall not be reinstated by the department.

3215 Section 16. For the purpose of incorporating the amendment
3216 made by this act to section 893.03, Florida Statutes, in a
3217 reference thereto, subsection (5) of section 327.35, Florida
3218 Statutes, is reenacted to read:

3219 327.35 Boating under the influence; penalties; "designated
3220 drivers."—

3221 (5) In addition to any sentence or fine, the court shall

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3222 place any offender convicted of violating this section on
3223 monthly reporting probation and shall require attendance at a
3224 substance abuse course specified by the court; and the agency
3225 conducting the course may refer the offender to an authorized
3226 service provider for substance abuse evaluation and treatment,
3227 in addition to any sentence or fine imposed under this section.
3228 The offender shall assume reasonable costs for such education,
3229 evaluation, and treatment, with completion of all such
3230 education, evaluation, and treatment being a condition of
3231 reporting probation. Treatment resulting from a psychosocial
3232 evaluation may not be waived without a supporting psychosocial
3233 evaluation conducted by an agency appointed by the court and
3234 with access to the original evaluation. The offender shall bear
3235 the cost of this procedure. The term "substance abuse" means the
3236 abuse of alcohol or any substance named or described in
3237 Schedules I-V of s. 893.03.

3238 Section 17. For the purpose of incorporating the amendment
3239 made by this act to section 893.03, Florida Statutes, in a
3240 reference thereto, paragraph (b) of subsection (11) of section
3241 440.102, Florida Statutes, is reenacted to read:

3242 440.102 Drug-free workplace program requirements.—The
3243 following provisions apply to a drug-free workplace program
3244 implemented pursuant to law or to rules adopted by the Agency
3245 for Health Care Administration:

3246 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK
3247 POSITIONS.—

3248 (b) An employee who is employed by a public employer in a
3249 special-risk position may be discharged or disciplined by a
3250 public employer for the first positive confirmed test result if

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3251 the drug confirmed is an illicit drug under s. 893.03. A
3252 special-risk employee who is participating in an employee
3253 assistance program or drug rehabilitation program may not be
3254 allowed to continue to work in any special-risk or mandatory-
3255 testing position of the public employer, but may be assigned to
3256 a position other than a mandatory-testing position or placed on
3257 leave while the employee is participating in the program.
3258 However, the employee shall be permitted to use any accumulated
3259 annual leave credits before leave may be ordered without pay.

3260 Section 18. For the purpose of incorporating the amendment
3261 made by this act to section 893.03, Florida Statutes, in a
3262 reference thereto, subsection (2) of section 456.44, Florida
3263 Statutes, is reenacted to read:

3264 456.44 Controlled substance prescribing.—

3265 (2) REGISTRATION.—Effective January 1, 2012, a physician
3266 licensed under chapter 458, chapter 459, chapter 461, or chapter
3267 466 who prescribes any controlled substance, listed in Schedule
3268 II, Schedule III, or Schedule IV as defined in s. 893.03, for
3269 the treatment of chronic nonmalignant pain, must:

3270 (a) Designate himself or herself as a controlled substance
3271 prescribing practitioner on the physician's practitioner
3272 profile.

3273 (b) Comply with the requirements of this section and
3274 applicable board rules.

3275 Section 19. For the purpose of incorporating the amendment
3276 made by this act to section 893.03, Florida Statutes, in a
3277 reference thereto, subsection (3) of section 458.326, Florida
3278 Statutes, is reenacted to read:

3279 458.326 Intractable pain; authorized treatment.—

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3280 (3) Notwithstanding any other provision of law, a physician
3281 may prescribe or administer any controlled substance under
3282 Schedules II-V, as provided for in s. 893.03, to a person for
3283 the treatment of intractable pain, provided the physician does
3284 so in accordance with that level of care, skill, and treatment
3285 recognized by a reasonably prudent physician under similar
3286 conditions and circumstances.

3287 Section 20. For the purpose of incorporating the amendment
3288 made by this act to section 893.03, Florida Statutes, in a
3289 reference thereto, paragraph (e) of subsection (1) of section
3290 458.3265, Florida Statutes, is reenacted to read:

3291 458.3265 Pain-management clinics.—

3292 (1) REGISTRATION.—

3293 (e) The department shall deny registration to any pain-
3294 management clinic owned by or with any contractual or employment
3295 relationship with a physician:

3296 1. Whose Drug Enforcement Administration number has ever
3297 been revoked.

3298 2. Whose application for a license to prescribe, dispense,
3299 or administer a controlled substance has been denied by any
3300 jurisdiction.

3301 3. Who has been convicted of or pleaded guilty or nolo
3302 contendere to, regardless of adjudication, an offense that
3303 constitutes a felony for receipt of illicit and diverted drugs,
3304 including a controlled substance listed in Schedule I, Schedule
3305 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3306 this state, any other state, or the United States.

3307 Section 21. For the purpose of incorporating the amendment
3308 made by this act to section 893.03, Florida Statutes, in a

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3309 reference thereto, paragraph (e) of subsection (1) of section
3310 459.0137, Florida Statutes, is reenacted to read:

3311 459.0137 Pain-management clinics.—

3312 (1) REGISTRATION.—

3313 (e) The department shall deny registration to any pain-
3314 management clinic owned by or with any contractual or employment
3315 relationship with a physician:

3316 1. Whose Drug Enforcement Administration number has ever
3317 been revoked.

3318 2. Whose application for a license to prescribe, dispense,
3319 or administer a controlled substance has been denied by any
3320 jurisdiction.

3321 3. Who has been convicted of or pleaded guilty or nolo
3322 contendere to, regardless of adjudication, an offense that
3323 constitutes a felony for receipt of illicit and diverted drugs,
3324 including a controlled substance listed in Schedule I, Schedule
3325 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3326 this state, any other state, or the United States.

3327 Section 22. For the purpose of incorporating the amendment
3328 made by this act to section 893.03, Florida Statutes, in a
3329 reference thereto, paragraph (a) of subsection (4) of section
3330 463.0055, Florida Statutes, is reenacted to read:

3331 463.0055 Administration and prescription of ocular
3332 pharmaceutical agents.—

3333 (4) A certified optometrist shall be issued a prescriber
3334 number by the board. Any prescription written by a certified
3335 optometrist for an ocular pharmaceutical agent pursuant to this
3336 section shall have the prescriber number printed thereon. A
3337 certified optometrist may not administer or prescribe:

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3338 (a) A controlled substance listed in Schedule III, Schedule
3339 IV, or Schedule V of s. 893.03, except for an oral analgesic
3340 placed on the formulary pursuant to this section for the relief
3341 of pain due to ocular conditions of the eye and its appendages.

3342 Section 23. For the purpose of incorporating the amendment
3343 made by this act to section 893.03, Florida Statutes, in a
3344 reference thereto, paragraph (b) of subsection (1) of section
3345 465.0276, Florida Statutes, is reenacted to read:

3346 465.0276 Dispensing practitioner.—

3347 (1)

3348 (b) A practitioner registered under this section may not
3349 dispense a controlled substance listed in Schedule II or
3350 Schedule III as provided in s. 893.03. This paragraph does not
3351 apply to:

3352 1. The dispensing of complimentary packages of medicinal
3353 drugs which are labeled as a drug sample or complimentary drug
3354 as defined in s. 499.028 to the practitioner's own patients in
3355 the regular course of her or his practice without the payment of
3356 a fee or remuneration of any kind, whether direct or indirect,
3357 as provided in subsection (5).

3358 2. The dispensing of controlled substances in the health
3359 care system of the Department of Corrections.

3360 3. The dispensing of a controlled substance listed in
3361 Schedule II or Schedule III in connection with the performance
3362 of a surgical procedure. The amount dispensed pursuant to the
3363 subparagraph may not exceed a 14-day supply. This exception does
3364 not allow for the dispensing of a controlled substance listed in
3365 Schedule II or Schedule III more than 14 days after the
3366 performance of the surgical procedure. For purposes of this

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3367 subparagraph, the term "surgical procedure" means any procedure
3368 in any setting which involves, or reasonably should involve:

3369 a. Perioperative medication and sedation that allows the
3370 patient to tolerate unpleasant procedures while maintaining
3371 adequate cardiorespiratory function and the ability to respond
3372 purposefully to verbal or tactile stimulation and makes intra-
3373 and postoperative monitoring necessary; or

3374 b. The use of general anesthesia or major conduction
3375 anesthesia and preoperative sedation.

3376 4. The dispensing of a controlled substance listed in
3377 Schedule II or Schedule III pursuant to an approved clinical
3378 trial. For purposes of this subparagraph, the term "approved
3379 clinical trial" means a clinical research study or clinical
3380 investigation that, in whole or in part, is state or federally
3381 funded or is conducted under an investigational new drug
3382 application that is reviewed by the United States Food and Drug
3383 Administration.

3384 5. The dispensing of methadone in a facility licensed under
3385 s. 397.427 where medication-assisted treatment for opiate
3386 addiction is provided.

3387 6. The dispensing of a controlled substance listed in
3388 Schedule II or Schedule III to a patient of a facility licensed
3389 under part IV of chapter 400.

3390 Section 24. For the purpose of incorporating the amendment
3391 made by this act to section 893.03, Florida Statutes, in
3392 references thereto, subsection (14) and paragraph (a) of
3393 subsection (15) of section 499.0121, Florida Statutes, are
3394 reenacted to read:

3395 499.0121 Storage and handling of prescription drugs;

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3396 recordkeeping.—The department shall adopt rules to implement
3397 this section as necessary to protect the public health, safety,
3398 and welfare. Such rules shall include, but not be limited to,
3399 requirements for the storage and handling of prescription drugs
3400 and for the establishment and maintenance of prescription drug
3401 distribution records.

3402 (14) DISTRIBUTION REPORTING.—Each prescription drug
3403 wholesale distributor, out-of-state prescription drug wholesale
3404 distributor, retail pharmacy drug wholesale distributor,
3405 manufacturer, or repackager that engages in the wholesale
3406 distribution of controlled substances as defined in s. 893.02
3407 shall submit a report to the department of its receipts and
3408 distributions of controlled substances listed in Schedule II,
3409 Schedule III, Schedule IV, or Schedule V as provided in s.
3410 893.03. Wholesale distributor facilities located within this
3411 state shall report all transactions involving controlled
3412 substances, and wholesale distributor facilities located outside
3413 this state shall report all distributions to entities located in
3414 this state. If the prescription drug wholesale distributor, out-
3415 of-state prescription drug wholesale distributor, retail
3416 pharmacy drug wholesale distributor, manufacturer, or repackager
3417 does not have any controlled substance distributions for the
3418 month, a report shall be sent indicating that no distributions
3419 occurred in the period. The report shall be submitted monthly by
3420 the 20th of the next month, in the electronic format used for
3421 controlled substance reporting to the Automation of Reports and
3422 Consolidated Orders System division of the federal Drug
3423 Enforcement Administration. Submission of electronic data must
3424 be made in a secured Internet environment that allows for manual

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3425 or automated transmission. Upon successful transmission, an
3426 acknowledgment page must be displayed to confirm receipt. The
3427 report must contain the following information:

3428 (a) The federal Drug Enforcement Administration
3429 registration number of the wholesale distributing location.

3430 (b) The federal Drug Enforcement Administration
3431 registration number of the entity to which the drugs are
3432 distributed or from which the drugs are received.

3433 (c) The transaction code that indicates the type of
3434 transaction.

3435 (d) The National Drug Code identifier of the product and
3436 the quantity distributed or received.

3437 (e) The Drug Enforcement Administration Form 222 number or
3438 Controlled Substance Ordering System Identifier on all Schedule
3439 II transactions.

3440 (f) The date of the transaction.

3441

3442 The department must share the reported data with the Department
3443 of Law Enforcement and local law enforcement agencies upon
3444 request and must monitor purchasing to identify purchasing
3445 levels that are inconsistent with the purchasing entity's
3446 clinical needs. The Department of Law Enforcement shall
3447 investigate purchases at levels that are inconsistent with the
3448 purchasing entity's clinical needs to determine whether
3449 violations of chapter 893 have occurred.

3450 (15) DUE DILIGENCE OF PURCHASERS.—

3451 (a) Each prescription drug wholesale distributor, out-of-
3452 state prescription drug wholesale distributor, and retail
3453 pharmacy drug wholesale distributor must establish and maintain

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3454 policies and procedures to credential physicians licensed under
3455 chapter 458, chapter 459, chapter 461, or chapter 466 and
3456 pharmacies that purchase or otherwise receive from the wholesale
3457 distributor controlled substances listed in Schedule II or
3458 Schedule III as provided in s. 893.03. The prescription drug
3459 wholesale distributor, out-of-state prescription drug wholesale
3460 distributor, or retail pharmacy drug wholesale distributor shall
3461 maintain records of such credentialing and make the records
3462 available to the department upon request. Such credentialing
3463 must, at a minimum, include:

3464 1. A determination of the clinical nature of the receiving
3465 entity, including any specialty practice area.

3466 2. A review of the receiving entity's history of Schedule
3467 II and Schedule III controlled substance purchasing from the
3468 wholesale distributor.

3469 3. A determination that the receiving entity's Schedule II
3470 and Schedule III controlled substance purchasing history, if
3471 any, is consistent with and reasonable for that entity's
3472 clinical business needs.

3473 Section 25. For the purpose of incorporating the amendment
3474 made by this act to section 893.03, Florida Statutes, in a
3475 reference thereto, paragraph (a) of subsection (3) of section
3476 499.029, Florida Statutes, is reenacted to read:

3477 499.029 Cancer Drug Donation Program.—

3478 (3) As used in this section:

3479 (a) "Cancer drug" means a prescription drug that has been
3480 approved under s. 505 of the federal Food, Drug, and Cosmetic
3481 Act and is used to treat cancer or its side effects or is used
3482 to treat the side effects of a prescription drug used to treat

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3483 cancer or its side effects. "Cancer drug" does not include a
3484 substance listed in Schedule II, Schedule III, Schedule IV, or
3485 Schedule V of s. 893.03.

3486 Section 26. For the purpose of incorporating the amendment
3487 made by this act to section 893.03, Florida Statutes, in
3488 references thereto, subsections (1) and (4) of section 782.04,
3489 Florida Statutes, are reenacted to read:

3490 782.04 Murder.—

3491 (1)(a) The unlawful killing of a human being:

3492 1. When perpetrated from a premeditated design to effect
3493 the death of the person killed or any human being;

3494 2. When committed by a person engaged in the perpetration
3495 of, or in the attempt to perpetrate, any:

3496 a. Trafficking offense prohibited by s. 893.135(1),

3497 b. Arson,

3498 c. Sexual battery,

3499 d. Robbery,

3500 e. Burglary,

3501 f. Kidnapping,

3502 g. Escape,

3503 h. Aggravated child abuse,

3504 i. Aggravated abuse of an elderly person or disabled adult,

3505 j. Aircraft piracy,

3506 k. Unlawful throwing, placing, or discharging of a
3507 destructive device or bomb,

3508 l. Carjacking,

3509 m. Home-invasion robbery,

3510 n. Aggravated stalking,

3511 o. Murder of another human being,

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3512 p. Resisting an officer with violence to his or her person,
3513 q. Aggravated fleeing or eluding with serious bodily injury
3514 or death,

3515 r. Felony that is an act of terrorism or is in furtherance
3516 of an act of terrorism; or

3517 3. Which resulted from the unlawful distribution of any
3518 substance controlled under s. 893.03(1), cocaine as described in
3519 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
3520 compound, derivative, or preparation of opium, or methadone by a
3521 person 18 years of age or older, when such drug is proven to be
3522 the proximate cause of the death of the user,

3523
3524 is murder in the first degree and constitutes a capital felony,
3525 punishable as provided in s. 775.082.

3526 (b) In all cases under this section, the procedure set
3527 forth in s. 921.141 shall be followed in order to determine
3528 sentence of death or life imprisonment.

3529 (4) The unlawful killing of a human being, when perpetrated
3530 without any design to effect death, by a person engaged in the
3531 perpetration of, or in the attempt to perpetrate, any felony
3532 other than any:

3533 (a) Trafficking offense prohibited by s. 893.135(1),

3534 (b) Arson,

3535 (c) Sexual battery,

3536 (d) Robbery,

3537 (e) Burglary,

3538 (f) Kidnapping,

3539 (g) Escape,

3540 (h) Aggravated child abuse,

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3541 (i) Aggravated abuse of an elderly person or disabled
3542 adult,
3543 (j) Aircraft piracy,
3544 (k) Unlawful throwing, placing, or discharging of a
3545 destructive device or bomb,
3546 (l) Unlawful distribution of any substance controlled under
3547 s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., or
3548 opium or any synthetic or natural salt, compound, derivative, or
3549 preparation of opium by a person 18 years of age or older, when
3550 such drug is proven to be the proximate cause of the death of
3551 the user,
3552 (m) Carjacking,
3553 (n) Home-invasion robbery,
3554 (o) Aggravated stalking,
3555 (p) Murder of another human being,
3556 (q) Aggravated fleeing or eluding with serious bodily
3557 injury or death,
3558 (r) Resisting an officer with violence to his or her
3559 person, or
3560 (s) Felony that is an act of terrorism or is in furtherance
3561 of an act of terrorism,
3562
3563 is murder in the third degree and constitutes a felony of the
3564 second degree, punishable as provided in s. 775.082, s. 775.083,
3565 or s. 775.084.
3566 Section 27. For the purpose of incorporating the amendment
3567 made by this act to section 893.03, Florida Statutes, in a
3568 reference thereto, paragraph (a) of subsection (2) of section
3569 787.06, Florida Statutes, is reenacted to read:

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- 3570 787.06 Human trafficking.—
- 3571 (2) As used in this section, the term:
- 3572 (a) "Coercion" means:
- 3573 1. Using or threatening to use physical force against any
- 3574 person;
- 3575 2. Restraining, isolating, or confining or threatening to
- 3576 restrain, isolate, or confine any person without lawful
- 3577 authority and against her or his will;
- 3578 3. Using lending or other credit methods to establish a
- 3579 debt by any person when labor or services are pledged as a
- 3580 security for the debt, if the value of the labor or services as
- 3581 reasonably assessed is not applied toward the liquidation of the
- 3582 debt, the length and nature of the labor or services are not
- 3583 respectively limited and defined;
- 3584 4. Destroying, concealing, removing, confiscating,
- 3585 withholding, or possessing any actual or purported passport,
- 3586 visa, or other immigration document, or any other actual or
- 3587 purported government identification document, of any person;
- 3588 5. Causing or threatening to cause financial harm to any
- 3589 person;
- 3590 6. Enticing or luring any person by fraud or deceit; or
- 3591 7. Providing a controlled substance as outlined in Schedule
- 3592 I or Schedule II of s. 893.03 to any person for the purpose of
- 3593 exploitation of that person.
- 3594 Section 28. For the purpose of incorporating the amendment
- 3595 made by this act to section 893.03, Florida Statutes, in a
- 3596 reference thereto, subsection (1) of section 817.563, Florida
- 3597 Statutes, is reenacted to read:
- 3598 817.563 Controlled substance named or described in s.

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3599 893.03; sale of substance in lieu thereof.—It is unlawful for
3600 any person to agree, consent, or in any manner offer to
3601 unlawfully sell to any person a controlled substance named or
3602 described in s. 893.03 and then sell to such person any other
3603 substance in lieu of such controlled substance. Any person who
3604 violates this section with respect to:

3605 (1) A controlled substance named or described in s.
3606 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3607 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3608 775.084.

3609 Section 29. For the purpose of incorporating the amendment
3610 made by this act to section 893.03, Florida Statutes, in a
3611 reference thereto, section 831.31, Florida Statutes, is
3612 reenacted to read:

3613 831.31 Counterfeit controlled substance; sale, manufacture,
3614 delivery, or possession with intent to sell, manufacture, or
3615 deliver.—

3616 (1) It is unlawful for any person to sell, manufacture, or
3617 deliver, or to possess with intent to sell, manufacture, or
3618 deliver, a counterfeit controlled substance. Any person who
3619 violates this subsection with respect to:

3620 (a) A controlled substance named or described in s.
3621 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3622 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3623 775.084.

3624 (b) A controlled substance named or described in s.
3625 893.03(5) is guilty of a misdemeanor of the second degree,
3626 punishable as provided in s. 775.082 or s. 775.083.

3627 (2) For purposes of this section, "counterfeit controlled

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3628 substance" means:

3629 (a) A controlled substance named or described in s. 893.03
3630 which, or the container or labeling of which, without
3631 authorization bears the trademark, trade name, or other
3632 identifying mark, imprint, or number, or any likeness thereof,
3633 of a manufacturer other than the person who in fact manufactured
3634 the controlled substance; or

3635 (b) Any substance which is falsely identified as a
3636 controlled substance named or described in s. 893.03.

3637 Section 30. For the purpose of incorporating the amendment
3638 made by this act to section 893.03, Florida Statutes, in a
3639 reference thereto, section 893.0301, Florida Statutes, is
3640 reenacted to read:

3641 893.0301 Death resulting from apparent drug overdose;
3642 reporting requirements.—If a person dies of an apparent drug
3643 overdose:

3644 (1) A law enforcement agency shall prepare a report
3645 identifying each prescribed controlled substance listed in
3646 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is
3647 found on or near the deceased or among the deceased's
3648 possessions. The report must identify the person who prescribed
3649 the controlled substance, if known or ascertainable. Thereafter,
3650 the law enforcement agency shall submit a copy of the report to
3651 the medical examiner.

3652 (2) A medical examiner who is preparing a report pursuant
3653 to s. 406.11 shall include in the report information identifying
3654 each prescribed controlled substance listed in Schedule II,
3655 Schedule III, or Schedule IV of s. 893.03 that was found in, on,
3656 or near the deceased or among the deceased's possessions.

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3657 Section 31. For the purpose of incorporating the amendment
3658 made by this act to section 893.03, Florida Statutes, in a
3659 reference thereto, paragraph (a) of subsection (7) of section
3660 893.035, Florida Statutes, is reenacted to read:

3661 893.035 Control of new substances; findings of fact;
3662 delegation of authority to Attorney General to control
3663 substances by rule.—

3664 (7) (a) If the Attorney General finds that the scheduling of
3665 a substance in Schedule I of s. 893.03 on a temporary basis is
3666 necessary to avoid an imminent hazard to the public safety, he
3667 or she may by rule and without regard to the requirements of
3668 subsection (5) relating to the Department of Health and the
3669 Department of Law Enforcement schedule such substance in
3670 Schedule I if the substance is not listed in any other schedule
3671 of s. 893.03. The Attorney General shall be required to
3672 consider, with respect to his or her finding of imminent hazard
3673 to the public safety, only those factors set forth in paragraphs
3674 (3) (a) and (4) (d), (e), and (f), including actual abuse,
3675 diversion from legitimate channels, and clandestine importation,
3676 manufacture, or distribution.

3677 Section 32. For the purpose of incorporating the amendment
3678 made by this act to section 893.03, Florida Statutes, in a
3679 reference thereto, subsection (1) of section 893.05, Florida
3680 Statutes, is reenacted to read:

3681 893.05 Practitioners and persons administering controlled
3682 substances in their absence.—

3683 (1) A practitioner, in good faith and in the course of his
3684 or her professional practice only, may prescribe, administer,
3685 dispense, mix, or otherwise prepare a controlled substance, or

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3686 the practitioner may cause the same to be administered by a
3687 licensed nurse or an intern practitioner under his or her
3688 direction and supervision only. A veterinarian may so prescribe,
3689 administer, dispense, mix, or prepare a controlled substance for
3690 use on animals only, and may cause it to be administered by an
3691 assistant or orderly under the veterinarian's direction and
3692 supervision only. A certified optometrist licensed under chapter
3693 463 may not administer or prescribe a controlled substance
3694 listed in Schedule I or Schedule II of s. 893.03.

3695 Section 33. For the purpose of incorporating the amendment
3696 made by this act to section 893.03, Florida Statutes, in a
3697 reference thereto, paragraph (b) of subsection (1) of section
3698 893.055, Florida Statutes, is reenacted to read:

3699 893.055 Prescription drug monitoring program.—

3700 (1) As used in this section, the term:

3701 (b) "Controlled substance" means a controlled substance
3702 listed in Schedule II, Schedule III, or Schedule IV in s.
3703 893.03.

3704 Section 34. For the purpose of incorporating the amendment
3705 made by this act to section 893.03, Florida Statutes, in a
3706 reference thereto, paragraph (b) of subsection (5) of section
3707 893.07, Florida Statutes, is reenacted to read:

3708 893.07 Records.—

3709 (5) Each person described in subsection (1) shall:

3710 (b) In the event of the discovery of the theft or
3711 significant loss of controlled substances, report such theft or
3712 significant loss to the sheriff of that county within 24 hours
3713 after discovery. A person who fails to report a theft or
3714 significant loss of a substance listed in s. 893.03(3), (4), or

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3715 (5) within 24 hours after discovery as required in this
3716 paragraph commits a misdemeanor of the second degree, punishable
3717 as provided in s. 775.082 or s. 775.083. A person who fails to
3718 report a theft or significant loss of a substance listed in s.
3719 893.03(2) within 24 hours after discovery as required in this
3720 paragraph commits a misdemeanor of the first degree, punishable
3721 as provided in s. 775.082 or s. 775.083.

3722 Section 35. For the purpose of incorporating the amendment
3723 made by this act to section 893.03, Florida Statutes, in
3724 references thereto, paragraphs (b), (c), and (d) of subsection
3725 (2) of section 893.12, Florida Statutes, are reenacted to read:
3726 893.12 Contraband; seizure, forfeiture, sale.—

3727 (2)

3728 (b) All real property, including any right, title,
3729 leasehold interest, and other interest in the whole of any lot
3730 or tract of land and any appurtenances or improvements, which
3731 real property is used, or intended to be used, in any manner or
3732 part, to commit or to facilitate the commission of, or which
3733 real property is acquired with proceeds obtained as a result of,
3734 a violation of any provision of this chapter related to a
3735 controlled substance described in s. 893.03(1) or (2) may be
3736 seized and forfeited as provided by the Florida Contraband
3737 Forfeiture Act except that no property shall be forfeited under
3738 this paragraph to the extent of an interest of an owner or
3739 lienholder by reason of any act or omission established by that
3740 owner or lienholder to have been committed or omitted without
3741 the knowledge or consent of that owner or lienholder.

3742 (c) All moneys, negotiable instruments, securities, and
3743 other things of value furnished or intended to be furnished by

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3744 any person in exchange for a controlled substance described in
3745 s. 893.03(1) or (2) or a listed chemical in violation of any
3746 provision of this chapter, all proceeds traceable to such an
3747 exchange, and all moneys, negotiable instruments, and securities
3748 used or intended to be used to facilitate any violation of any
3749 provision of this chapter or which are acquired with proceeds
3750 obtained in violation of any provision of this chapter may be
3751 seized and forfeited as provided by the Florida Contraband
3752 Forfeiture Act, except that no property shall be forfeited under
3753 this paragraph to the extent of an interest of an owner or
3754 lienholder by reason of any act or omission established by that
3755 owner or lienholder to have been committed or omitted without
3756 the knowledge or consent of that owner or lienholder.

3757 (d) All books, records, and research, including formulas,
3758 microfilm, tapes, and data which are used, or intended for use,
3759 or which are acquired with proceeds obtained, in violation of
3760 any provision of this chapter related to a controlled substance
3761 described in s. 893.03(1) or (2) or a listed chemical may be
3762 seized and forfeited as provided by the Florida Contraband
3763 Forfeiture Act.

3764 Section 36. For the purpose of incorporating the amendment
3765 made by this act to section 893.03, Florida Statutes, in a
3766 reference thereto, subsection (2) of section 944.474, Florida
3767 Statutes, is reenacted to read:

3768 944.474 Legislative intent; employee wellness program; drug
3769 and alcohol testing.—

3770 (2) An employee of the department may not test positive for
3771 illegal use of controlled substances. An employee of the
3772 department may not be under the influence of alcohol while on

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3773 duty. In order to ensure that these prohibitions are adhered to
3774 by all employees of the department and notwithstanding s.
3775 112.0455, the department may develop a program for the drug
3776 testing of all job applicants and for the random drug testing of
3777 all employees. The department may randomly evaluate employees
3778 for the contemporaneous use or influence of alcohol through the
3779 use of alcohol tests and observation methods. Notwithstanding s.
3780 112.0455, the department may develop a program for the
3781 reasonable suspicion drug testing of employees who are in
3782 mandatory-testing positions, as defined in s. 440.102(1)(o), or
3783 special risk positions, as defined in s. 112.0455(5), for the
3784 controlled substances listed in s. 893.03(3)(d). The reasonable
3785 suspicion drug testing authorized by this subsection shall be
3786 conducted in accordance with s. 112.0455, but may also include
3787 testing upon reasonable suspicion based on violent acts or
3788 violent behavior of an employee who is on or off duty. The
3789 department shall adopt rules pursuant to ss. 120.536(1) and
3790 120.54 that are necessary to administer this subsection.

3791 Section 37. For the purpose of incorporating the amendment
3792 made by this act to section 893.033, Florida Statutes, in a
3793 reference thereto, subsection (4) of section 893.149, Florida
3794 Statutes, is reenacted to read:

3795 893.149 Unlawful possession of listed chemical.—

3796 (4) Any damages arising out of the unlawful possession of,
3797 storage of, or tampering with a listed chemical, as defined in
3798 s. 893.033, shall be the sole responsibility of the person or
3799 persons unlawfully possessing, storing, or tampering with the
3800 listed chemical. In no case shall liability for damages arising
3801 out of the unlawful possession of, storage of, or tampering with

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3802 a listed chemical extend to the lawful owner, installer,
3803 maintainer, designer, manufacturer, possessor, or seller of the
3804 listed chemical, unless such damages arise out of the acts or
3805 omissions of the owner, installer, maintainer, designer,
3806 manufacturer, possessor, or seller which constitute negligent
3807 misconduct or failure to abide by the laws regarding the
3808 possession or storage of a listed chemical.

3809 Section 38. For the purpose of incorporating the amendment
3810 made by this act to section 893.13, Florida Statutes, in a
3811 reference thereto, paragraph (b) of subsection (4) of section
3812 397.451, Florida Statutes, is reenacted to read:

3813 397.451 Background checks of service provider personnel.—

3814 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3815 (b) Since rehabilitated substance abuse impaired persons
3816 are effective in the successful treatment and rehabilitation of
3817 substance abuse impaired adolescents, for service providers
3818 which treat adolescents 13 years of age and older, service
3819 provider personnel whose background checks indicate crimes under
3820 s. 817.563, s. 893.13, or s. 893.147 may be exempted from
3821 disqualification from employment pursuant to this paragraph.

3822 Section 39. For the purpose of incorporating the amendment
3823 made by this act to section 893.13, Florida Statutes, in a
3824 reference thereto, subsection (2) of section 435.07, Florida
3825 Statutes, is reenacted to read:

3826 435.07 Exemptions from disqualification.—Unless otherwise
3827 provided by law, the provisions of this section apply to
3828 exemptions from disqualification for disqualifying offenses
3829 revealed pursuant to background screenings required under this
3830 chapter, regardless of whether those disqualifying offenses are

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3831 listed in this chapter or other laws.

3832 (2) Persons employed, or applicants for employment, by
3833 treatment providers who treat adolescents 13 years of age and
3834 older who are disqualified from employment solely because of
3835 crimes under s. 817.563, s. 893.13, or s. 893.147 may be
3836 exempted from disqualification from employment pursuant to this
3837 chapter without application of the waiting period in
3838 subparagraph (1)(a)1.

3839 Section 40. For the purpose of incorporating the amendment
3840 made by this act to section 893.13, Florida Statutes, in a
3841 reference thereto, subsection (2) of section 772.12, Florida
3842 Statutes, is reenacted to read:

3843 772.12 Drug Dealer Liability Act.—

3844 (2) A person, including any governmental entity, has a
3845 cause of action for threefold the actual damages sustained and
3846 is entitled to minimum damages in the amount of \$1,000 and
3847 reasonable attorney's fees and court costs in the trial and
3848 appellate courts, if the person proves by the greater weight of
3849 the evidence that:

3850 (a) The person was injured because of the defendant's
3851 actions that resulted in the defendant's conviction for:

3852 1. A violation of s. 893.13, except for a violation of s.
3853 893.13(2)(a) or (b), (3), (5), (6)(a), (b), or (c), (7); or

3854 2. A violation of s. 893.135; and

3855 (b) The person was not injured by reason of his or her
3856 participation in the same act or transaction that resulted in
3857 the defendant's conviction for any offense described in
3858 subparagraph (a)1.

3859 Section 41. For the purpose of incorporating the amendment

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3860 made by this act to section 893.13, Florida Statutes, in a
3861 reference thereto, paragraph (a) of subsection (1) of section
3862 775.084, Florida Statutes, is reenacted to read:

3863 775.084 Violent career criminals; habitual felony offenders
3864 and habitual violent felony offenders; three-time violent felony
3865 offenders; definitions; procedure; enhanced penalties or
3866 mandatory minimum prison terms.-

3867 (1) As used in this act:

3868 (a) "Habitual felony offender" means a defendant for whom
3869 the court may impose an extended term of imprisonment, as
3870 provided in paragraph (4) (a), if it finds that:

3871 1. The defendant has previously been convicted of any
3872 combination of two or more felonies in this state or other
3873 qualified offenses.

3874 2. The felony for which the defendant is to be sentenced
3875 was committed:

3876 a. While the defendant was serving a prison sentence or
3877 other sentence, or court-ordered or lawfully imposed supervision
3878 that is imposed as a result of a prior conviction for a felony
3879 or other qualified offense; or

3880 b. Within 5 years of the date of the conviction of the
3881 defendant's last prior felony or other qualified offense, or
3882 within 5 years of the defendant's release from a prison
3883 sentence, probation, community control, control release,
3884 conditional release, parole or court-ordered or lawfully imposed
3885 supervision or other sentence that is imposed as a result of a
3886 prior conviction for a felony or other qualified offense,
3887 whichever is later.

3888 3. The felony for which the defendant is to be sentenced,

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3889 and one of the two prior felony convictions, is not a violation
3890 of s. 893.13 relating to the purchase or the possession of a
3891 controlled substance.

3892 4. The defendant has not received a pardon for any felony
3893 or other qualified offense that is necessary for the operation
3894 of this paragraph.

3895 5. A conviction of a felony or other qualified offense
3896 necessary to the operation of this paragraph has not been set
3897 aside in any postconviction proceeding.

3898 Section 42. For the purpose of incorporating the amendment
3899 made by this act to section 893.13, Florida Statutes, in a
3900 reference thereto, subsection (3) of section 810.02, Florida
3901 Statutes, is reenacted to read:

3902 810.02 Burglary.—

3903 (3) Burglary is a felony of the second degree, punishable
3904 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
3905 course of committing the offense, the offender does not make an
3906 assault or battery and is not and does not become armed with a
3907 dangerous weapon or explosive, and the offender enters or
3908 remains in a:

3909 (a) Dwelling, and there is another person in the dwelling
3910 at the time the offender enters or remains;

3911 (b) Dwelling, and there is not another person in the
3912 dwelling at the time the offender enters or remains;

3913 (c) Structure, and there is another person in the structure
3914 at the time the offender enters or remains;

3915 (d) Conveyance, and there is another person in the
3916 conveyance at the time the offender enters or remains;

3917 (e) Authorized emergency vehicle, as defined in s. 316.003;

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3918 or

3919 (f) Structure or conveyance when the offense intended to be
3920 committed therein is theft of a controlled substance as defined
3921 in s. 893.02. Notwithstanding any other law, separate judgments
3922 and sentences for burglary with the intent to commit theft of a
3923 controlled substance under this paragraph and for any applicable
3924 possession of controlled substance offense under s. 893.13 or
3925 trafficking in controlled substance offense under s. 893.135 may
3926 be imposed when all such offenses involve the same amount or
3927 amounts of a controlled substance.

3928

3929 However, if the burglary is committed within a county that is
3930 subject to a state of emergency declared by the Governor under
3931 chapter 252 after the declaration of emergency is made and the
3932 perpetration of the burglary is facilitated by conditions
3933 arising from the emergency, the burglary is a felony of the
3934 first degree, punishable as provided in s. 775.082, s. 775.083,
3935 or s. 775.084. As used in this subsection, the term "conditions
3936 arising from the emergency" means civil unrest, power outages,
3937 curfews, voluntary or mandatory evacuations, or a reduction in
3938 the presence of or response time for first responders or
3939 homeland security personnel. A person arrested for committing a
3940 burglary within a county that is subject to such a state of
3941 emergency may not be released until the person appears before a
3942 committing magistrate at a first appearance hearing. For
3943 purposes of sentencing under chapter 921, a felony offense that
3944 is reclassified under this subsection is ranked one level above
3945 the ranking under s. 921.0022 or s. 921.0023 of the offense
3946 committed.

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3947 Section 43. For the purpose of incorporating the amendment
3948 made by this act to section 893.13, Florida Statutes, in a
3949 reference thereto, subsection (2) of section 812.014, Florida
3950 Statutes, is reenacted to read:

3951 812.014 Theft.—

3952 (2) (a) 1. If the property stolen is valued at \$100,000 or
3953 more or is a semitrailer that was deployed by a law enforcement
3954 officer; or

3955 2. If the property stolen is cargo valued at \$50,000 or
3956 more that has entered the stream of interstate or intrastate
3957 commerce from the shipper's loading platform to the consignee's
3958 receiving dock; or

3959 3. If the offender commits any grand theft and:

3960 a. In the course of committing the offense the offender
3961 uses a motor vehicle as an instrumentality, other than merely as
3962 a getaway vehicle, to assist in committing the offense and
3963 thereby damages the real property of another; or

3964 b. In the course of committing the offense the offender
3965 causes damage to the real or personal property of another in
3966 excess of \$1,000,

3967
3968 the offender commits grand theft in the first degree, punishable
3969 as a felony of the first degree, as provided in s. 775.082, s.
3970 775.083, or s. 775.084.

3971 (b) 1. If the property stolen is valued at \$20,000 or more,
3972 but less than \$100,000;

3973 2. The property stolen is cargo valued at less than \$50,000
3974 that has entered the stream of interstate or intrastate commerce
3975 from the shipper's loading platform to the consignee's receiving

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3976 dock;

3977 3. The property stolen is emergency medical equipment,
3978 valued at \$300 or more, that is taken from a facility licensed
3979 under chapter 395 or from an aircraft or vehicle permitted under
3980 chapter 401; or

3981 4. The property stolen is law enforcement equipment, valued
3982 at \$300 or more, that is taken from an authorized emergency
3983 vehicle, as defined in s. 316.003,

3984
3985 the offender commits grand theft in the second degree,
3986 punishable as a felony of the second degree, as provided in s.
3987 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
3988 means mechanical or electronic apparatus used to provide
3989 emergency services and care as defined in s. 395.002(9) or to
3990 treat medical emergencies. Law enforcement equipment means any
3991 property, device, or apparatus used by any law enforcement
3992 officer as defined in s. 943.10 in the officer's official
3993 business. However, if the property is stolen within a county
3994 that is subject to a state of emergency declared by the Governor
3995 under chapter 252, the theft is committed after the declaration
3996 of emergency is made, and the perpetration of the theft is
3997 facilitated by conditions arising from the emergency, the theft
3998 is a felony of the first degree, punishable as provided in s.
3999 775.082, s. 775.083, or s. 775.084. As used in this paragraph,
4000 the term "conditions arising from the emergency" means civil
4001 unrest, power outages, curfews, voluntary or mandatory
4002 evacuations, or a reduction in the presence of or response time
4003 for first responders or homeland security personnel. For
4004 purposes of sentencing under chapter 921, a felony offense that

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4005 is reclassified under this paragraph is ranked one level above
4006 the ranking under s. 921.0022 or s. 921.0023 of the offense
4007 committed.

4008 (c) It is grand theft of the third degree and a felony of
4009 the third degree, punishable as provided in s. 775.082, s.
4010 775.083, or s. 775.084, if the property stolen is:

- 4011 1. Valued at \$300 or more, but less than \$5,000.
- 4012 2. Valued at \$5,000 or more, but less than \$10,000.
- 4013 3. Valued at \$10,000 or more, but less than \$20,000.
- 4014 4. A will, codicil, or other testamentary instrument.
- 4015 5. A firearm.
- 4016 6. A motor vehicle, except as provided in paragraph (a).
- 4017 7. Any commercially farmed animal, including any animal of
4018 the equine, bovine, or swine class or other grazing animal; a
4019 bee colony of a registered beekeeper; and aquaculture species
4020 raised at a certified aquaculture facility. If the property
4021 stolen is aquaculture species raised at a certified aquaculture
4022 facility, then a \$10,000 fine shall be imposed.

4023 8. Any fire extinguisher.

4024 9. Any amount of citrus fruit consisting of 2,000 or more
4025 individual pieces of fruit.

4026 10. Taken from a designated construction site identified by
4027 the posting of a sign as provided for in s. 810.09(2)(d).

4028 11. Any stop sign.

4029 12. Anhydrous ammonia.

4030 13. Any amount of a controlled substance as defined in s.
4031 893.02. Notwithstanding any other law, separate judgments and
4032 sentences for theft of a controlled substance under this
4033 subparagraph and for any applicable possession of controlled

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4034 substance offense under s. 893.13 or trafficking in controlled
4035 substance offense under s. 893.135 may be imposed when all such
4036 offenses involve the same amount or amounts of a controlled
4037 substance.

4038

4039 However, if the property is stolen within a county that is
4040 subject to a state of emergency declared by the Governor under
4041 chapter 252, the property is stolen after the declaration of
4042 emergency is made, and the perpetration of the theft is
4043 facilitated by conditions arising from the emergency, the
4044 offender commits a felony of the second degree, punishable as
4045 provided in s. 775.082, s. 775.083, or s. 775.084, if the
4046 property is valued at \$5,000 or more, but less than \$10,000, as
4047 provided under subparagraph 2., or if the property is valued at
4048 \$10,000 or more, but less than \$20,000, as provided under
4049 subparagraph 3. As used in this paragraph, the term "conditions
4050 arising from the emergency" means civil unrest, power outages,
4051 curfews, voluntary or mandatory evacuations, or a reduction in
4052 the presence of or the response time for first responders or
4053 homeland security personnel. For purposes of sentencing under
4054 chapter 921, a felony offense that is reclassified under this
4055 paragraph is ranked one level above the ranking under s.
4056 921.0022 or s. 921.0023 of the offense committed.

4057 (d) It is grand theft of the third degree and a felony of
4058 the third degree, punishable as provided in s. 775.082, s.
4059 775.083, or s. 775.084, if the property stolen is valued at \$100
4060 or more, but less than \$300, and is taken from a dwelling as
4061 defined in s. 810.011(2) or from the unenclosed curtilage of a
4062 dwelling pursuant to s. 810.09(1).

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4063 (e) Except as provided in paragraph (d), if the property
4064 stolen is valued at \$100 or more, but less than \$300, the
4065 offender commits petit theft of the first degree, punishable as
4066 a misdemeanor of the first degree, as provided in s. 775.082 or
4067 s. 775.083.

4068 Section 44. For the purpose of incorporating the amendment
4069 made by this act to section 893.13, Florida Statutes, in a
4070 reference thereto, subsection (1) of section 831.311, Florida
4071 Statutes, is reenacted to read:

4072 831.311 Unlawful sale, manufacture, alteration, delivery,
4073 uttering, or possession of counterfeit-resistant prescription
4074 blanks for controlled substances.—

4075 (1) It is unlawful for any person having the intent to
4076 injure or defraud any person or to facilitate any violation of
4077 s. 893.13 to sell, manufacture, alter, deliver, utter, or
4078 possess with intent to injure or defraud any person, or to
4079 facilitate any violation of s. 893.13, any counterfeit-resistant
4080 prescription blanks for controlled substances, the form and
4081 content of which are adopted by rule of the Department of Health
4082 pursuant to s. 893.065.

4083 Section 45. For the purpose of incorporating the amendment
4084 made by this act to section 893.13, Florida Statutes, in a
4085 reference thereto, subsection (1) of section 893.1351, Florida
4086 Statutes, is reenacted to read:

4087 893.1351 Ownership, lease, rental, or possession for
4088 trafficking in or manufacturing a controlled substance.—

4089 (1) A person may not own, lease, or rent any place,
4090 structure, or part thereof, trailer, or other conveyance with
4091 the knowledge that the place, structure, trailer, or conveyance

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4092 will be used for the purpose of trafficking in a controlled
4093 substance, as provided in s. 893.135; for the sale of a
4094 controlled substance, as provided in s. 893.13; or for the
4095 manufacture of a controlled substance intended for sale or
4096 distribution to another. A person who violates this subsection
4097 commits a felony of the third degree, punishable as provided in
4098 s. 775.082, s. 775.083, or s. 775.084.

4099 Section 46. For the purpose of incorporating the amendment
4100 made by this act to section 893.13, Florida Statutes, in a
4101 reference thereto, subsection (3) of section 893.138, Florida
4102 Statutes, is reenacted to read:

4103 893.38 Local administrative action to abate drug-related,
4104 prostitution-related, or stolen-property-related public
4105 nuisances and criminal gang activity.—

4106 (3) Any pain-management clinic, as described in s. 458.3265
4107 or s. 459.0137, which has been used on more than two occasions
4108 within a 6-month period as the site of a violation of:

4109 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,
4110 relating to assault and battery;

4111 (b) Section 810.02, relating to burglary;

4112 (c) Section 812.014, relating to dealing in theft;

4113 (d) Section 812.131, relating to robbery by sudden
4114 snatching; or

4115 (e) Section 893.13, relating to the unlawful distribution
4116 of controlled substances,

4117
4118 may be declared to be a public nuisance, and such nuisance may
4119 be abated pursuant to the procedures provided in this section.

4120 Section 47. For the purpose of incorporating the amendment

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4121 made by this act to section 893.13, Florida Statutes, in a
4122 reference thereto, section 893.15, Florida Statutes, is
4123 reenacted to read:

4124 893.15 Rehabilitation.—Any person who violates s.
4125 893.13(6) (a) or (b) relating to possession may, in the
4126 discretion of the trial judge, be required to participate in a
4127 substance abuse services program approved or regulated by the
4128 Department of Children and Families pursuant to the provisions
4129 of chapter 397, provided the director of such program approves
4130 the placement of the defendant in such program. Such required
4131 participation shall be imposed in addition to any penalty or
4132 probation otherwise prescribed by law. However, the total time
4133 of such penalty, probation, and program participation shall not
4134 exceed the maximum length of sentence possible for the offense.

4135 Section 48. For the purpose of incorporating the amendment
4136 made by this act to section 893.13, Florida Statutes, in a
4137 reference thereto, section 903.133, Florida Statutes, is
4138 reenacted to read:

4139 903.133 Bail on appeal; prohibited for certain felony
4140 convictions.—Notwithstanding the provisions of s. 903.132, no
4141 person adjudged guilty of a felony of the first degree for a
4142 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
4143 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
4144 violation of s. 794.011(2) or (3), shall be admitted to bail
4145 pending review either by posttrial motion or appeal.

4146 Section 49. For the purpose of incorporating the amendment
4147 made by this act to section 893.13, Florida Statutes, in a
4148 reference thereto, paragraph (1) of subsection (1) of section
4149 921.187, Florida Statutes, is reenacted to read:

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4150 921.187 Disposition and sentencing; alternatives;
4151 restitution.—

4152 (1) The alternatives provided in this section for the
4153 disposition of criminal cases shall be used in a manner that
4154 will best serve the needs of society, punish criminal offenders,
4155 and provide the opportunity for rehabilitation. If the offender
4156 does not receive a state prison sentence, the court may:

4157 (1)1. Require the offender who violates any criminal
4158 provision of chapter 893 to pay an additional assessment in an
4159 amount up to the amount of any fine imposed, pursuant to ss.
4160 938.21 and 938.23.

4161 2. Require the offender who violates any provision of s.
4162 893.13 to pay an additional assessment in an amount of \$100,
4163 pursuant to ss. 938.055 and 943.361.

4164 Section 50. For the purpose of incorporating the amendment
4165 made by this act to section 893.145, Florida Statutes, in a
4166 reference thereto, paragraph (a) of subsection (2) of section
4167 893.12, Florida Statutes, is reenacted to read:

4168 893.12 Contraband; seizure, forfeiture, sale.—

4169 (2) (a) Any vessel, vehicle, aircraft, or drug paraphernalia
4170 as defined in s. 893.145 which has been or is being used in
4171 violation of any provision of this chapter or in, upon, or by
4172 means of which any violation of this chapter has taken or is
4173 taking place may be seized and forfeited as provided by the
4174 Florida Contraband Forfeiture Act.

4175 Section 51. For the purpose of incorporating the amendment
4176 made by this act to section 893.145, Florida Statutes, in a
4177 reference thereto, paragraph (a) of subsection (6) of section
4178 893.147, Florida Statutes, is reenacted to read:

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4179 893.147 Use, possession, manufacture, delivery,
4180 transportation, advertisement, or retail sale of drug
4181 paraphernalia.—

4182 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

4183 (a) It is unlawful for a person to knowingly and willfully
4184 sell or offer for sale at retail any drug paraphernalia
4185 described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe
4186 that is primarily made of briar, meerschaum, clay, or corn cob.

4187 Section 52. For the purpose of incorporating the amendment
4188 made by this act to section 895.02, Florida Statutes, in a
4189 reference thereto, paragraph (a) of subsection (1) of section
4190 16.56, Florida Statutes, is reenacted to read:

4191 16.56 Office of Statewide Prosecution.—

4192 (1) There is created in the Department of Legal Affairs an
4193 Office of Statewide Prosecution. The office shall be a separate
4194 "budget entity" as that term is defined in chapter 216. The
4195 office may:

4196 (a) Investigate and prosecute the offenses of:

4197 1. Bribery, burglary, criminal usury, extortion, gambling,
4198 kidnapping, larceny, murder, prostitution, perjury, robbery,
4199 carjacking, and home-invasion robbery;

4200 2. Any crime involving narcotic or other dangerous drugs;

4201 3. Any violation of the Florida RICO (Racketeer Influenced
4202 and Corrupt Organization) Act, including any offense listed in
4203 the definition of racketeering activity in s. 895.02(1) (a),
4204 providing such listed offense is investigated in connection with
4205 a violation of s. 895.03 and is charged in a separate count of
4206 an information or indictment containing a count charging a
4207 violation of s. 895.03, the prosecution of which listed offense

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4208 may continue independently if the prosecution of the violation
4209 of s. 895.03 is terminated for any reason;

4210 4. Any violation of the Florida Anti-Fencing Act;

4211 5. Any violation of the Florida Antitrust Act of 1980, as
4212 amended;

4213 6. Any crime involving, or resulting in, fraud or deceit
4214 upon any person;

4215 7. Any violation of s. 847.0135, relating to computer
4216 pornography and child exploitation prevention, or any offense
4217 related to a violation of s. 847.0135 or any violation of
4218 chapter 827 where the crime is facilitated by or connected to
4219 the use of the Internet or any device capable of electronic data
4220 storage or transmission;

4221 8. Any violation of chapter 815;

4222 9. Any criminal violation of part I of chapter 499;

4223 10. Any violation of the Florida Motor Fuel Tax Relief Act
4224 of 2004;

4225 11. Any criminal violation of s. 409.920 or s. 409.9201;

4226 12. Any crime involving voter registration, voting, or
4227 candidate or issue petition activities;

4228 13. Any criminal violation of the Florida Money Laundering
4229 Act;

4230 14. Any criminal violation of the Florida Securities and
4231 Investor Protection Act; or

4232 15. Any violation of chapter 787, as well as any and all
4233 offenses related to a violation of chapter 787;

4234

4235 or any attempt, solicitation, or conspiracy to commit any of the
4236 crimes specifically enumerated above. The office shall have such

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4237 power only when any such offense is occurring, or has occurred,
4238 in two or more judicial circuits as part of a related
4239 transaction, or when any such offense is connected with an
4240 organized criminal conspiracy affecting two or more judicial
4241 circuits. Informations or indictments charging such offenses
4242 shall contain general allegations stating the judicial circuits
4243 and counties in which crimes are alleged to have occurred or the
4244 judicial circuits and counties in which crimes affecting such
4245 circuits or counties are alleged to have been connected with an
4246 organized criminal conspiracy.

4247 Section 53. For the purpose of incorporating the amendment
4248 made by this act to section 895.02, Florida Statutes, in a
4249 reference thereto, paragraph (g) of subsection (3) of section
4250 655.50, Florida Statutes, is reenacted to read:

4251 655.50 Florida Control of Money Laundering and Terrorist
4252 Financing in Financial Institutions Act.—

4253 (3) As used in this section, the term:

4254 (g) "Specified unlawful activity" means "racketeering
4255 activity" as defined in s. 895.02.

4256 Section 54. For the purpose of incorporating the amendment
4257 made by this act to section 895.02, Florida Statutes, in a
4258 reference thereto, paragraph (g) of subsection (2) of section
4259 896.101, Florida Statutes, is reenacted to read:

4260 896.101 Florida Money Laundering Act; definitions;
4261 penalties; injunctions; seizure warrants; immunity.—

4262 (2) As used in this section, the term:

4263 (g) "Specified unlawful activity" means any "racketeering
4264 activity" as defined in s. 895.02.

4265 Section 55. For the purpose of incorporating the amendment

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4266 made by this act to section 895.02, Florida Statutes, in a
4267 reference thereto, section 905.34, Florida Statutes, is
4268 reenacted to read:

4269 905.34 Powers and duties; law applicable.—The jurisdiction
4270 of a statewide grand jury impaneled under this chapter shall
4271 extend throughout the state. The subject matter jurisdiction of
4272 the statewide grand jury shall be limited to the offenses of:

4273 (1) Bribery, burglary, carjacking, home-invasion robbery,
4274 criminal usury, extortion, gambling, kidnapping, larceny,
4275 murder, prostitution, perjury, and robbery;

4276 (2) Crimes involving narcotic or other dangerous drugs;

4277 (3) Any violation of the provisions of the Florida RICO
4278 (Racketeer Influenced and Corrupt Organization) Act, including
4279 any offense listed in the definition of racketeering activity in
4280 s. 895.02(1)(a), providing such listed offense is investigated
4281 in connection with a violation of s. 895.03 and is charged in a
4282 separate count of an information or indictment containing a
4283 count charging a violation of s. 895.03, the prosecution of
4284 which listed offense may continue independently if the
4285 prosecution of the violation of s. 895.03 is terminated for any
4286 reason;

4287 (4) Any violation of the provisions of the Florida Anti-
4288 Fencing Act;

4289 (5) Any violation of the provisions of the Florida
4290 Antitrust Act of 1980, as amended;

4291 (6) Any violation of the provisions of chapter 815;

4292 (7) Any crime involving, or resulting in, fraud or deceit
4293 upon any person;

4294 (8) Any violation of s. 847.0135, s. 847.0137, or s.

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4295 847.0138 relating to computer pornography and child exploitation
4296 prevention, or any offense related to a violation of s.
4297 847.0135, s. 847.0137, or s. 847.0138 or any violation of
4298 chapter 827 where the crime is facilitated by or connected to
4299 the use of the Internet or any device capable of electronic data
4300 storage or transmission;

4301 (9) Any criminal violation of part I of chapter 499;

4302 (10) Any criminal violation of s. 409.920 or s. 409.9201;

4303 (11) Any criminal violation of the Florida Money Laundering
4304 Act;

4305 (12) Any criminal violation of the Florida Securities and
4306 Investor Protection Act; or

4307 (13) Any violation of chapter 787, as well as any and all
4308 offenses related to a violation of chapter 787;

4309

4310 or any attempt, solicitation, or conspiracy to commit any
4311 violation of the crimes specifically enumerated above, when any
4312 such offense is occurring, or has occurred, in two or more
4313 judicial circuits as part of a related transaction or when any
4314 such offense is connected with an organized criminal conspiracy
4315 affecting two or more judicial circuits. The statewide grand
4316 jury may return indictments and presentments irrespective of the
4317 county or judicial circuit where the offense is committed or
4318 triable. If an indictment is returned, it shall be certified and
4319 transferred for trial to the county where the offense was
4320 committed. The powers and duties of, and law applicable to,
4321 county grand juries shall apply to a statewide grand jury except
4322 when such powers, duties, and law are inconsistent with the
4323 provisions of ss. 905.31-905.40.

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