

By the Committee on Regulated Industries; and Senator Simpson

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

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33 893.135, F.S.; revising a dosage unit to include a
34 gelatin capsule for the purpose of clarifying
35 legislative intent regarding the weighing of a mixture
36 containing a controlled substance; amending s.
37 893.138, F.S.; authorizing a place or premises that
38 has been used on two or more occasions for specified
39 violations within a certain time period to be declared
40 a public nuisance; amending s. 893.145, F.S.; revising
41 the definition of the term "drug paraphernalia";
42 amending s. 895.02, F.S.; revising the definition of
43 the term "racketeering activity"; amending s.
44 921.0022, F.S.; adding an adult delivering controlled
45 substances to a minor, using or hiring a minor to sell
46 controlled substances, or using a minor to avoid
47 detection or apprehension to level 3 of the offense
48 severity ranking chart of the Criminal Punishment
49 Code; making technical changes; reenacting ss.
50 39.01(30)(a) and (g), 316.193(5), 322.2616(2)(c),
51 327.35(5), 440.102(11)(b), 456.44(2), 458.326(3),
52 458.3265(1)(e), 459.0137(1)(e), 463.0055(4)(a),
53 465.0276(1)(b), 499.0121(14) and (15)(a),
54 499.029(3)(a), 782.04(1) and (4), 787.06(2)(a),
55 817.563(1), 831.31, 893.0301, 893.035(7)(a),
56 893.05(1), 893.055(1)(b), 893.07(5)(b), 893.12(2)(b),
57 (c), and (d), and 944.474(2), F.S., to incorporate the
58 amendment made to s. 893.03, F.S., in references
59 thereto; reenacting s. 893.149(4), F.S., to
60 incorporate the amendment made to s. 893.033, F.S., in
61 a reference thereto; reenacting ss. 397.451(4)(b),

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62 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3),
63 812.014(2), 831.311(1), 893.1351(1), 893.138(3),
64 893.15, 903.133, and 921.187(1)(1), F.S., to
65 incorporate the amendment made to s. 893.13, F.S., in
66 references thereto; reenacting ss. 893.12(2)(a) and
67 893.147(6)(a), F.S., to incorporate the amendment made
68 to s. 893.145, F.S., in references thereto; reenacting
69 ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and
70 905.34, F.S., to incorporate the amendment made to s.
71 895.02, F.S., in references thereto; providing an
72 effective date.

73

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

75

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

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

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

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91 ~~"chemical analog" means a structural derivative of a parent~~
92 ~~compound that is a controlled substance.~~

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

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

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

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

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

111 (20) "Positional isomer" means any substance that possesses
112 the same molecular formula and core structure and that has the
113 same functional group or substituent as those found in the
114 respective controlled substance, attached at any positions on
115 the core structure, but in such manner that no new chemical
116 functionalities are created and no existing chemical
117 functionalities are destroyed relative to the respective
118 controlled substance. Rearrangements of alkyl moieties within or
119 between functional groups or substituents, or divisions or

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120 combinations of alkyl moieties, which do not create new chemical
121 functionalities or destroy existing chemical functionalities,
122 are allowed and include resulting compounds that are positional
123 isomers. As used in this definition, the term "core structure"
124 means the parent molecule that is the common basis for the class
125 that includes, but is not limited to, tryptamine,
126 phenethylamine, or ergoline. Examples of rearrangements
127 resulting in creation or destruction of chemical
128 functionalities, and therefore resulting in compounds that are
129 not positional isomers, include, but are not limited to, ethoxy
130 to alpha-hydroxyethyl, hydroxy and methyl to methoxy, or the
131 repositioning of a phenolic or alcoholic hydroxy group to create
132 a hydroxyamine. Examples of rearrangements resulting in
133 compounds that would be positional isomers, include, but are not
134 limited to, tert-butyl to sec-butyl, methoxy and ethyl to
135 isopropoxy, N,N-diethyl to N-methyl-N-propyl, or alpha-
136 methylamino to N-methylamino.

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

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

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149 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
150 Anabolic Steroid Products."

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

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

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

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- 178 13. Beta-hydroxy-3-methylfentanyl.
179 14. Betameprodine.
180 15. Betamethadol.
181 16. Betaprodine.
182 17. Clonitazene.
183 18. Dextromoramide.
184 19. Diampromide.
185 20. Diethylthiambutene.
186 21. Difenoxin.
187 22. Dimenoxadol.
188 23. Dimepheptanol.
189 24. Dimethylthiambutene.
190 25. Dioxaphetyl butyrate.
191 26. Dipipanone.
192 27. Ethylmethylthiambutene.
193 28. Etonitazene.
194 29. Etoxeridine.
195 30. Flunitrazepam.
196 31. Furethidine.
197 32. Hydroxypethidine.
198 33. Ketobemidone.
199 34. Levomoramide.
200 35. Levophenacymorphan.
201 36. Desmethylprodine (1-Methyl-4-Phenyl-4-
202 Propionoxypiperidine) ~~(MPPP)~~.
203 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
204 piperidyl]-N-phenylpropanamide).
205 38. 3-Methylthiofentanyl.
206 39. Morpheridine.

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

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

- 235 1. Acetorphine.

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- 236 2. Acetyldihydrocodeine.
237 3. Benzylmorphine.
238 4. Codeine methylbromide.
239 5. Codeine-N-Oxide.
240 6. Cyprenorphine.
241 7. Desomorphine.
242 8. Dihydromorphine.
243 9. Drotebanol.
244 10. Etorphine (except hydrochloride salt).
245 11. Heroin.
246 12. Hydromorphanol.
247 13. Methyldesorphine.
248 14. Methyldihydromorphine.
249 15. Monoacetylmorphine.
250 16. Morphine methylbromide.
251 17. Morphine methylsulfonate.
252 18. Morphine-N-Oxide.
253 19. Myrophine.
254 20. Nicocodine.
255 21. Nicomorphine.
256 22. Normorphine.
257 23. Pholcodine.
258 24. Thebacon.

259 (c) Unless specifically excepted or unless listed in
260 another schedule, any material, compound, mixture, or
261 preparation that contains any quantity of the following
262 hallucinogenic substances or that contains any of their salts,
263 isomers, including optical, positional, or geometric isomers,
264 homologues, nitrogen-heterocyclic analogs, esters, ethers, and

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- 265 salts of isomers, homologues, nitrogen-heterocyclic analogs,
 266 esters, or ethers, if the existence of such salts, isomers, and
 267 salts of isomers is possible within the specific chemical
 268 designation or class description:
- 269 1. Alpha-Ethyltryptamine.
 - 270 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-oxazoline)
 271 ~~(4-methylaminorex).~~
 - 272 3. Aminorex (2-Amino-5-phenyl-2-oxazoline) ~~(Aminorex).~~
 - 273 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
 - 274 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
 - 275 6. Bufotenine.
 - 276 7. Cannabis.
 - 277 8. Cathinone.
 - 278 9. DET (Diethyltryptamine).
 - 279 10. 2,5-Dimethoxyamphetamine.
 - 280 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine) ~~2,5-Dimethoxy-~~
 281 ~~4-ethylamphetamine (DOET).~~
 - 282 12. DMT (Dimethyltryptamine).
 - 283 13. PCE (N-Ethyl-1-phenylcyclohexylamine) ~~(PCE)~~ (Ethylamine
 284 analog of phencyclidine).
 - 285 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
 - 286 15. N-Ethylamphetamine.
 - 287 16. Fenethylamine.
 - 288 17. 3,4-Methylenedioxy-N-hydroxyamphetamine ~~N-Hydroxy-3,4-~~
 289 ~~methylenedioxyamphetamine.~~
 - 290 18. Ibogaine.
 - 291 19. LSD (Lysergic acid diethylamide) ~~(LSD).~~
 - 292 20. Mescaline.
 - 293 21. Methcathinone.

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- 294 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
295 23. PMA (4-Methoxyamphetamine).
296 24. PMMA (4-Methoxymethamphetamine).
297 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
298 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
299 27. MDA (3,4-Methylenedioxyamphetamine).
300 28. JB-336 (N-Methyl-3-piperidyl benzilate).
301 29. N,N-Dimethylamphetamine.
302 30. Parahexyl.
303 31. Peyote.
304 32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) ~~(PCPY)~~
305 (Pyrrolidine analog of phencyclidine).
306 33. Psilocybin.
307 34. Psilocyn.
308 35. *Salvia divinorum*, except for any drug product approved
309 by the United States Food and Drug Administration which contains
310 *Salvia divinorum* or its isomers, esters, ethers, salts, and
311 salts of isomers, esters, and ethers, if the existence of such
312 isomers, esters, ethers, and salts is possible within the
313 specific chemical designation.
314 36. Salvinorin A, except for any drug product approved by
315 the United States Food and Drug Administration which contains
316 Salvinorin A or its isomers, esters, ethers, salts, and salts of
317 isomers, esters, and ethers, if the existence of such isomers,
318 esters, ethers, and salts is possible within the specific
319 chemical designation.
320 ~~37. Tetrahydrocannabinols.~~
321 37. Xylazine.
322 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) ~~(TCP)~~

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- 323 (Thiophene analog of phencyclidine).
- 324 39. 3,4,5-Trimethoxyamphetamine.
- 325 40. Methylone (3,4-Methylenedioxy methcathinone).
- 326 41. MDPV (3,4-Methylenedioxy pyrovalerone) ~~(MDPV)~~.
- 327 42. Methylmethcathinone.
- 328 43. Methoxymethcathinone.
- 329 44. Fluoromethcathinone.
- 330 45. Methylethcathinone.
- 331 46. CP 47,497 (2-(~~[(1R,3S)-3-Hydroxycyclohexyl]~~-5-(2-
 332 methyloctan-2-yl)phenol), ~~also known as CP 47,497~~ and its
 333 dimethyloctyl (C8) homologue.
- 334 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-
 335 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol],
 336 ~~also known as HU-210.~~
- 337 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole), ~~also known as~~
 338 ~~JWH-018.~~
- 339 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole), ~~also known as~~
 340 ~~JWH-073.~~
- 341 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
 342 naphthoyl)indole), ~~also known as JWH-200.~~
- 343 51. BZP (Benzylpiperazine).
- 344 52. Fluorophenylpiperazine.
- 345 53. Methylphenylpiperazine.
- 346 54. Chlorophenylpiperazine.
- 347 55. Methoxyphenylpiperazine.
- 348 56. DBZP (1,4-Dibenzylpiperazine).
- 349 57. TFMPP (~~3~~-Trifluoromethylphenylpiperazine).
- 350 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
 351 Methylenedioxy-N-methylbutanamine).

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- 352 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 353 60. 5-Hydroxy-N-methyltryptamine.
- 354 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 355 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 356 63. Methyltryptamine.
- 357 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 358 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 359 66. Tyramine (4-Hydroxyphenethylamine).
- 360 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 361 68. DiPT (N,N-Diisopropyltryptamine).
- 362 69. DPT (N,N-Dipropyltryptamine).
- 363 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 364 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine) ~~N,N-~~
- 365 ~~Diallyl-5-Methoxytryptamine.~~
- 366 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 367 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 368 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 369 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine)
- 370 ~~2,5-Dimethoxy-4-isopropylthiophenethylamine).~~
- 371 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 372 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
- 373 ~~Dimethoxy-4-methylthiophenethylamine).~~
- 374 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine) ~~2,5-~~
- 375 ~~Dimethoxy-4-ethylthiophenethylamine).~~
- 376 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine)
- 377 ~~2,5-Dimethoxy-4-(n)-propylthiophenethylamine).~~
- 378 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 379 81. Butylone (3,4-Methylenedioxy-alpha-
- 380 methylaminobutyrophenone) ~~beta-keto-N-~~

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- 381 methylbenzodioxolylpropylamine).
- 382 82. Ethcathinone.
- 383 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 384 84. Naphyrone (Naphthylpyrovalerone).
- 385 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone)
- 386 ~~N-N-Dimethyl-3,4-methylenedioxy~~cathinone.
- 387 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~
- 388 ~~3,4-methylenedioxy~~cathinone.
- 389 87. 3,4-Methylenedioxy-propiofenone.
- 390 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~
- 391 ~~3,4-Methylenedioxy~~propiofenone.
- 392 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 393 90. 3,4-Methylenedioxy-N-acetylcathinone ~~N-Acetyl-3,4-~~
- 394 ~~methylenedioxy~~cathinone.
- 395 91. 3,4-Methylenedioxy-N-acetylmethcathinone ~~N-Acetyl-N-~~
- 396 ~~Methyl-3,4-Methylenedioxy~~cathinone.
- 397 92. 3,4-Methylenedioxy-N-acetylethcathinone ~~N-Acetyl-N-~~
- 398 ~~Ethyl-3,4-Methylenedioxy~~cathinone.
- 399 93. Bromomethcathinone.
- 400 94. Buphedrone (alpha-Methylamino-butyrophenone).
- 401 95. Eutylone (3,4-Methylenedioxy-alpha-
- 402 ethylaminobutyrophenone) ~~beta-Keto-~~
- 403 ~~Ethylbenzodioxolyl~~butanamine).
- 404 96. Dimethylcathinone.
- 405 97. Dimethylmethcathinone.
- 406 98. Pentylone (3,4-Methylenedioxy-alpha-
- 407 methylaminovalerophenone) ~~(beta-Keto-~~
- 408 ~~Methylbenzodioxolyl~~pentanamine).
- 409 99. MDPPP (3,4-Methylenedioxy-alpha-

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- 410 ~~pyrrolidinopropiophenone) (MDPPP) 3,4-Methylenedioxy-alpha-~~
 411 ~~pyrrolidinopropiophenone.~~
- 412 100. MDPBP (3,4-Methylenedioxy-alpha-
 413 pyrrolidinobutyrophenone) (MDPBP) 3,4-Methylenedioxy-alpha-
 414 pyrrolidinobutiophenone.
- 415 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone)
 416 ~~(MOPPP).~~
- 417 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone) Methyl-
 418 ~~alpha-pyrrolidinohexiophenone (MPHP).~~
- 419 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 420 (Benocyclidine) Benocyclidine (BCP) or
 421 ~~benzothiophenylcyclohexylpiperidine (BTCP).~~
- 422 104. F-MABP (Fluoromethylaminobutyrophenone) (F-MABP).
- 423 105. MeO-PBP (Methoxypyrrolidinobutyrophenone) (MeO-PBP).
- 424 106. Et-PBP (Ethyl-pyrrolidinobutyrophenone) (Et-PBP).
- 425 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone) (3-
 426 ~~Me-4-MeO-MCAT).~~
- 427 108. Me-EABP (Methylethylaminobutyrophenone) (Me-EABP).
- 428 109. Etizolam Methylamino-butyrophenone (MABP).
- 429 110. PPP (Pyrrolidinopropiophenone) (PPP).
- 430 111. PBP (Pyrrolidinobutyrophenone) Pyrrolidinobutiophenone
 431 ~~(PBP).~~
- 432 112. PVP (Pyrrolidinovalerophenone) or
 433 (Pyrrolidinopentiophenone) (PVP).
- 434 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone) (MPPP).
- 435 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 436 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole) 2-
 437 ~~Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).~~
- 438 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole) Naphthalen-1-

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- 439 ~~yl-(1-hexylindol-3-yl)methanone).~~
- 440 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 441 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
- 442 ~~yl-(1-propyl-1H-indol-3-yl)methanone).~~
- 443 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole) ~~4-~~
- 444 ~~methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone).~~
- 445 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 446 121. JWH-133 (((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
- 447 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene) ~~((6aR,10aR)-3-~~
- 448 ~~(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-~~
- 449 ~~dibenzo[b,d]pyran)).~~
- 450 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole) ~~3-~~
- 451 ~~(naphthalen-1-ylmethyl)-1-pentyl-1H-indole).~~
- 452 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 453 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole) ~~2-~~
- 454 ~~(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone).~~
- 455 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole) ~~4-~~
- 456 ~~ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone).~~
- 457 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole) ~~2-~~
- 458 ~~(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone).~~
- 459 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole) ~~2-~~
- 460 ~~(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone).~~
- 461 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 462 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 463 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 464 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 465 ol).
- 466 131. HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-methyloctan-
- 467 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]

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

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- 497 ~~(methylamino)-1-phenyl-1-pentanone).~~
- 498 144. Fluoroamphetamine.
- 499 145. Fluoromethamphetamine.
- 500 146. Methoxetamine.
- 501 147. Methiopropamine.
- 502 148. 4-Methylbuphedrone (Methyl-alpha-
- 503 methylaminobutyrophenone) 2-Methylamino-1-(4-methylphenyl)butan-
- 504 1-one).
- 505 149. APB ((2-Aminopropyl)benzofuran).
- 506 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 507 151. UR-144 (1-Pentyl-3-(2,2,3,3-
- 508 tetramethylcyclopropanoyl)indole) ~~(1-pentyl-1H-indol-3-~~
- 509 ~~yl)(2,2,3,3-tetramethylcyclopropyl)methanone).~~
- 510 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 511 tetramethylcyclopropanoyl)indole) ~~(1-(5-fluoropentyl)-1H-indol-~~
- 512 ~~3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone).~~
- 513 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
- 514 tetramethylcyclopropanoyl)indole) (1-(5-chloropentyl)-1H-indol-
- 515 3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone.
- 516 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide)
- 517 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-
- 518 carboxamide).
- 519 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 520 iodobenzoyl)indole) ~~(2-iodophenyl)[1-[(1-methyl-2-~~
- 521 ~~piperidinyl)methyl]-1H-indol-3-yl]-methanone).~~
- 522 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
- 523 carboxamide) ~~1-(5-fluoropentyl)-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-~~
- 524 ~~1H-indole-3-carboxamide).~~
- 525 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-

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526 cyclohexylcarbamate).

527 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
528 cyclohexyl ester).

529 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
530 benzoxazin-4-one).

531 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~
532 ~~Dimethoxy-4-methylphenyl)ethanamine).~~

533 161. 2C-H (2,5-Dimethoxyphenethylamine) ~~2-(2,5-~~
534 ~~Dimethoxyphenyl)ethanamine).~~

535 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~
536 ~~Dimethoxy-4-nitrophenyl)ethanamine).~~

537 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) ~~2-~~
538 ~~(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).~~

539 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
540 methoxybenzyl)]phenethylamine) ~~4-iodo-2,5-dimethoxy-N-[(2-~~
541 ~~methoxyphenyl)methyl]-benzeneethanamine).~~

542 165. MDMA (3,4-Methylenedioxymethamphetamine) ~~(MDMA).~~

543 166. PB-22 (8-Quinoliny 1-pentylindole-3-carboxylate) ~~1-~~
544 ~~pentyl-8-quinoliny 1-ester-1H-indole-3-carboxylic acid).~~

545 167. 5-Fluoro PB-22 (8-Quinoliny 1-(fluoropentyl)indole-3-
546 carboxylate) ~~8-quinoliny 1-ester-1-(5-fluoropentyl)-1H-indole-3-~~
547 ~~carboxylic acid).~~

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

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

554 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

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555 ~~pentylindazole-3-carboxamide) N-(1-Amino-3-methyl-1-oxobutan-2-~~
556 ~~yl)-1-pentyl-1H-indazole-3-carboxamide).~~

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

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

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

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

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

573 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
574 (cyclohexylmethyl)indazole-3-carboxamide): ~~N-[1-(aminocarbonyl)-~~
575 ~~2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.~~

576 177. FUB-PB-22 (8-Quinolinylnyl 1-(4-fluorobenzyl)indole-3-
577 carboxylate): ~~Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-~~
578 ~~carboxylate.~~

579 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
580 3-carboxamide): ~~1-(Fluoropentyl)-N-(naphthalen-1-yl)-1H-indole-~~
581 ~~3-carboxamide.~~

582 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
583 (fluoropentyl)indazole-3-carboxamide): ~~Methyl-2-(1-~~

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584 ~~(fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate.~~
585 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole)+
586 [1-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone.
587 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
588 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).
589 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
590 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
591 hexahydrobenzo[c]chromen-1-ol).
592 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
593 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
594 hexahydrobenzo[c]chromen-1-ol).
595 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
596 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
597 diol).
598 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
599 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
600 tetrahydro-6aH-benzo[c]chromen-1-ol).
601 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
602 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).
603 187. MAPB ((2-Methylaminopropyl)benzofuran).
604 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).
605 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).
606 190. Synthetic Cannabinoids. Unless specifically excepted
607 or unless listed in another schedule or contained within a
608 pharmaceutical product approved by the United States Food and
609 Drug Administration, any material, compound, mixture, or
610 preparation that contains any quantity of a synthetic
611 cannabinoid found to be in any of the following chemical class
612 descriptions, or homologues, nitrogen-heterocyclic analogs,

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613 isomers (including optical, positional, or geometric), esters,
614 ethers, salts, and salts of homologues, nitrogen-heterocyclic
615 analogs, isomers, esters, or ethers, whenever the existence of
616 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
617 ethers, salts, and salts of isomers, esters, or ethers is
618 possible within the specific chemical class or designation.
619 Since nomenclature of these synthetically produced cannabinoids
620 is not internationally standardized and may continually evolve,
621 these structures or the compounds of these structures shall be
622 included under this subparagraph, regardless of their specific
623 numerical designation of atomic positions covered, if it can be
624 determined through a recognized method of scientific testing or
625 analysis that the substance contains properties that fit within
626 one or more of the following categories:

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

640 (I) Tetrahydrocannabinol.

641 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-

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642 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
 643 ol).

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

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

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

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

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

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

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

659 (X) Parahexyl.

660 b. Naphthoylindoles, Naphthoylindazoles,

661 Naphthoylcarbazoles, Naphthylmethylindoles,

662 Naphthylmethylindazoles, and Naphthylmethylcarbazoles. Any

663 compound containing a naphthoylindole, naphthoylindazole,

664 naphthoylcarbazole, naphthylmethylindole,

665 naphthylmethylindazole, or naphthylmethylcarbazole structure,

666 with or without substitution on the indole, indazole, or

667 carbazole ring to any extent, whether or not substituted on the

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

669 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).

670 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-

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671 naphthoyl) indole).

672 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl) indole).

673 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl) indole).

674 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl) indole).

675 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl) indole).

676 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl) indole).

677 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl) indole).

678 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl) indole).

679 (X) JWH-072 (1-Propyl-3-(1-naphthoyl) indole).

680 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl) indole).

681 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl) indole).

682 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl) indole).

683 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-

684 naphthoyl) indole).

685 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl) indole).

686 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl) indole).

687 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-

688 naphthoyl) indole).

689 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl) indole).

690 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl) indole).

691 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl) indole).

692 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl) indole).

693 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-

694 naphthylmethyl] indole).

695 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-

696 naphthoyl) indole).

697 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-

698 naphthoyl) indole).

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

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700 indole).

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

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

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

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

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

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

707 naphthoyl)indole).

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

709 naphthoyl)indole).

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

711 naphthoyl)indole).

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

713 naphthoyl)indole).

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

715 naphthoyl)indole).

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

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

718 naphthoyl)indazole).

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

720 naphthoyl)indole).

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

722 naphthoyl)indole).

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

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

725 naphthoyl)carbazole).

726 c. Naphthoylpyrroles. Any compound containing a

727 naphthoylpyrrole structure, with or without substitution on the

728 pyrrole ring to any extent, whether or not substituted on the

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

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

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

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

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

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

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

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

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

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

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

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

751 e. Phenylacetylindoles and Phenylacetylindazoles. Any
752 compound containing a phenylacetylindole or phenylacetylindazole
753 structure, with or without substitution on the indole or
754 indazole ring to any extent, whether or not substituted on the
755 phenyl ring to any extent, including, but not limited to:

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

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

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- 758 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
759 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
760 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
761 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
762 (VII) Cannabipiperidiethanone.
763 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
764 methoxyphenylacetyl)indole).
765 f. Cyclohexylphenols. Any compound containing a
766 cyclohexylphenol structure, with or without substitution at the
767 5-position of the phenolic ring to any extent, whether or not
768 substituted on the cyclohexyl ring to any extent, including, but
769 not limited to:
770 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
771 yl)phenol).
772 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
773 homologue).
774 (III) CP-55,940 (2-(3-Hydroxy-5-propanol-cyclohexyl)-5-(2-
775 methyloctan-2-yl)phenol).
776 g. Benzoylindoles and Benzoylindazoles. Any compound
777 containing a benzoylindole or benzoylindazole structure, with or
778 without substitution on the indole or indazole ring to any
779 extent, whether or not substituted on the phenyl ring to any
780 extent, including, but not limited to:
781 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).
782 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).
783 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
784 iodo-5-nitrobenzoyl)indole).
785 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-(4-
786 methoxybenzoyl)indole).

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

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

790 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-
791 methoxybenzoyl)indole).

792 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-
793 3-(4-methoxybenzoyl)indole).

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

801 (I) UR-144 (1-Pentyl-3-(2,2,3,3-
802 tetramethylcyclopropanoyl)indole).

803 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
804 tetramethylcyclopropanoyl)indole).

805 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
806 tetramethylcyclopropanoyl)indole).

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

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

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

813 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
814 tetramethylcyclopropanoyl)indole).

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

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816 tetramethylcyclopropanoyl)indazole).

817 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
818 tetramethylcyclopropanoyl)indole).

819 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-
820 tetramethylcyclopropanoyl)indole).

821 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
822 carboxamides, and Adamantylindazole carboxamides. Any compound
823 containing an adamantoyl indole, adamantoyl indazole, adamantyl
824 indole carboxamide, or adamantyl indazole carboxamide structure,
825 with or without substitution on the indole or indazole ring to
826 any extent, whether or not substituted on the adamantyl ring to
827 any extent, including, but not limited to:

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

829 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
830 3-carboxamide).

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

833 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-
834 adamantoyl)indole).

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

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

837 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
838 adamantoyl)indole).

839 j. Quinolinyndolecarboxylates,
840 Quinolinyndazolecarboxylates, Quinolinyndolecarboxamides,
841 and Quinolinyndazolecarboxamides. Any compound containing a
842 quinolinyndole carboxylate, quinolinyndazole carboxylate,
843 isoquinolinyndole carboxylate, isoquinolinyndazole
844 carboxylate, quinolinyndole carboxamide, quinolinyndazole

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845 carboxamide, isoquinolinyndole carboxamide, or
846 isoquinolinyndazole carboxamide structure, with or without
847 substitution on the indole or indazole ring to any extent,
848 whether or not substituted on the quinoline or isoquinoline ring
849 to any extent, including, but not limited to:

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

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

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

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

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

858 (VI) Fluoro NPB-22 (8-Quinolinyndazole 3-pentylindazole-
859 3-carboxylate).

860 (VII) FUB-NPB-22 (8-Quinolinyndazole 3-pentylindazole-
861 3-carboxylate).

862 (VIII) THJ (8-Quinolinyndazole 3-pentylindazole-3-carboxamide).

863 (IX) Fluoro THJ (8-Quinolinyndazole 3-pentylindazole-3-
864 carboxamide).

865 k. Naphthylindolecarboxylates and

866 Naphthylindazolecarboxylates. Any compound containing a
867 naphthylindole carboxylate or naphthylindazole carboxylate
868 structure, with or without substitution on the indole or
869 indazole ring to any extent, whether or not substituted on the
870 naphthyl ring to any extent, including, but not limited to:

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

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

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874 carboxylate).

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

876 (fluoropentyl)indazole-3-carboxylate).

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

878 carboxylate).

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

880 carboxylate).

881 1. Naphthylindole carboxamides and Naphthylindazole

882 carboxamides. Any compound containing a naphthylindole

883 carboxamide or naphthylindazole carboxamide structure, with or

884 without substitution on the indole or indazole ring to any

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

886 extent, including, but not limited to:

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

888 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-

889 3-carboxamide).

890 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-(chloropentyl)

891 indole-3-carboxamide).

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

893 carboxamide).

894 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-

895 (fluoropentyl)indazole-3-carboxamide).

896 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl

897 indazole carboxamides, Alkylcarbonyl indole carboxylates, and

898 Alkylcarbonyl indazole carboxylates. Any compound containing an

899 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,

900 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-

901 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an

902 indole carboxamide, indazole carboxamide, indole carboxylate, or

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903 indazole carboxylate, with or without substitution on the indole
904 or indazole ring to any extent, whether or not substituted on
905 the alkylcarbonyl group to any extent, including, but not
906 limited to:

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

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

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

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

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

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

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

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

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

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

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

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

931 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-

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

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961 carboxamide).

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

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

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

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

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

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

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

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

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

992
993 whether or not the compound is further modified:

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

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

1002 (III) With or without substitution at the 2-amino nitrogen
1003 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1004 not further substituted in the ring system; or

1005 (IV) With or without inclusion of the 2-amino nitrogen atom
1006 in a cyclic structure, including, but not limited to:

1007 (A) Methcathinone.

1008 (B) Ethcathinone.

1009 (C) Methylone (3,4-Methylenedioxy-methcathinone).

1010 (D) 2,3-Methylenedioxy-methcathinone.

1011 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).

1012 (F) Methylmethcathinone.

1013 (G) Methoxymethcathinone.

1014 (H) Fluoromethcathinone.

1015 (I) Methylethcathinone.

1016 (J) Butylone (3,4-Methylenedioxy-alpha-
1017 methylaminobutyrophenone).

1018 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).

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1019 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
 1020 (M) Naphyrone (Naphthylpyrovalerone).
 1021 (N) Bromomethcathinone.
 1022 (O) Buphedrone (alpha-Methylaminobutyrophenone).
 1023 (P) Eutylone (3,4-Methylenedioxy-alpha-
 1024 ethylaminobutyrophenone).
 1025 (Q) Dimethylcathinone.
 1026 (R) Dimethylmethcathinone.
 1027 (S) Pentylone (3,4-Methylenedioxy-alpha-
 1028 methylaminovalerophenone).
 1029 (T) Pentedrone (alpha-Methylaminovalerophenone).
 1030 (U) MDPMP (3,4-Methylenedioxy-alpha-
 1031 pyrrolidinopropiophenone).
 1032 (V) MDPBP (3,4-Methylenedioxy-alpha-
 1033 pyrrolidinobutyrophenone).
 1034 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
 1035 (X) PPP (Pyrrolidinopropiophenone).
 1036 (Y) PVP (Pyrrolidinovalerophenone) or
 1037 (Pyrrolidinopentiophenone).
 1038 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
 1039 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
 1040 (BB) F-MABP (Fluoromethylaminobutyrophenone).
 1041 (CC) Me-EABP (Methylethylaminobutyrophenone).
 1042 (DD) PBP (Pyrrolidinobutyrophenone).
 1043 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
 1044 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
 1045 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
 1046 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
 1047 dimethylcathinone).

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1048 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
1049 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
1050 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
1051 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
1052 (MM) Methylbuphedrone (Methyl-alpha-
1053 methylaminobutyrophenone).
1054 (NN) Methyl-alpha-methylaminohexanophenone.
1055 (OO) N-Ethyl-N-methylcathinone.
1056 (PP) PHP (Pyrrolidinohexanophenone).
1057 (QQ) PV8 (Pyrrolidinoheptanophenone).
1058 (RR) Chloromethcathinone.
1059 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
1060 192. Substituted Phenethylamines. Unless specifically
1061 excepted or unless listed in another schedule, or contained
1062 within a pharmaceutical product approved by the United States
1063 Food and Drug Administration, any material, compound, mixture,
1064 or preparation, including its salts, isomers, esters, or ethers,
1065 and salts of isomers, esters, or ethers, whenever the existence
1066 of such salts is possible within any of the following specific
1067 chemical designations, any compound containing a phenethylamine
1068 structure, without a beta-keto group, and without a benzyl group
1069 attached to the amine group, whether or not the compound is
1070 further modified with or without substitution on the phenyl ring
1071 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
1072 halide, fused alkylenedioxy, fused furan, fused benzofuran,
1073 fused dihydrofuran, or fused tetrahydropyran substituents,
1074 whether or not further substituted on a ring to any extent, with
1075 or without substitution at the alpha or beta position by any
1076 alkyl substituent, with or without substitution at the nitrogen

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1077 atom, and with or without inclusion of the 2-amino nitrogen atom
1078 in a cyclic structure, including, but not limited to:

- 1079 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
1080 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
1081 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
1082 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
1083 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
1084 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
1085 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
1086 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
1087 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
1088 j. 2C-H (2,5-Dimethoxyphenethylamine).
1089 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
1090 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
1091 m. MDMA (3,4-Methylenedioxyamphetamine).
1092 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
1093 Methylenedioxy-N-methylbutanamine).
1094 o. MDA (3,4-Methylenedioxyamphetamine).
1095 p. 2,5-Dimethoxyamphetamine.
1096 q. Fluoroamphetamine.
1097 r. Fluoromethamphetamine.
1098 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
1099 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
1100 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
1101 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
1102 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
1103 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
1104 y. PMA (4-Methoxyamphetamine).
1105 z. N-Ethylamphetamine.

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- 1106 aa. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 1107 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1108 cc. PMMA (4-Methoxymethamphetamine).
- 1109 dd. N,N-Dimethylamphetamine.
- 1110 ee. 3,4,5-Trimethoxyamphetamine.
- 1111 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1112 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1113 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1114 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1115 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1116 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1117 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1118 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1119 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1120 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1121 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1122 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1123 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1124 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1125 dihydrobenzofuran),

1126

1127 which does not include phenethylamine, mescaline as described in

1128 subparagraph (1)(c)20., substituted cathinones as described in

1129 subparagraph (1)(c)191., N-Benzyl phenethylamine compounds as

1130 described in subparagraph (1)(c)193., or methamphetamine as

1131 described in subparagraph (2)(c)4.

1132 193. N-Benzyl Phenethylamine Compounds. Unless specifically

1133 excepted or unless listed in another schedule, or contained

1134 within a pharmaceutical product approved by the United States

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1135 Food and Drug Administration, any material, compound, mixture,
1136 or preparation, including its salts, isomers, esters, or ethers,
1137 and salts of isomers, esters, or ethers, whenever the existence
1138 of such salts is possible within any of the following specific
1139 chemical designations, any compound containing a phenethylamine
1140 structure without a beta-keto group, with substitution on the
1141 nitrogen atom of the amino group with a benzyl substituent, with
1142 or without substitution on the phenyl or benzyl ring to any
1143 extent with alkyl, alkoxy, thio, alkylthio, halide, fused
1144 alkylenedioxy, fused furan, fused benzofuran, or fused
1145 tetrahydropyran substituents, whether or not further substituted
1146 on a ring to any extent, with or without substitution at the
1147 alpha position by any alkyl substituent, including, but not
1148 limited to:

1149 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1150 methoxybenzyl)]phenethylamine).

1151 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1152 hydroxybenzyl)]phenethylamine).

1153 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1154 fluorobenzyl)]phenethylamine).

1155 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1156 methylenedioxybenzyl)]phenethylamine).

1157 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1158 methoxybenzyl)]phenethylamine).

1159 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1160 hydroxybenzyl)]phenethylamine).

1161 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1162 fluorobenzyl)]phenethylamine).

1163 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-

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- 1164 methylenedioxybenzyl)]phenethylamine).
- 1165 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
- 1166 methoxybenzyl)]phenethylamine).
- 1167 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
- 1168 methoxybenzyl)]phenethylamine).
- 1169 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
- 1170 methoxybenzyl)]phenethylamine).
- 1171 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
- 1172 methoxybenzyl)]phenethylamine).
- 1173 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
- 1174 hydroxybenzyl)]phenethylamine).
- 1175 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
- 1176 fluorobenzyl)]phenethylamine).
- 1177 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
- 1178 methylenedioxybenzyl)]phenethylamine).
- 1179 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
- 1180 methoxybenzyl)]phenethylamine).
- 1181 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
- 1182 hydroxybenzyl)]phenethylamine).
- 1183 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
- 1184 fluorobenzyl)]phenethylamine).
- 1185 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
- 1186 methoxybenzyl)]phenethylamine),
- 1187
- 1188 which does not include substituted cathinones as described in
- 1189 subparagraph (1)(c)191.
- 1190 194. Substituted Tryptamines. Unless specifically excepted
- 1191 or unless listed in another schedule, or contained within a
- 1192 pharmaceutical product approved by the United States Food and

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1193 Drug Administration, any material, compound, mixture, or
1194 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1195 example tryptamine, structure with or without mono- or di-
1196 substitution of the amine nitrogen with alkyl or alkenyl groups,
1197 or by inclusion of the amino nitrogen atom in a cyclic
1198 structure, whether or not substituted at the alpha position with
1199 an alkyl group, whether or not substituted on the indole ring to
1200 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1201 groups, including, but not limited to:

- 1202 a. Alpha-Ethyltryptamine.
1203 b. Bufotenine.
1204 c. DET (Diethyltryptamine).
1205 d. DMT (Dimethyltryptamine).
1206 e. MET (N-Methyl-N-ethyltryptamine).
1207 f. DALT (N,N-Diallyltryptamine).
1208 g. EiPT (N-Ethyl-N-isopropyltryptamine).
1209 h. MiPT (N-Methyl-N-isopropyltryptamine).
1210 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
1211 j. 5-Hydroxy-N-methyltryptamine.
1212 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
1213 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
1214 m. Methyltryptamine.
1215 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
1216 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
1217 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
1218 q. DiPT (N,N-Diisopropyltryptamine).
1219 r. DPT (N,N-Dipropyltryptamine).
1220 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
1221 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).

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- 1222 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1223 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1224 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1225 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1226 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1227 isopropyltryptamine).
- 1228 z. Methyl-alpha-ethyltryptamine.
- 1229 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1230

1231 which does not include tryptamine, psilocyn as described in

1232 subparagraph (1)(c)34., or psilocybin as described in

1233 subparagraph (1)(c)33.

1234 195. Substituted Phenylcyclohexylamines. Unless

1235 specifically excepted or unless listed in another schedule, or

1236 contained within a pharmaceutical product approved by the United

1237 States Food and Drug Administration, any material, compound,

1238 mixture, or preparation containing a phenylcyclohexylamine

1239 structure, with or without any substitution on the phenyl ring,

1240 any substitution on the cyclohexyl ring, any replacement of the

1241 phenyl ring with a thiophenyl or benzothiophenyl ring, with or

1242 without substitution on the amine with alkyl, dialkyl, or alkoxy

1243 substitutents, inclusion of the nitrogen in a cyclic structure,

1244 or any combination of the above, including, but not limited to:

1245 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP

1246 (Benocyclidine).

1247 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog

1248 of phencyclidine).

1249 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine

1250 analog of phencyclidine).

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- 1251 d. PCPr (Phenylcyclohexylpropylamine).
- 1252 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
- 1253 analog of phencyclidine).
- 1254 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1255 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1256 h. Methoxetamine.
- 1257 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1258 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1259 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1260 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1261 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1262 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1263 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1264 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1265 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1266 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
- 1267 (d) Unless specifically excepted or unless listed in
- 1268 another schedule, any material, compound, mixture, or
- 1269 preparation that ~~which~~ contains any quantity of the following
- 1270 substances, including any of its salts, isomers, optical
- 1271 isomers, salts of their isomers, and salts of these optical
- 1272 isomers whenever the existence of such isomers and salts is
- 1273 possible within the specific chemical designation:
- 1274 1. 1,4-Butanediol.
- 1275 2. Gamma-butyrolactone (GBL).
- 1276 3. Gamma-hydroxybutyric acid (GHB).
- 1277 4. Methaqualone.
- 1278 5. Mecloqualone.
- 1279 (2) SCHEDULE II.—A substance in Schedule II has a high

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

1285 (a) Unless specifically excepted or unless listed in
1286 another schedule, any of the following substances, whether
1287 produced directly or indirectly by extraction from substances of
1288 vegetable origin or independently by means of chemical
1289 synthesis:

1290 1. Opium and any salt, compound, derivative, or preparation
1291 of opium, except nalmefene or isoquinoline alkaloids of opium,
1292 including, but not limited to the following:

1293 a. Raw opium.

1294 b. Opium extracts.

1295 c. Opium fluid extracts.

1296 d. Powdered opium.

1297 e. Granulated opium.

1298 f. Tincture of opium.

1299 g. Codeine.

1300 h. Ethylmorphine.

1301 i. Etorphine hydrochloride.

1302 j. Hydrocodone.

1303 k. Hydromorphone.

1304 l. Levo-alphaacetylmethadol (also known as levo-alpha-
1305 acetylmethadol, levomethadyl acetate, or LAAM).

1306 m. Metopon (methyldihydromorphinone).

1307 n. Morphine.

1308 o. Oxycodone.

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- 1309 p. Oxymorphone.
- 1310 q. Thebaine.
- 1311 2. Any salt, compound, derivative, or preparation of a
- 1312 substance which is chemically equivalent to or identical with
- 1313 any of the substances referred to in subparagraph 1., except
- 1314 that these substances shall not include the isoquinoline
- 1315 alkaloids of opium.
- 1316 3. Any part of the plant of the species *Papaver somniferum*,
- 1317 *L.*
- 1318 4. Cocaine or ecgonine, including any of their
- 1319 stereoisomers, and any salt, compound, derivative, or
- 1320 preparation of cocaine or ecgonine.
- 1321 (b) Unless specifically excepted or unless listed in
- 1322 another schedule, any of the following substances, including
- 1323 their isomers, esters, ethers, salts, and salts of isomers,
- 1324 esters, and ethers, whenever the existence of such isomers,
- 1325 esters, ethers, and salts is possible within the specific
- 1326 chemical designation:
- 1327 1. Alfentanil.
- 1328 2. Alphaprodine.
- 1329 3. Anileridine.
- 1330 4. Bezitramide.
- 1331 5. Bulk propoxyphene (nondosage forms).
- 1332 6. Carfentanil.
- 1333 7. Dihydrocodeine.
- 1334 8. Diphenoxylate.
- 1335 9. Fentanyl.
- 1336 10. Isomethadone.
- 1337 11. Levomethorphan.

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- 1338 12. Levorphanol.
- 1339 13. Metazocine.
- 1340 14. Methadone.
- 1341 15. Methadone-Intermediate,4-cyano-2-
- 1342 dimethylamino-4,4-diphenylbutane.
- 1343 16. Moramide-Intermediate,2-methyl-
- 1344 3-morpholino-1,1-diphenylpropane-carboxylic acid.
- 1345 17. Nabilone.
- 1346 18. Pethidine (meperidine).
- 1347 19. Pethidine-Intermediate-A,4-cyano-1-
- 1348 methyl-4-phenylpiperidine.
- 1349 20. Pethidine-Intermediate-B,ethyl-4-
- 1350 phenylpiperidine-4-carboxylate.
- 1351 21. Pethidine-Intermediate-C,1-methyl-4- phenylpiperidine-
- 1352 4-carboxylic acid.
- 1353 22. Phenazocine.
- 1354 23. Phencyclidine.
- 1355 24. 1-Phenylcyclohexylamine.
- 1356 25. Piminodine.
- 1357 26. 1-Piperidinocyclohexanecarbonitrile.
- 1358 27. Racemethorphan.
- 1359 28. Racemorphan.
- 1360 29. Sufentanil.
- 1361 (c) Unless specifically excepted or unless listed in
- 1362 another schedule, any material, compound, mixture, or
- 1363 preparation which contains any quantity of the following
- 1364 substances, including their salts, isomers, optical isomers,
- 1365 salts of their isomers, and salts of their optical isomers:
- 1366 1. Amobarbital.

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

1375 (3) SCHEDULE III.—A substance in Schedule III has a
1376 potential for abuse less than the substances contained in
1377 Schedules I and II and has a currently accepted medical use in
1378 treatment in the United States, and abuse of the substance may
1379 lead to moderate or low physical dependence or high
1380 psychological dependence or, in the case of anabolic steroids,
1381 may lead to physical damage. The following substances are
1382 controlled in Schedule III:

1383 (a) Unless specifically excepted or unless listed in
1384 another schedule, any material, compound, mixture, or
1385 preparation which contains any quantity of the following
1386 substances having a depressant or stimulant effect on the
1387 nervous system:

- 1388 1. Any substance which contains any quantity of a
1389 derivative of barbituric acid, including thiobarbituric acid, or
1390 any salt of a derivative of barbituric acid or thiobarbituric
1391 acid, including, but not limited to, butabarbital and
1392 butalbital.
1393 2. Benzphetamine.
1394 3. Chlorhexadol.
1395 4. Chlorphentermine.

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- 1396 5. Clortermine.
- 1397 6. Lysergic acid.
- 1398 7. Lysergic acid amide.
- 1399 8. Methyprylon.
- 1400 9. Phendimetrazine.
- 1401 10. Sulfondiethylmethane.
- 1402 11. Sulfonethylmethane.
- 1403 12. Sulfonmethane.
- 1404 13. Tiletamine and zolazepam or any salt thereof.
- 1405 (b) Nalorphine.
- 1406 (c) Unless specifically excepted or unless listed in
- 1407 another schedule, any material, compound, mixture, or
- 1408 preparation containing limited quantities of any of the
- 1409 following controlled substances or any salts thereof:
- 1410 1. Not more than 1.8 grams of codeine per 100 milliliters
- 1411 or not more than 90 milligrams per dosage unit, with an equal or
- 1412 greater quantity of an isoquinoline alkaloid of opium.
- 1413 2. Not more than 1.8 grams of codeine per 100 milliliters
- 1414 or not more than 90 milligrams per dosage unit, with recognized
- 1415 therapeutic amounts of one or more active ingredients which are
- 1416 not controlled substances.
- 1417 3. Not more than 300 milligrams of hydrocodone per 100
- 1418 milliliters or not more than 15 milligrams per dosage unit, with
- 1419 a fourfold or greater quantity of an isoquinoline alkaloid of
- 1420 opium.
- 1421 4. Not more than 300 milligrams of hydrocodone per 100
- 1422 milliliters or not more than 15 milligrams per dosage unit, with
- 1423 recognized therapeutic amounts of one or more active ingredients
- 1424 that are not controlled substances.

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1425 5. Not more than 1.8 grams of dihydrocodeine per 100
1426 milliliters or not more than 90 milligrams per dosage unit, with
1427 recognized therapeutic amounts of one or more active ingredients
1428 which are not controlled substances.

1429 6. Not more than 300 milligrams of ethylmorphine per 100
1430 milliliters or not more than 15 milligrams per dosage unit, with
1431 one or more active, nonnarcotic ingredients in recognized
1432 therapeutic amounts.

1433 7. Not more than 50 milligrams of morphine per 100
1434 milliliters or per 100 grams, with recognized therapeutic
1435 amounts of one or more active ingredients which are not
1436 controlled substances.

1437
1438 For purposes of charging a person with a violation of s. 893.135
1439 involving any controlled substance described in subparagraph 3.
1440 or subparagraph 4., the controlled substance is a Schedule III
1441 controlled substance pursuant to this paragraph but the weight
1442 of the controlled substance per milliliters or per dosage unit
1443 is not relevant to the charging of a violation of s. 893.135.
1444 The weight of the controlled substance shall be determined
1445 pursuant to s. 893.135(6).

1446 (d) Anabolic steroids.

1447 1. The term "anabolic steroid" means any drug or hormonal
1448 substance, chemically and pharmacologically related to
1449 testosterone, other than estrogens, progestins, and
1450 corticosteroids, that promotes muscle growth and includes:

- 1451 a. Androsterone.
1452 b. Androsterone acetate.
1453 c. Boldenone.

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- 1454 d. Boldenone acetate.
- 1455 e. Boldenone benzoate.
- 1456 f. Boldenone undecylenate.
- 1457 g. Chlorotestosterone (Clostebol) (~~4-chlorotestosterone~~).
- 1458 ~~h. Clostebol.~~
- 1459 h.i. Dehydrochlormethyltestosterone.
- 1460 i.j. Dihydrotestosterone (Stanolone) (~~4-~~
- 1461 ~~dihydrotestosterone~~).
- 1462 j.k. Drostanolone.
- 1463 k.l. Ethylestrenol.
- 1464 l.m. Fluoxymesterone.
- 1465 m.n. Formebolone (Formebolone).
- 1466 n.o. Mesterolone.
- 1467 o.p. Methandrostenolone (Methandienone).
- 1468 p.q. Methandranone.
- 1469 q.r. Methandriol.
- 1470 ~~s. Methandrostenolone.~~
- 1471 r.t. Methenolone.
- 1472 s.u. Methyltestosterone.
- 1473 t.v. Mibolerone.
- 1474 u.w. Nortestosterone (Nandrolone).
- 1475 v.x. Norethandrolone.
- 1476 ~~y. Nortestosterone.~~
- 1477 w.z. Nortestosterone decanoate.
- 1478 x.aa. Nortestosterone phenylpropionate.
- 1479 y.bb. Nortestosterone propionate.
- 1480 z.aa. Oxandrolone.
- 1481 aa.dd. Oxymesterone.
- 1482 bb.ee. Oxymetholone.

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1483 ~~ff.~~ ~~Stanolone.~~
 1484 ~~cc.~~~~gg.~~ Stanozolol.
 1485 ~~dd.~~~~hh.~~ Testolactone.
 1486 ~~ee.~~~~ii.~~ Testosterone.
 1487 ~~ff.~~~~jj.~~ Testosterone acetate.
 1488 ~~gg.~~~~kk.~~ Testosterone benzoate.
 1489 ~~hh.~~~~ll.~~ Testosterone cypionate.
 1490 ~~ii.~~~~mm.~~ Testosterone decanoate.
 1491 ~~jj.~~~~nn.~~ Testosterone enanthate.
 1492 ~~kk.~~~~oo.~~ Testosterone isocaproate.
 1493 ~~ll.~~~~pp.~~ Testosterone oleate.
 1494 ~~mm.~~~~qq.~~ Testosterone phenylpropionate.
 1495 ~~nn.~~~~rr.~~ Testosterone propionate.
 1496 ~~oo.~~~~ss.~~ Testosterone undecanoate.
 1497 ~~pp.~~~~tt.~~ Trenbolone.
 1498 ~~qq.~~~~uu.~~ Trenbolone acetate.
 1499 ~~rr.~~~~vv.~~ Any salt, ester, or isomer of a drug or substance
 1500 described or listed in this subparagraph if that salt, ester, or
 1501 isomer promotes muscle growth.
 1502 2. The term does not include an anabolic steroid that is
 1503 expressly intended for administration through implants to cattle
 1504 or other nonhuman species and that has been approved by the
 1505 United States Secretary of Health and Human Services for such
 1506 administration. However, any person who prescribes, dispenses,
 1507 or distributes such a steroid for human use is considered to
 1508 have prescribed, dispensed, or distributed an anabolic steroid
 1509 within the meaning of this paragraph.
 1510 (e) Ketamine, including any isomers, esters, ethers, salts,
 1511 and salts of isomers, esters, and ethers, whenever the existence

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1512 of such isomers, esters, ethers, and salts is possible within
1513 the specific chemical designation.

1514 (f) Dronabinol (synthetic THC) in sesame oil and
1515 encapsulated in a soft gelatin capsule in a drug product
1516 approved by the United States Food and Drug Administration.

1517 (g) Any drug product containing gamma-hydroxybutyric acid,
1518 including its salts, isomers, and salts of isomers, for which an
1519 application is approved under s. 505 of the Federal Food, Drug,
1520 and Cosmetic Act.

1521 (4) SCHEDULE IV.—A substance in Schedule IV has a low
1522 potential for abuse relative to the substances in Schedule III
1523 and has a currently accepted medical use in treatment in the
1524 United States, and abuse of the substance may lead to limited
1525 physical or psychological dependence relative to the substances
1526 in Schedule III. Unless specifically excepted or unless listed
1527 in another schedule, any material, compound, mixture, or
1528 preparation which contains any quantity of the following
1529 substances, including its salts, isomers, and salts of isomers
1530 whenever the existence of such salts, isomers, and salts of
1531 isomers is possible within the specific chemical designation,
1532 are controlled in Schedule IV:

- 1533 (a) Alprazolam.
1534 (b) Barbital.
1535 (c) Bromazepam.
1536 (d) Camazepam.
1537 (e) Cathine.
1538 (f) Chloral betaine.
1539 (g) Chloral hydrate.
1540 (h) Chlordiazepoxide.

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1541 (i) Clobazam.
1542 (j) Clonazepam.
1543 (k) Clorazepate.
1544 (l) Clotiazepam.
1545 (m) Cloxazolam.
1546 (n) Delorazepam.
1547 (o) Propoxyphene (dosage forms).
1548 (p) Diazepam.
1549 (q) Diethylpropion.
1550 (r) Estazolam.
1551 (s) Ethchlorvynol.
1552 (t) Ethinamate.
1553 (u) Ethyl loflazepate.
1554 (v) Fencamfamin.
1555 (w) Fenfluramine.
1556 (x) Fenproporex.
1557 (y) Fludiazepam.
1558 (z) Flurazepam.
1559 (aa) Halazepam.
1560 (bb) Haloxazolam.
1561 (cc) Ketazolam.
1562 (dd) Loprazolam.
1563 (ee) Lorazepam.
1564 (ff) Lormetazepam.
1565 (gg) Mazindol.
1566 (hh) Mebutamate.
1567 (ii) Medazepam.
1568 (jj) Mefenorex.
1569 (kk) Meprobamate.

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1570 (ll) Methohexital.
1571 (mm) Methylphenobarbital.
1572 (nn) Midazolam.
1573 (oo) Nimetazepam.
1574 (pp) Nitrazepam.
1575 (qq) Nordiazepam.
1576 (rr) Oxazepam.
1577 (ss) Oxazolam.
1578 (tt) Paraldehyde.
1579 (uu) Pemoline.
1580 (vv) Pentazocine.
1581 (ww) Phenobarbital.
1582 (xx) Phentermine.
1583 (yy) Pinazepam.
1584 (zz) Pipradrol.
1585 (aaa) Prazepam.
1586 (bbb) Propylhexedrine, excluding any patent or proprietary
1587 preparation containing propylhexedrine, unless otherwise
1588 provided by federal law.
1589 (ccc) Quazepam.
1590 (ddd) Tetrazepam.
1591 (eee) SPA[(-)-1 dimethylamino-1, 2
1592 diphenylethane].
1593 (fff) Temazepam.
1594 (ggg) Triazolam.
1595 (hhh) Not more than 1 milligram of difenoxin and not less
1596 than 25 micrograms of atropine sulfate per dosage unit.
1597 (iii) Butorphanol tartrate.
1598 (jjj) Carisoprodol.

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1599 (5) SCHEDULE V.—A substance, compound, mixture, or
1600 preparation of a substance in Schedule V has a low potential for
1601 abuse relative to the substances in Schedule IV and has a
1602 currently accepted medical use in treatment in the United
1603 States, and abuse of such compound, mixture, or preparation may
1604 lead to limited physical or psychological dependence relative to
1605 the substances in Schedule IV.

1606 (a) Substances controlled in Schedule V include any
1607 compound, mixture, or preparation containing any of the
1608 following limited quantities of controlled substances, which
1609 shall include one or more active medicinal ingredients which are
1610 not controlled substances in sufficient proportion to confer
1611 upon the compound, mixture, or preparation valuable medicinal
1612 qualities other than those possessed by the controlled substance
1613 alone:

1614 1. Not more than 200 milligrams of codeine per 100
1615 milliliters or per 100 grams.

1616 2. Not more than 100 milligrams of dihydrocodeine per 100
1617 milliliters or per 100 grams.

1618 3. Not more than 100 milligrams of ethylmorphine per 100
1619 milliliters or per 100 grams.

1620 4. Not more than 2.5 milligrams of diphenoxylate and not
1621 less than 25 micrograms of atropine sulfate per dosage unit.

1622 5. Not more than 100 milligrams of opium per 100
1623 milliliters or per 100 grams.

1624 (b) Narcotic drugs. Unless specifically excepted or unless
1625 listed in another schedule, any material, compound, mixture, or
1626 preparation containing any of the following narcotic drugs and
1627 their salts: Buprenorphine.

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1628 (c) Stimulants. Unless specifically excepted or unless
1629 listed in another schedule, any material, compound, mixture, or
1630 preparation which contains any quantity of the following
1631 substances having a stimulant effect on the central nervous
1632 system, including its salts, isomers, and salts of isomers:
1633 Pyrovalerone.

1634 Section 3. Section 893.033, Florida Statutes, is amended to
1635 read:

1636 893.033 Listed chemicals.—The chemicals listed in this
1637 section are included by whatever official, common, usual,
1638 chemical, or trade name designated.

1639 (1) PRECURSOR CHEMICALS.—The term "listed precursor
1640 chemical" means a chemical that may be used in manufacturing a
1641 controlled substance in violation of this chapter and is
1642 critical to the creation of the controlled substance, and such
1643 term includes any salt, optical isomer, or salt of an optical
1644 isomer, whenever the existence of such salt, optical isomer, or
1645 salt of optical isomer is possible within the specific chemical
1646 designation. The following are "listed precursor chemicals":

- 1647 (a) Anthranilic acid.
- 1648 (b) Benzaldehyde.
- 1649 (c) Benzyl cyanide.
- 1650 (d) Chloroephedrine.
- 1651 (e) Chloropseudoephedrine.
- 1652 (f) Ephedrine.
- 1653 (g) Ergonovine.
- 1654 (h) Ergotamine.
- 1655 (i) Ergocristine.
- 1656 ~~(i) Hydriodic acid.~~

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- 1657 (j) Ethylamine.
- 1658 (k) Iodine tincture above 2.2 percent.
- 1659 (l)~~(k)~~ Isosafrole.
- 1660 (m)~~(l)~~ Methylamine.
- 1661 (n)~~(m)~~ 3, 4-Methylenedioxyphenyl-2-propanone.
- 1662 (o)~~(n)~~ N-Acetylanthranilic acid.
- 1663 (p)~~(o)~~ N-Ethylephedrine.
- 1664 (q)~~(p)~~ N-Ethylpseudoephedrine.
- 1665 (r)~~(q)~~ N-Methylephedrine.
- 1666 (s)~~(r)~~ N-Methylpseudoephedrine.
- 1667 (t) ANPP (4-Anilino-N-phenethyl-4-piperidine).
- 1668 (u) NPP (N-Phenethyl-4-piperidone).
- 1669 (v)~~(s)~~ Nitroethane.
- 1670 (w)~~(t)~~ Norpseudoephedrine.
- 1671 (x)~~(u)~~ Phenylacetic acid.
- 1672 (y)~~(v)~~ Phenylpropanolamine.
- 1673 (z)~~(w)~~ Piperidine.
- 1674 (aa)~~(x)~~ Piperonal.
- 1675 (bb)~~(y)~~ Propionic anhydride.
- 1676 (cc)~~(z)~~ Pseudoephedrine.
- 1677 (dd)~~(aa)~~ Safrole.
- 1678 (2) ESSENTIAL CHEMICALS.—The term “listed essential
- 1679 chemical” means a chemical that may be used as a solvent,
- 1680 reagent, or catalyst in manufacturing a controlled substance in
- 1681 violation of this chapter. The following are “listed essential
- 1682 chemicals”:
- 1683 (a) Acetic anhydride.
- 1684 (b) Acetone.
- 1685 (c) Ammonium salts, including, but not limited to, nitrate,

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1686 sulfate, phosphate, or chloride.

1687 (d)~~(e)~~ Anhydrous ammonia.

1688 (e) Benzoquinone.

1689 (f)~~(d)~~ Benzyl chloride.

1690 (g)~~(e)~~ 2-Butanone.

1691 (h)~~(f)~~ Ethyl ether.

1692 (i) Formic acid.

1693 (j)~~(g)~~ Hydrochloric acid ~~gas~~.

1694 (k)~~(h)~~ Hydriodic acid.

1695 (l)~~(i)~~ Iodine.

1696 (m) Lithium.

1697 (n) Organic solvents, including, but not limited to,

1698 Coleman Fuel, camping fuel, ether, toluene, or lighter fluid.

1699 (o) Organic cosolvents, including, but not limited to,

1700 glycerol, propylene glycol, or polyethylene glycol.

1701 (p) Potassium dichromate.

1702 (q)~~(j)~~ Potassium permanganate.

1703 (r) Sodium.

1704 (s) Sodium dichromate.

1705 (t) Sodium borohydride.

1706 (u) Sodium cyanoborohydride.

1707 (v) Sodium hydroxide.

1708 (w) Sulfuric acid.

1709 ~~(k) Toluene.~~

1710 Section 4. Subsections (3) and (5) of section 893.0356,

1711 Florida Statutes, are amended, paragraph (j) is added to

1712 subsection (4) of that section, and paragraph (a) of subsection

1713 (2) of that section is republished, to read:

1714 893.0356 Control of new substances; findings of fact;

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1715 "controlled substance analog" defined.—

1716 (2) (a) As used in this section, "controlled substance
1717 analog" means a substance which, due to its chemical structure
1718 and potential for abuse, meets the following criteria:

- 1719 1. Is substantially similar to that of a controlled
1720 substance listed in Schedule I or Schedule II of s. 893.03; and
- 1721 2. Has a stimulant, depressant, or hallucinogenic effect on
1722 the central nervous system or is represented or intended to have
1723 a stimulant, depressant, or hallucinogenic effect on the central
1724 nervous system substantially similar to or greater than that of
1725 a controlled substance listed in Schedule I or Schedule II of s.
1726 893.03.

1727 (3) As used in this section, the term "substantially
1728 similar," as the term applies to the chemical structure of a
1729 substance, means that the chemical structure of the substance
1730 compared to the structure of a controlled substance has a single
1731 difference in the structural formula that substitutes one atom
1732 or functional group for another, including, but not limited to,
1733 one halogen for another halogen, one hydrogen for a halogen or
1734 vice versa, an alkyl group added or deleted as a side chain to
1735 or from a molecule, or an alkyl group added or deleted from a
1736 side chain of a molecule. ~~"potential for abuse" in this section~~
1737 ~~means that a substance has properties as a central nervous~~
1738 ~~system stimulant or depressant or a hallucinogen that create a~~
1739 ~~substantial likelihood of its being:~~

1740 ~~(a) Used in amounts that create a hazard to the user's~~
1741 ~~health or the safety of the community;~~

1742 ~~(b) Diverted from legal channels and distributed through~~
1743 ~~illegal channels; or~~

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1744 ~~(c) Taken on the user's own initiative rather than on the~~
1745 ~~basis of professional medical advice.~~

1746
1747 ~~Proof of potential for abuse can be based upon a showing that~~
1748 ~~these activities are already taking place, or upon a showing~~
1749 ~~that the nature and properties of the substance make it~~
1750 ~~reasonable to assume that there is a substantial likelihood that~~
1751 ~~such activities will take place, in other than isolated or~~
1752 ~~occasional instances.~~

1753 (4) The following factors shall be relevant to a finding
1754 that a substance is a controlled substance analog within the
1755 purview of this section:

1756 (j) Comparisons to the accepted methods of marketing,
1757 distribution, and sales of the substance and that which the
1758 substance is purported to be, including, but not limited to:

1759 1. The difference in price at which the substance is sold
1760 and the price at which the substance it is purported to be or
1761 advertised as is normally sold;

1762 2. The difference in how the substance is imported,
1763 manufactured, or distributed compared to how the substance it is
1764 purported to be or advertised as is normally imported,
1765 manufactured, or distributed;

1766 3. The difference in the appearance of the substance in
1767 overall finished dosage form compared to the substance it is
1768 purported to be or advertised as normally appears in overall
1769 finished dosage form; and

1770 4. The difference in how the substance is labeled for sale,
1771 packaged for sale, or the method of sale, including, but not
1772 limited to, the placement of the substance in an area commonly

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1773 viewable to the public for purchase consideration compared to
1774 how the substance it is purported to be or advertised as is
1775 normally labeled for sale, packaged for sale, or sold to the
1776 public.

1777 (5) A controlled substance analog shall, for purposes of
1778 drug abuse prevention and control, be treated as the highest
1779 scheduled ~~a~~ controlled substance of which it is a controlled
1780 substance analog to in ~~Schedule I~~ of s. 893.03.

1781 Section 5. Subsections (1), (4), and (6), and paragraph (d)
1782 of subsection (8) of section 893.13, Florida Statutes, are
1783 amended, and subsection (2), paragraphs (a) and (b) of
1784 subsection (5), and paragraph (a) of subsection (7) of that
1785 section are republished, to read:

1786 893.13 Prohibited acts; penalties.—

1787 (1) (a) Except as authorized by this chapter and chapter
1788 499, a person may not sell, manufacture, or deliver, or possess
1789 with intent to sell, manufacture, or deliver, a controlled
1790 substance. A person who violates this provision with respect to:

1791 1. A controlled substance named or described in s.
1792 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1793 commits a felony of the second degree, punishable as provided in
1794 s. 775.082, s. 775.083, or s. 775.084.

1795 2. A controlled substance named or described in s.
1796 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
1797 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1798 the third degree, punishable as provided in s. 775.082, s.
1799 775.083, or s. 775.084.

1800 3. A controlled substance named or described in s.
1801 893.03(5) commits a misdemeanor of the first degree, punishable

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1802 as provided in s. 775.082 or s. 775.083.

1803 (b) Except as provided in this chapter, a person may not
1804 sell or deliver in excess of 10 grams of any substance named or
1805 described in s. 893.03(1)(a) or (1)(b), or any combination
1806 thereof, or any mixture containing any such substance. A person
1807 who violates this paragraph commits a felony of the first
1808 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1809 775.084.

1810 (c) Except as authorized by this chapter, a person may not
1811 sell, manufacture, or deliver, or possess with intent to sell,
1812 manufacture, or deliver, a controlled substance in, on, or
1813 within 1,000 feet of the real property comprising a child care
1814 facility as defined in s. 402.302 or a public or private
1815 elementary, middle, or secondary school between the hours of 6
1816 a.m. and 12 midnight, or at any time in, on, or within 1,000
1817 feet of real property comprising a state, county, or municipal
1818 park, a community center, or a publicly owned recreational
1819 facility. As used in this paragraph, the term "community center"
1820 means a facility operated by a nonprofit community-based
1821 organization for the provision of recreational, social, or
1822 educational services to the public. A person who violates this
1823 paragraph with respect to:

1824 1. A controlled substance named or described in s.
1825 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1826 commits a felony of the first degree, punishable as provided in
1827 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
1828 sentenced to a minimum term of imprisonment of 3 calendar years
1829 unless the offense was committed within 1,000 feet of the real
1830 property comprising a child care facility as defined in s.

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1831 402.302.

1832 2. A controlled substance named or described in s.
1833 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1834 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1835 the second degree, punishable as provided in s. 775.082, s.
1836 775.083, or s. 775.084.

1837 3. Any other controlled substance, except as lawfully sold,
1838 manufactured, or delivered, must be sentenced to pay a \$500 fine
1839 and to serve 100 hours of public service in addition to any
1840 other penalty prescribed by law.

1841
1842 This paragraph does not apply to a child care facility unless
1843 the owner or operator of the facility posts a sign that is not
1844 less than 2 square feet in size with a word legend identifying
1845 the facility as a licensed child care facility and that is
1846 posted on the property of the child care facility in a
1847 conspicuous place where the sign is reasonably visible to the
1848 public.

1849 (d) Except as authorized by this chapter, a person may not
1850 sell, manufacture, or deliver, or possess with intent to sell,
1851 manufacture, or deliver, a controlled substance in, on, or
1852 within 1,000 feet of the real property comprising a public or
1853 private college, university, or other postsecondary educational
1854 institution. A person who violates this paragraph with respect
1855 to:

1856 1. A controlled substance named or described in s.
1857 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1858 commits a felony of the first degree, punishable as provided in
1859 s. 775.082, s. 775.083, or s. 775.084.

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1860 2. A controlled substance named or described in s.
1861 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1862 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1863 the second degree, punishable as provided in s. 775.082, s.
1864 775.083, or s. 775.084.

1865 3. Any other controlled substance, except as lawfully sold,
1866 manufactured, or delivered, must be sentenced to pay a \$500 fine
1867 and to serve 100 hours of public service in addition to any
1868 other penalty prescribed by law.

1869 (e) Except as authorized by this chapter, a person may not
1870 sell, manufacture, or deliver, or possess with intent to sell,
1871 manufacture, or deliver, a controlled substance not authorized
1872 by law in, on, or within 1,000 feet of a physical place for
1873 worship at which a church or religious organization regularly
1874 conducts religious services or within 1,000 feet of a
1875 convenience business as defined in s. 812.171. A person who
1876 violates this paragraph with respect to:

1877 1. A controlled substance named or described in s.
1878 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1879 commits a felony of the first degree, punishable as provided in
1880 s. 775.082, s. 775.083, or s. 775.084.

1881 2. A controlled substance named or described in s.
1882 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1883 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1884 the second degree, punishable as provided in s. 775.082, s.
1885 775.083, or s. 775.084.

1886 3. Any other controlled substance, except as lawfully sold,
1887 manufactured, or delivered, must be sentenced to pay a \$500 fine
1888 and to serve 100 hours of public service in addition to any

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1889 other penalty prescribed by law.

1890 (f) Except as authorized by this chapter, a person may not
1891 sell, manufacture, or deliver, or possess with intent to sell,
1892 manufacture, or deliver, a controlled substance in, on, or
1893 within 1,000 feet of the real property comprising a public
1894 housing facility at any time. As used in this section, the term
1895 "real property comprising a public housing facility" means real
1896 property, as defined in s. 421.03(12), of a public corporation
1897 created as a housing authority pursuant to part I of chapter
1898 421. A person who violates this paragraph with respect to:

1899 1. A controlled substance named or described in s.
1900 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1901 commits a felony of the first degree, punishable as provided in
1902 s. 775.082, s. 775.083, or s. 775.084.

1903 2. A controlled substance named or described in s.
1904 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1905 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1906 the second degree, punishable as provided in s. 775.082, s.
1907 775.083, or s. 775.084.

1908 3. Any other controlled substance, except as lawfully sold,
1909 manufactured, or delivered, must be sentenced to pay a \$500 fine
1910 and to serve 100 hours of public service in addition to any
1911 other penalty prescribed by law.

1912 (g) Except as authorized by this chapter, a person may not
1913 manufacture methamphetamine or phencyclidine, or possess any
1914 listed chemical as defined in s. 893.033 in violation of s.
1915 893.149 and with intent to manufacture methamphetamine or
1916 phencyclidine. If a person violates this paragraph and:

1917 1. The commission or attempted commission of the crime

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

1923 2. The commission of the crime causes any child younger
1924 than 16 years of age to suffer great bodily harm, the person
1925 commits a felony of the first degree, punishable as provided in
1926 s. 775.082, s. 775.083, or s. 775.084. In addition, the
1927 defendant must be sentenced to a minimum term of imprisonment of
1928 10 calendar years.

1929 (h) Except as authorized by this chapter, a person may not
1930 sell, manufacture, or deliver, or possess with intent to sell,
1931 manufacture, or deliver, a controlled substance in, on, or
1932 within 1,000 feet of the real property comprising an assisted
1933 living facility, as that term is used in chapter 429. A person
1934 who violates this paragraph with respect to:

1935 1. A controlled substance named or described in s.
1936 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1937 commits a felony of the first degree, punishable as provided in
1938 s. 775.082, s. 775.083, or s. 775.084.

1939 2. A controlled substance named or described in s.
1940 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1941 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1942 the second degree, punishable as provided in s. 775.082, s.
1943 775.083, or s. 775.084.

1944 3. Any other controlled substance, except as lawfully sold,
1945 manufactured, or delivered, must be sentenced to pay a \$500 fine
1946 and to serve 100 hours of public service in addition to any

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1947 other penalty prescribed by law.

1948 (2) (a) Except as authorized by this chapter and chapter
1949 499, a person may not purchase, or possess with intent to
1950 purchase, a controlled substance. A person who violates this
1951 provision with respect to:

1952 1. A controlled substance named or described in s.
1953 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.
1954 commits a felony of the second degree, punishable as provided in
1955 s. 775.082, s. 775.083, or s. 775.084.

1956 2. A controlled substance named or described in s.
1957 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
1958 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
1959 the third degree, punishable as provided in s. 775.082, s.
1960 775.083, or s. 775.084.

1961 3. A controlled substance named or described in s.
1962 893.03(5) commits a misdemeanor of the first degree, punishable
1963 as provided in s. 775.082 or s. 775.083.

1964 (b) Except as provided in this chapter, a person may not
1965 purchase more than 10 grams of any substance named or described
1966 in s. 893.03(1) (a) or (1) (b), or any combination thereof, or any
1967 mixture containing any such substance. A person who violates
1968 this paragraph commits a felony of the first degree, punishable
1969 as provided in s. 775.082, s. 775.083, or s. 775.084.

1970 (4) Except as authorized by this chapter, a person 18 years
1971 of age or older may not deliver any controlled substance to a
1972 person younger than 18 years of age, use or hire a person
1973 younger than 18 years of age as an agent or employee in the sale
1974 or delivery of such a substance, or use such person to assist in
1975 avoiding detection or apprehension for a violation of this

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1976 chapter. A person who violates this paragraph ~~provision~~ with
1977 respect to:

1978 (a) A controlled substance named or described in s.
1979 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
1980 commits a felony of the first degree, punishable as provided in
1981 s. 775.082, s. 775.083, or s. 775.084.

1982 (b) A controlled substance named or described in s.
1983 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
1984 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
1985 the second degree, punishable as provided in s. 775.082, s.
1986 775.083, or s. 775.084.

1987 (c) Any other controlled substance, except as lawfully
1988 sold, manufactured, or delivered, commits a felony of the third
1989 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1990 775.084.

1991
1992 Imposition of sentence may not be suspended or deferred, and the
1993 person so convicted may not be placed on probation.

1994 (5) A person may not bring into this state any controlled
1995 substance unless the possession of such controlled substance is
1996 authorized by this chapter or unless such person is licensed to
1997 do so by the appropriate federal agency. A person who violates
1998 this provision with respect to:

1999 (a) A controlled substance named or described in s.
2000 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
2001 commits a felony of the second degree, punishable as provided in
2002 s. 775.082, s. 775.083, or s. 775.084.

2003 (b) A controlled substance named or described in s.
2004 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,

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2005 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
2006 the third degree, punishable as provided in s. 775.082, s.
2007 775.083, or s. 775.084.

2008 (6) (a) A person may not be in actual or constructive
2009 possession of a controlled substance unless such controlled
2010 substance was lawfully obtained from a practitioner or pursuant
2011 to a valid prescription or order of a practitioner while acting
2012 in the course of his or her professional practice or to be in
2013 actual or constructive possession of a controlled substance
2014 except as otherwise authorized by this chapter. A person who
2015 violates this provision commits a felony of the third degree,
2016 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2017 (b) If the offense is the possession of 20 grams or less of
2018 cannabis, as defined in this chapter, ~~or 3 grams or less of a~~
2019 ~~controlled substance described in s. 893.03(1)(c) 46., 50., 114.,~~
2020 ~~142., 151., 159., or 166., 173.,~~ the person commits a misdemeanor
2021 of the first degree, punishable as provided in s. 775.082 or s.
2022 775.083. As used in this subsection, the term "cannabis" does
2023 not include the resin extracted from the plants of the genus
2024 *Cannabis*, or any compound manufacture, salt, derivative,
2025 mixture, or preparation of such resin, ~~and a controlled~~
2026 ~~substance described in s. 893.03(1)(c) 46., 50., 114., 142., 151.,~~
2027 ~~159., or 166., 173. does not include the substance in a powdered~~
2028 ~~form.~~

2029 (c) Except as provided in this chapter, a person may not
2030 possess more than 10 grams of any substance named or described
2031 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any
2032 mixture containing any such substance. A person who violates
2033 this paragraph commits a felony of the first degree, punishable

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2034 as provided in s. 775.082, s. 775.083, or s. 775.084.

2035 (d) If the offense is possession of a controlled substance
2036 named or described in s. 893.03(5), the person commits a
2037 misdemeanor of the second degree, punishable as provided in s.
2038 775.082 or s. 775.083.

2039 (e)~~(d)~~ Notwithstanding any provision to the contrary of the
2040 laws of this state relating to arrest, a law enforcement officer
2041 may arrest without warrant any person who the officer has
2042 probable cause to believe is violating the provisions of this
2043 chapter relating to possession of cannabis.

2044 (7) (a) A person may not:

2045 1. Distribute or dispense a controlled substance in
2046 violation of this chapter.

2047 2. Refuse or fail to make, keep, or furnish any record,
2048 notification, order form, statement, invoice, or information
2049 required under this chapter.

2050 3. Refuse entry into any premises for any inspection or
2051 refuse to allow any inspection authorized by this chapter.

2052 4. Distribute a controlled substance named or described in
2053 s. 893.03(1) or (2) except pursuant to an order form as required
2054 by s. 893.06.

2055 5. Keep or maintain any store, shop, warehouse, dwelling,
2056 building, vehicle, boat, aircraft, or other structure or place
2057 which is resorted to by persons using controlled substances in
2058 violation of this chapter for the purpose of using these
2059 substances, or which is used for keeping or selling them in
2060 violation of this chapter.

2061 6. Use to his or her own personal advantage, or reveal, any
2062 information obtained in enforcement of this chapter except in a

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2063 prosecution or administrative hearing for a violation of this
2064 chapter.

2065 7. Possess a prescription form unless it has been signed by
2066 the practitioner whose name appears printed thereon and
2067 completed. This subparagraph does not apply if the person in
2068 possession of the form is the practitioner whose name appears
2069 printed thereon, an agent or employee of that practitioner, a
2070 pharmacist, or a supplier of prescription forms who is
2071 authorized by that practitioner to possess those forms.

2072 8. Withhold information from a practitioner from whom the
2073 person seeks to obtain a controlled substance or a prescription
2074 for a controlled substance that the person making the request
2075 has received a controlled substance or a prescription for a
2076 controlled substance of like therapeutic use from another
2077 practitioner within the previous 30 days.

2078 9. Acquire or obtain, or attempt to acquire or obtain,
2079 possession of a controlled substance by misrepresentation,
2080 fraud, forgery, deception, or subterfuge.

2081 10. Affix any false or forged label to a package or
2082 receptacle containing a controlled substance.

2083 11. Furnish false or fraudulent material information in, or
2084 omit any material information from, any report or other document
2085 required to be kept or filed under this chapter or any record
2086 required to be kept by this chapter.

2087 12. Store anhydrous ammonia in a container that is not
2088 approved by the United States Department of Transportation to
2089 hold anhydrous ammonia or is not constructed in accordance with
2090 sound engineering, agricultural, or commercial practices.

2091 13. With the intent to obtain a controlled substance or

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

2103 (8)

2104 (d) Notwithstanding paragraph (c), if a prescribing
2105 practitioner has violated paragraph (a) and received \$1,000 or
2106 more in payment for writing one or more prescriptions or, in the
2107 case of a prescription written for a controlled substance
2108 described in s. 893.135, has written one or more prescriptions
2109 for a quantity of a controlled substance which, individually or
2110 in the aggregate, meets the threshold for the offense of
2111 trafficking in a controlled substance under s. 893.135 ~~s.~~
2112 ~~893.15~~, the violation is reclassified as a felony of the second
2113 degree and ranked in level 4 of the Criminal Punishment Code.

2114 Section 6. Paragraphs (g) and (l) of subsection (1) of
2115 section 893.135, Florida Statutes, are republished, paragraph
2116 (k) of that subsection is amended, and subsection (6) of that
2117 section is amended, to read:

2118 893.135 Trafficking; mandatory sentences; suspension or
2119 reduction of sentences; conspiracy to engage in trafficking.—

2120 (1) Except as authorized in this chapter or in chapter 499

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2121 and notwithstanding the provisions of s. 893.13:

2122 (g)1. Any person who knowingly sells, purchases,
2123 manufactures, delivers, or brings into this state, or who is
2124 knowingly in actual or constructive possession of, 4 grams or
2125 more of flunitrazepam or any mixture containing flunitrazepam as
2126 described in s. 893.03(1)(a) commits a felony of the first
2127 degree, which felony shall be known as "trafficking in
2128 flunitrazepam," punishable as provided in s. 775.082, s.
2129 775.083, or s. 775.084. If the quantity involved:

2130 a. Is 4 grams or more but less than 14 grams, such person
2131 shall be sentenced to a mandatory minimum term of imprisonment
2132 of 3 years, and the defendant shall be ordered to pay a fine of
2133 \$50,000.

2134 b. Is 14 grams or more but less than 28 grams, such person
2135 shall be sentenced to a mandatory minimum term of imprisonment
2136 of 7 years, and the defendant shall be ordered to pay a fine of
2137 \$100,000.

2138 c. Is 28 grams or more but less than 30 kilograms, such
2139 person shall be sentenced to a mandatory minimum term of
2140 imprisonment of 25 calendar years and pay a fine of \$500,000.

2141 2. Any person who knowingly sells, purchases, manufactures,
2142 delivers, or brings into this state or who is knowingly in
2143 actual or constructive possession of 30 kilograms or more of
2144 flunitrazepam or any mixture containing flunitrazepam as
2145 described in s. 893.03(1)(a) commits the first degree felony of
2146 trafficking in flunitrazepam. A person who has been convicted of
2147 the first degree felony of trafficking in flunitrazepam under
2148 this subparagraph shall be punished by life imprisonment and is
2149 ineligible for any form of discretionary early release except

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2150 pardon or executive clemency or conditional medical release
 2151 under s. 947.149. However, if the court determines that, in
 2152 addition to committing any act specified in this paragraph:

2153 a. The person intentionally killed an individual or
 2154 counseled, commanded, induced, procured, or caused the
 2155 intentional killing of an individual and such killing was the
 2156 result; or

2157 b. The person's conduct in committing that act led to a
 2158 natural, though not inevitable, lethal result,

2159

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

2165 (k)1. A person who knowingly sells, purchases,
 2166 manufactures, delivers, or brings into this state, or who is
 2167 knowingly in actual or constructive possession of, 10 grams or
 2168 more of any of the following substances described in s.
 2169 893.03(1)(c):

2170 a. (MDMA) 3,4-Methylenedioxymethamphetamine ~~(MDMA)~~;

2171 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);

2172 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);

2173 d. 2,5-Dimethoxyamphetamine;

2174 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-4-~~
 2175 ~~ethylamphetamine (DOET)~~;

2176 f. N-ethylamphetamine;

2177 g. N-Hydroxy-3,4-methylenedioxyamphetamine;

2178 h. 5-Methoxy-3,4-methylenedioxyamphetamine;

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- 2179 i. PMA (4-methoxyamphetamine);
- 2180 j. PMMA (4-methoxymethamphetamine);
- 2181 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2182 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2183 m. MDA (3,4-Methylenedioxyamphetamine);
- 2184 n. N,N-dimethylamphetamine;
- 2185 o. 3,4,5-Trimethoxyamphetamine;
- 2186 p. Methylone (3,4-Methylenedioxymethcathinone);
- 2187 q. MDPV (3,4-Methylenedioxypropylone) ~~(MDPV)~~; or
- 2188 r. Methylnmethcathinone,
- 2189
- 2190 individually or analogs thereto or isomers thereto or in any
- 2191 combination of or any mixture containing any substance listed in
- 2192 sub-subparagraphs a.-r., commits a felony of the first degree,
- 2193 which felony shall be known as "trafficking in Phenethylamines,"
- 2194 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- 2195 2. If the quantity involved:
- 2196 a. Is 10 grams or more, but less than 200 grams, such
- 2197 person shall be sentenced to a mandatory minimum term of
- 2198 imprisonment of 3 years and shall be ordered to pay a fine of
- 2199 \$50,000.
- 2200 b. Is 200 grams or more, but less than 400 grams, such
- 2201 person shall be sentenced to a mandatory minimum term of
- 2202 imprisonment of 7 years and shall be ordered to pay a fine of
- 2203 \$100,000.
- 2204 c. Is 400 grams or more, such person shall be sentenced to
- 2205 a mandatory minimum term of imprisonment of 15 years and shall
- 2206 be ordered to pay a fine of \$250,000.
- 2207 3. A person who knowingly manufactures or brings into this

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2208 state 30 kilograms or more of any of the following substances
 2209 described in s. 893.03(1)(c):

- 2210 a. MDMA (3,4-Methylenedioxyamphetamine) ~~(MDMA)~~;
- 2211 b. 2C-B (4-Bromo-2,5-dimethoxyamphetamine);
- 2212 c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
- 2213 d. 2,5-Dimethoxyamphetamine;
- 2214 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine) ~~2,5-Dimethoxy-4-~~
 2215 ~~ethylamphetamine (DOET)~~;
- 2216 f. N-ethylamphetamine;
- 2217 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 2218 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 2219 i. PMA (4-methoxyamphetamine);
- 2220 j. PMMA (4-methoxymethamphetamine);
- 2221 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
- 2222 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
- 2223 m. MDA (3,4-Methylenedioxyamphetamine);
- 2224 n. N,N-dimethylamphetamine;
- 2225 o. 3,4,5-Trimethoxyamphetamine;
- 2226 p. Methylone (3,4-Methylenedioxy-methcathinone);
- 2227 q. MDPV (3,4-Methylenedioxy-pyrovalerone) ~~(MDPV)~~; or
- 2228 r. Methylmethcathinone,
- 2229

2230 individually or analogs thereto or isomers thereto or in any
 2231 combination of or any mixture containing any substance listed in
 2232 sub-subparagraphs a.-r., and who knows that the probable result
 2233 of such manufacture or importation would be the death of any
 2234 person commits capital manufacture or importation of
 2235 Phenethylamines, a capital felony punishable as provided in ss.
 2236 775.082 and 921.142. A person sentenced for a capital felony

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2237 under this paragraph shall also be sentenced to pay the maximum
2238 fine provided under subparagraph 1.

2239 (1)1. Any person who knowingly sells, purchases,
2240 manufactures, delivers, or brings into this state, or who is
2241 knowingly in actual or constructive possession of, 1 gram or
2242 more of lysergic acid diethylamide (LSD) as described in s.
2243 893.03(1)(c), or of any mixture containing lysergic acid
2244 diethylamide (LSD), commits a felony of the first degree, which
2245 felony shall be known as "trafficking in lysergic acid
2246 diethylamide (LSD)," punishable as provided in s. 775.082, s.
2247 775.083, or s. 775.084. If the quantity involved:

2248 a. Is 1 gram or more, but less than 5 grams, such person
2249 shall be sentenced to a mandatory minimum term of imprisonment
2250 of 3 years, and the defendant shall be ordered to pay a fine of
2251 \$50,000.

2252 b. Is 5 grams or more, but less than 7 grams, such person
2253 shall be sentenced to a mandatory minimum term of imprisonment
2254 of 7 years, and the defendant shall be ordered to pay a fine of
2255 \$100,000.

2256 c. Is 7 grams or more, such person shall be sentenced to a
2257 mandatory minimum term of imprisonment of 15 calendar years and
2258 pay a fine of \$500,000.

2259 2. Any person who knowingly manufactures or brings into
2260 this state 7 grams or more of lysergic acid diethylamide (LSD)
2261 as described in s. 893.03(1)(c), or any mixture containing
2262 lysergic acid diethylamide (LSD), and who knows that the
2263 probable result of such manufacture or importation would be the
2264 death of any person commits capital manufacture or importation
2265 of lysergic acid diethylamide (LSD), a capital felony punishable

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2266 as provided in ss. 775.082 and 921.142. Any person sentenced for
2267 a capital felony under this paragraph shall also be sentenced to
2268 pay the maximum fine provided under subparagraph 1.

2269 (6) A mixture, as defined in s. 893.02, containing any
2270 controlled substance described in this section includes, but is
2271 not limited to, a solution or a dosage unit, including but not
2272 limited to, a gelatin capsule, pill, or tablet, containing a
2273 controlled substance. For the purpose of clarifying legislative
2274 intent regarding the weighing of a mixture containing a
2275 controlled substance described in this section, the weight of
2276 the controlled substance is the total weight of the mixture,
2277 including the controlled substance and any other substance in
2278 the mixture. If there is more than one mixture containing the
2279 same controlled substance, the weight of the controlled
2280 substance is calculated by aggregating the total weight of each
2281 mixture.

2282 Section 7. Subsection (2) of section 893.138, Florida
2283 Statutes, is amended to read:

2284 893.138 Local administrative action to abate drug-related,
2285 prostitution-related, or stolen-property-related public
2286 nuisances and criminal gang activity.—

2287 (2) Any place or premises that has been used:

2288 (a) On more than two occasions within a 6-month period, as
2289 the site of a violation of s. 796.07;

2290 (b) On more than two occasions within a 6-month period, as
2291 the site of the unlawful sale, delivery, manufacture, or
2292 cultivation of any controlled substance;

2293 (c) On one occasion as the site of the unlawful possession
2294 of a controlled substance, where such possession constitutes a

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2295 felony and that has been previously used on more than one
2296 occasion as the site of the unlawful sale, delivery,
2297 manufacture, or cultivation of any controlled substance;

2298 (d) By a criminal gang for the purpose of conducting
2299 criminal gang activity as defined by s. 874.03; ~~or~~

2300 (e) On more than two occasions within a 6-month period, as
2301 the site of a violation of s. 812.019 relating to dealing in
2302 stolen property; or

2303 (f) On two or more occasions within a 6-month period, as
2304 the site of a violation of chapter 499,

2305
2306 may be declared to be a public nuisance, and such nuisance may
2307 be abated pursuant to the procedures provided in this section.

2308 Section 8. Subsections (6) and (12) of section 893.145,
2309 Florida Statutes, are amended to read:

2310 893.145 "Drug paraphernalia" defined.—The term "drug
2311 paraphernalia" means all equipment, products, and materials of
2312 any kind which are used, intended for use, or designed for use
2313 in planting, propagating, cultivating, growing, harvesting,
2314 manufacturing, compounding, converting, producing, processing,
2315 preparing, testing, analyzing, packaging, repackaging, storing,
2316 containing, concealing, transporting, injecting, ingesting,
2317 inhaling, or otherwise introducing into the human body a
2318 controlled substance in violation of this chapter or s. 877.111.
2319 Drug paraphernalia is deemed to be contraband which shall be
2320 subject to civil forfeiture. The term includes, but is not
2321 limited to:

2322 (6) Diluents and adulterants, such as quinine
2323 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,

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2324 dextrose, and lactose, used, intended for use, or designed for
2325 use in diluting ~~cutting~~ controlled substances; or substances
2326 such as damiana leaf, marshmallow leaf, and mullein leaf, used,
2327 intended for use, or designed for use as carrier mediums of
2328 controlled substances.

2329 (12) Objects used, intended for use, or designed for use in
2330 ingesting, inhaling, or otherwise introducing controlled
2331 substances, as described in s. 893.03, or substances described
2332 in s. 877.111(1) ~~cannabis, cocaine, hashish, hashish oil, or~~
2333 ~~nitrous oxide~~ into the human body, such as:

2334 (a) Metal, wooden, acrylic, glass, stone, plastic, or
2335 ceramic pipes, with or without screens, permanent screens,
2336 hashish heads, or punctured metal bowls.

2337 (b) Water pipes.

2338 (c) Carburetion tubes and devices.

2339 (d) Smoking and carburetion masks.

2340 (e) Roach clips: meaning objects used to hold burning
2341 material, such as a cannabis cigarette, that has become too
2342 small or too short to be held in the hand.

2343 (f) Miniature cocaine spoons, and cocaine vials.

2344 (g) Chamber pipes.

2345 (h) Carburetor pipes.

2346 (i) Electric pipes.

2347 (j) Air-driven pipes.

2348 (k) Chillums.

2349 (l) Bongs.

2350 (m) Ice pipes or chillers.

2351 (n) A cartridge or canister, which means a small metal
2352 device used to contain nitrous oxide.

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2353 (o) A charger, sometimes referred to as a "cracker," which
2354 means a small metal or plastic device that contains an interior
2355 pin that may be used to expel nitrous oxide from a cartridge or
2356 container.

2357 (p) A charging bottle, which means a device that may be
2358 used to expel nitrous oxide from a cartridge or canister.

2359 (q) A whip-it, which means a device that may be used to
2360 expel nitrous oxide.

2361 (r) A tank.

2362 (s) A balloon.

2363 (t) A hose or tube.

2364 (u) A 2-liter-type soda bottle.

2365 (v) Duct tape.

2366 Section 9. Paragraph (a) of subsection (1) of section
2367 895.02, Florida Statutes, is amended to read:

2368 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

2369 (1) "Racketeering activity" means to commit, to attempt to
2370 commit, to conspire to commit, or to solicit, coerce, or
2371 intimidate another person to commit:

2372 (a) Any crime that is chargeable by petition, indictment,
2373 or information under the following provisions of the Florida
2374 Statutes:

2375 1. Section 210.18, relating to evasion of payment of
2376 cigarette taxes.

2377 2. Section 316.1935, relating to fleeing or attempting to
2378 elude a law enforcement officer and aggravated fleeing or
2379 eluding.

2380 3. Section 403.727(3)(b), relating to environmental
2381 control.

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- 2382 4. Section 409.920 or s. 409.9201, relating to Medicaid
2383 fraud.
- 2384 5. Section 414.39, relating to public assistance fraud.
- 2385 6. Section 440.105 or s. 440.106, relating to workers'
2386 compensation.
- 2387 7. Section 443.071(4), relating to creation of a fictitious
2388 employer scheme to commit reemployment assistance fraud.
- 2389 8. Section 465.0161, relating to distribution of medicinal
2390 drugs without a permit as an Internet pharmacy.
- 2391 9. Section 499.0051, relating to crimes involving
2392 contraband, and adulterated, or misbranded drugs.
- 2393 10. Part IV of chapter 501, relating to telemarketing.
- 2394 11. Chapter 517, relating to sale of securities and
2395 investor protection.
- 2396 12. Section 550.235 or s. 550.3551, relating to dogracing
2397 and horseracing.
- 2398 13. Chapter 550, relating to jai alai frontons.
- 2399 14. Section 551.109, relating to slot machine gaming.
- 2400 15. Chapter 552, relating to the manufacture, distribution,
2401 and use of explosives.
- 2402 16. Chapter 560, relating to money transmitters, if the
2403 violation is punishable as a felony.
- 2404 17. Chapter 562, relating to beverage law enforcement.
- 2405 18. Section 624.401, relating to transacting insurance
2406 without a certificate of authority, s. 624.437(4)(c)1., relating
2407 to operating an unauthorized multiple-employer welfare
2408 arrangement, or s. 626.902(1)(b), relating to representing or
2409 aiding an unauthorized insurer.
- 2410 19. Section 655.50, relating to reports of currency

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2411 transactions, when such violation is punishable as a felony.
2412 20. Chapter 687, relating to interest and usurious
2413 practices.
2414 21. Section 721.08, s. 721.09, or s. 721.13, relating to
2415 real estate timeshare plans.
2416 22. Section 775.13(5)(b), relating to registration of
2417 persons found to have committed any offense for the purpose of
2418 benefiting, promoting, or furthering the interests of a criminal
2419 gang.
2420 23. Section 777.03, relating to commission of crimes by
2421 accessories after the fact.
2422 24. Chapter 782, relating to homicide.
2423 25. Chapter 784, relating to assault and battery.
2424 26. Chapter 787, relating to kidnapping or human
2425 trafficking.
2426 27. Chapter 790, relating to weapons and firearms.
2427 28. Chapter 794, relating to sexual battery, but only if
2428 such crime was committed with the intent to benefit, promote, or
2429 further the interests of a criminal gang, or for the purpose of
2430 increasing a criminal gang member's own standing or position
2431 within a criminal gang.
2432 29. Former s. 796.03, former s. 796.035, s. 796.04, s.
2433 796.05, or s. 796.07, relating to prostitution.
2434 30. Chapter 806, relating to arson and criminal mischief.
2435 31. Chapter 810, relating to burglary and trespass.
2436 32. Chapter 812, relating to theft, robbery, and related
2437 crimes.
2438 33. Chapter 815, relating to computer-related crimes.
2439 34. Chapter 817, relating to fraudulent practices, false

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2440 pretenses, fraud generally, and credit card crimes.

2441 35. Chapter 825, relating to abuse, neglect, or

2442 exploitation of an elderly person or disabled adult.

2443 36. Section 827.071, relating to commercial sexual

2444 exploitation of children.

2445 37. Section 828.122, relating to fighting or baiting

2446 animals.

2447 38. Chapter 831, relating to forgery and counterfeiting.

2448 39. Chapter 832, relating to issuance of worthless checks

2449 and drafts.

2450 40. Section 836.05, relating to extortion.

2451 41. Chapter 837, relating to perjury.

2452 42. Chapter 838, relating to bribery and misuse of public

2453 office.

2454 43. Chapter 843, relating to obstruction of justice.

2455 44. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

2456 s. 847.07, relating to obscene literature and profanity.

2457 45. Chapter 849, relating to gambling, lottery, gambling or

2458 gaming devices, slot machines, or any of the provisions within

2459 that chapter.

2460 46. Chapter 874, relating to criminal gangs.

2461 47. Chapter 893, relating to drug abuse prevention and

2462 control.

2463 48. Chapter 896, relating to offenses related to financial

2464 transactions.

2465 49. Sections 914.22 and 914.23, relating to tampering with

2466 or harassing a witness, victim, or informant, and retaliation

2467 against a witness, victim, or informant.

2468 50. Sections 918.12 and 918.13, relating to tampering with

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2469 jurors and evidence.

2470 Section 10. Paragraphs (c), (e), and (g) of subsection (3)
 2471 of section 921.0022, Florida Statutes, are amended, and
 2472 paragraphs (b), (d), and (h) of that subsection are republished,
 2473 to read:

2474 921.0022 Criminal Punishment Code; offense severity ranking
 2475 chart.—

2476 (3) OFFENSE SEVERITY RANKING CHART

2477 (b) LEVEL 2

2478

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

2479

2480

2481

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2482

purposes, or hazardous waste.

517.07(2)

3rd

Failure to furnish a prospectus meeting requirements.

2483

590.28(1)

3rd

Intentional burning of lands.

2484

784.05(3)

3rd

Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

2485

787.04(1)

3rd

In violation of court order, take, entice, etc., minor beyond state limits.

2486

806.13(1)(b)3.

3rd

Criminal mischief; damage \$1,000 or more to public communication or any other public service.

2487

810.061(2)

3rd

Impairing or impeding telephone or power to a

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2488

810.09(2)(e)

3rd

dwelling; facilitating
or furthering burglary.

Trespassing on posted
commercial horticulture
property.

2489

812.014(2)(c)1.

3rd

Grand theft, 3rd degree;
\$300 or more but less
than \$5,000.

2490

812.014(2)(d)

3rd

Grand theft, 3rd degree;
\$100 or more but less
than \$300, taken from
unenclosed curtilage of
dwelling.

2491

812.015(7)

3rd

Possession, use, or
attempted use of an
antishoplifting or
inventory control device
countermeasure.

2492

817.234(1)(a)2.

3rd

False statement in
support of insurance
claim.

2493

817.481(3)(a)

3rd

Obtain credit or
purchase with false,

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2494			expired, counterfeit, etc., credit card, value over \$300.
2495	817.52 (3)	3rd	Failure to redeliver hired vehicle.
2496	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
2497	817.60 (5)	3rd	Dealing in credit cards of another.
2498	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
2499	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
2500	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
2501	831.01	3rd	Forgery.

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2502	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2503	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2504	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2505	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
2506	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
2507	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
2508	843.08	3rd	False personation.
	893.13 (2) (a) 2.	3rd	Purchase of any s.

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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.

2509

893.147(2)

3rd

Manufacture or delivery
 of drug paraphernalia.

2510

2511

2512

(c) LEVEL 3

2513

Florida
 Statute

Felony
 Degree

Description

2514

119.10(2)(b)

3rd

Unlawful use of
 confidential information
 from police reports.

2515

316.066
 (3)(b)-(d)

3rd

Unlawfully obtaining or
 using confidential crash
 reports.

2516

316.193(2)(b)

3rd

Felony DUI, 3rd conviction.

2517

316.1935(2)

3rd

Fleeing or attempting to
 elude law enforcement

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2518	319.30(4)	3rd	officer in patrol vehicle with siren and lights activated.
2519	319.33(1)(a)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2520	319.33(1)(c)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2521	319.33(4)	3rd	Procure or pass title on stolen vehicle.
2522	327.35(2)(b)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2523	328.05(2)	3rd	Felony BUI. Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of

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2524

328.07(4)

3rd

vessels.

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

2525

376.302(5)

3rd

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

2526

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.

2527

379.2431
(1)(e)6.

3rd

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

2528

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2529 400.9935 (4) (a) 3rd Operating a clinic, or
 or (b) offering services requiring
 licensure, without a
 license.

2530 400.9935 (4) (e) 3rd Filing a false license
 application or other
 required information or
 failing to report
 information.

2531 440.1051 (3) 3rd False report of workers'
 compensation fraud or
 retaliation for making such
 a report.

2532 501.001 (2) (b) 2nd Tampers with a consumer
 product or the container
 using materially
 false/misleading
 information.

2533 624.401 (4) (a) 3rd Transacting insurance
 without a certificate of
 authority.

624.401 (4) (b) 1. 3rd Transacting insurance
 without a certificate of
 authority; premium

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			collected less than \$20,000.
2534	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2535	697.08	3rd	Equity skimming.
2536	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2537	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2538	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2539	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2540	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.

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2541

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

2542

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

2543

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

2544

817.233 3rd Burning to defraud insurer.

2545

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

2546

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

2547

817.236 3rd Filing a false motor vehicle insurance application.

2548

817.2361 3rd Creating, marketing, or presenting a false or

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			fraudulent motor vehicle insurance card.
2549	817.413 (2)	3rd	Sale of used goods as new.
2550	817.505 (4)	3rd	Patient brokering.
2551	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2552	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2553	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2554	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2555	843.19	3rd	Injure, disable, or kill police dog or horse.
2556			

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2557

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

2558

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

2559

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).

2560

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.

893.13 (1) (f) 2. 2nd Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7.,

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(2) (c) 8., (2) (c) 9., (3), or
(4) drugs within 1,000 feet
of public housing facility.

2561

893.13 (4) (c)

3rd

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

2562

893.13 (6) (a)

3rd

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

2563

893.13 (7) (a) 8.

3rd

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

2564

893.13 (7) (a) 9.

3rd

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

2565

893.13 (7) (a) 10.

3rd

Affix false or forged label
to package of controlled
substance.

2566

893.13 (7) (a) 11.

3rd

Furnish false or fraudulent

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2567

material information on any document or record required by chapter 893.

893.13(8)(a)1.

3rd

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

2568

893.13(8)(a)2.

3rd

Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

2569

893.13(8)(a)3.

3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

2570

893.13(8)(a)4.

3rd

Write a prescription for a controlled substance for a patient, other person, or

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2571			an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
2572	918.13 (1) (a)	3rd	Alter, destroy, or conceal investigation evidence.
2573	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
2574	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2575	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2576	(d) LEVEL 4		
2577	Florida Statute	Felony Degree	Description
2578	316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing

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			or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2579	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
2580	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
2581	499.0051 (6)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
2582	517.07 (1)	3rd	Failure to register securities.
2583	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
2584	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.

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2585
2586
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2590
2591
2592

784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
784.075	3rd	Battery on detention or commitment facility staff.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
784.081 (3)	3rd	Battery on specified official or employee.
784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
784.083 (3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by

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2593	787.03 (1)	3rd	throwing, tossing, projecting, or expelling certain fluids or materials.
2594	787.04 (2)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
2595	787.04 (3)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
2596	787.07	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
2597	790.115 (1)	3rd	Human smuggling.
			Exhibiting firearm or weapon within 1,000 feet of a school.

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2598
2599
2600
2601
2602
2603
2604

790.115 (2) (b)

3rd

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

790.115 (2) (c)

3rd

Possessing firearm on
school property.

800.04 (7) (c)

3rd

Lewd or lascivious
exhibition; offender
less than 18 years.

810.02 (4) (a)

3rd

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

810.02 (4) (b)

3rd

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

810.06

3rd

Burglary; possession of
tools.

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2605	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2606	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2607	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2608	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2609	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
2610	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
	817.625 (2) (a)	3rd	Fraudulent use of scanning device or

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2611

reencoder.

828.125 (1)

2nd

Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

2612

837.02 (1)

3rd

Perjury in official proceedings.

2613

837.021 (1)

3rd

Make contradictory statements in official proceedings.

2614

838.022

3rd

Official misconduct.

2615

839.13 (2) (a)

3rd

Falsifying records of an individual in the care and custody of a state agency.

2616

839.13 (2) (c)

3rd

Falsifying records of the Department of Children and Families.

2617

843.021

3rd

Possession of a concealed handcuff key

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2618

by a person in custody.

843.025

3rd

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

2619

843.15(1)(a)

3rd

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

2620

847.0135(5)(c)

3rd

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

2621

874.05(1)(a)

3rd

Encouraging or recruiting another to join a criminal gang.

2622

893.13(2)(a)1.

2nd

Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).

2623

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2624

914.14 (2) 3rd Witnesses accepting bribes.

2625

914.22 (1) 3rd Force, threaten, etc., witness, victim, or informant.

2626

914.23 (2) 3rd Retaliation against a witness, victim, or informant, no bodily injury.

2627

918.12 3rd Tampering with jurors.

2628

934.215 3rd Use of two-way communications device to facilitate commission of a crime.

2629

(e) LEVEL 5

2630

Florida Statute Felony Degree Description

2631

316.027 (2) (a) 3rd Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.

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2632

316.1935 (4) (a) 2nd Aggravated fleeing or eluding.

2633

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

2634

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

2635

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

2636

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

2637

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

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2638

440.10 (1) (g) 2nd Failure to obtain workers' compensation coverage.

2639

440.105 (5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

2640

440.381 (2) 2nd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

2641

624.401 (4) (b) 2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

2642

626.902 (1) (c) 2nd Representing an unauthorized insurer; repeat offender.

2643

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2644	790.01 (2)	3rd	Carrying a concealed firearm.
2645	790.162	2nd	Threat to throw or discharge destructive device.
2646	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2647	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2648	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
2649	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2650	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18

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			years of age or older.
2651	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2652	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2653	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
2654	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
2655	812.131 (2) (b)	3rd	Robbery by sudden snatching.
2656	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
2657	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.

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2658

817.234 (11) (b) 2nd Insurance fraud;
property value \$20,000
or more but less than
\$100,000.

2659

817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact
or false statements
regarding property
values relating to the
solvency of an insuring
entity.

2660

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.

2661

817.625 (2) (b) 2nd Second or subsequent
fraudulent use of

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2662

scanning device or
reencoder.

825.1025 (4)

3rd

Lewd or lascivious
exhibition in the
presence of an elderly
person or disabled
adult.

2663

827.071 (4)

2nd

Possess with intent to
promote any photographic
material, motion
picture, etc., which
includes sexual conduct
by a child.

2664

827.071 (5)

3rd

Possess, control, or
intentionally view any
photographic material,
motion picture, etc.,
which includes sexual
conduct by a child.

2665

839.13 (2) (b)

2nd

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

2666

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2667	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
2668	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
2669	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
2670	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
2671	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
2671	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join

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2672

893.13(1)(a)1.

2nd

a criminal gang.

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).

2673

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.

2674

893.13(1)(d)1.

1st

Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a),

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2675

893.13(1)(e)2.

2nd

(2)(b), or (2)(c)4.
drugs) within 1,000 feet
of university.

2676

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.

2677

893.13(4)(b)

2nd

Sell, manufacture, or
deliver cocaine (or
other s. 893.03(1)(a),
(1)(b), (1)(d), or
(2)(a), (2)(b), or
(2)(c)4. drugs) within
1,000 feet of public
housing facility.

Use or hire of minor;
deliver to minor other
controlled substance

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2678	893.1351 (1)	3rd	<p>cannabis (or other s. 893.03(1) (e), (2) (e) 1., (2) (e) 2., (2) (e) 3., (2) (e) 5., (2) (e) 6., (2) (e) 7., (2) (e) 8., (2) (e) 9., (3), or (4) drugs).</p>
2679	893.1351 (1)	3rd	<p>Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.</p>
2680	(g) LEVEL 7		
2681	Florida Statute	Felony Degree	Description
2682	316.027 (2) (c)	1st	<p>Accident involving death, failure to stop; leaving scene.</p>
2683	316.193 (3) (c) 2.	3rd	<p>DUI resulting in serious bodily injury.</p>
2684	316.1935 (3) (b)	1st	<p>Causing serious bodily injury or death to another person; driving at high speed or with wanton</p>

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			disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
2685	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
2686	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
2687	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2688	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2689	456.065 (2)	3rd	Practicing a health care profession without a license.
2690	456.065 (2)	2nd	Practicing a health care

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			profession without a license which results in serious bodily injury.
2691	458.327 (1)	3rd	Practicing medicine without a license.
2692	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2693	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2694	461.012 (1)	3rd	Practicing podiatric medicine without a license.
2695	462.17	3rd	Practicing naturopathy without a license.
2696	463.015 (1)	3rd	Practicing optometry without a license.
2697	464.016 (1)	3rd	Practicing nursing without a license.
2698	465.015 (2)	3rd	Practicing pharmacy

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			without a license.
2699	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
2700	467.201	3rd	Practicing midwifery without a license.
2701	468.366	3rd	Delivering respiratory care services without a license.
2702	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
2703	483.901 (9)	3rd	Practicing medical physics without a license.
2704	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
2705	484.053	3rd	Dispensing hearing aids without a license.
2706	494.0018 (2)	1st	Conviction of any violation of chapter 494

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2707	560.123 (8) (b) 1.	3rd	in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2708	560.125 (5) (a)	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2709	655.50 (10) (b) 1.	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2710	775.21 (10) (a)	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
			Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

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2711

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

2712

775.21 (10) (g)

3rd

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

2713

782.051 (3)

2nd

Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

2714

782.07 (1)

2nd

Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

2715

782.071

2nd

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

2716

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2717	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2718	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2719	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
2720	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
2721	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
2722	784.048 (7)	3rd	Aggravated stalking; violation of court order.
2723	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators

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			facility staff.
2724	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2725	784.081 (1)	1st	Aggravated battery on specified official or employee.
2726	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2727	784.083 (1)	1st	Aggravated battery on code inspector.
2728	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
2729	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.
2730	790.07 (4)	1st	Specified weapons

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2731	790.16(1)	1st	violation subsequent to previous conviction of s. 790.07(1) or (2). Discharge of a machine gun under specified circumstances.
2732	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2733	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2734	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2735	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

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2736

790.23 1st,PBL Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

2737

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.

2738

796.05 (1) 1st Live on earnings of a prostitute; 2nd offense.

2739

796.05 (1) 1st Live on earnings of a prostitute; 3rd and subsequent offense.

2740

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.

2741

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation; victim 12 years of age or older but

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2742	800.04 (5) (e)	1st	younger than 16 years of age; offender 18 years of age or older.
2743	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.
2744	810.02 (3) (a)	2nd	Maliciously damage structure by fire or explosive.
2745	810.02 (3) (b)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
2746	810.02 (3) (c)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
2747	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
	810.02 (3) (e)	2nd	Burglary of authorized

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2748

emergency vehicle.

812.014 (2) (a) 1.

1st

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

2749

812.014 (2) (b) 2.

2nd

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

2750

812.014 (2) (b) 3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

2751

812.014 (2) (b) 4.

2nd

Property stolen, law enforcement equipment from authorized emergency vehicle.

2752

812.0145 (2) (a)

1st

Theft from person 65 years of age or older; \$50,000 or more.

2753

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2754
2755
2756
2757
2758
2759
2760

812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
812.131 (2) (a)	2nd	Robbery by sudden snatching.
812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.

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817.2341

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.

(2) (b) & (3) (b)

2761

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

2762

825.102 (3) (b)

2nd

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

2763

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.

2764

827.03 (2) (b)

2nd

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

2765

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2766	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2767	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2768	838.015	2nd	Bribery.
2769	838.016	2nd	Unlawful compensation or reward for official behavior.
2770	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2771	838.22	2nd	Bid tampering.
2772	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2773	843.0855 (3)	3rd	Unlawful simulation of legal process.
	843.0855 (4)	3rd	Intimidation of a public officer or employee.

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2774

847.0135 (3) 3rd Solicitation of a child, via a computer service, to commit an unlawful sex act.

2775

847.0135 (4) 2nd Traveling to meet a minor to commit an unlawful sex act.

2776

872.06 2nd Abuse of a dead human body.

2777

874.05 (2) (b) 1st Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

2778

874.10 1st,PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

2779

893.13 (1) (c) 1. 1st Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1) (a), (1) (b),

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2780

893.13(1)(e)1.

1st

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

2781

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).~~

2782

893.135(1)(a)1.

1st

Trafficking in cannabis,

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			more than 25 lbs., less than 2,000 lbs.
2783	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2784	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2785	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
2786	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2787	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
2788	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2789	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than

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2790	893.135 (1) (e) 1.	1st	28 grams, less than 200 grams.
2791	893.135 (1) (f) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2792	893.135 (1) (g) 1.a.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
2793	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2794	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2795	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200

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2796	893.1351 (2)	2nd	grams. Possession of place for trafficking in or manufacturing of controlled substance.
2797	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2798	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2799	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2800	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

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2801

943.0435 (9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

2802

943.0435 (13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

2803

943.0435 (14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

2804

944.607 (9) 3rd Sexual offender; failure to comply with reporting requirements.

2805

944.607 (10) (a) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

2806

944.607 (12) 3rd Failure to report or providing false information about a sexual

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2807

offender; harbor or
conceal a sexual offender.

944.607(13)

3rd

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

2808

985.4815(10)

3rd

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

2809

985.4815(12)

3rd

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

2810

985.4815(13)

3rd

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

2811

2812

(h) LEVEL 8

2813

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	Florida Statute	Felony Degree	Description
2814	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
2815	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
2816	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
2817	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
2818	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
2819	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.
2820	560.125 (5) (b)	2nd	Money transmitter

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2821	655.50 (10) (b) 2.	2nd	business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
2822	777.03 (2) (a)	1st	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
2823	782.04 (4)	2nd	Accessory after the fact, capital felony. Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

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2824

782.051 (2) 1st Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).

2825

782.071 (1) (b) 1st Committing vehicular homicide and failing to render aid or give information.

2826

782.072 (2) 1st Committing vessel homicide and failing to render aid or give information.

2827

787.06 (3) (a) 1. 1st Human trafficking for labor and services of a child.

2828

787.06 (3) (b) 1st Human trafficking using coercion for commercial sexual activity of an adult.

2829

787.06 (3) (c) 2. 1st Human trafficking using coercion for labor and services of an

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2830

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.

2831

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.

2832

790.161(3)

1st

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

2833

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 use physical force likely to cause serious injury.

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2834

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.

2835

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.

2836

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.

2837

794.08 (3) 2nd Female genital mutilation, removal of a victim younger than 18 years of age from this state.

2838

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2839	800.04 (4) (b)	2nd	Lewd or lascivious battery.
	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
2840	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
2841	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
2842	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
2843	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
2844	812.014 (2) (a) 2.	1st	Property stolen; cargo

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			valued at \$50,000 or more, grand theft in 1st degree.
2845			
	812.13 (2) (b)	1st	Robbery with a weapon.
2846			
	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
2847			
	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
2848			
	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
2849			
	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
2850			
	817.535 (5) (a)	2nd	Filing false lien or other unauthorized

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2851	817.568 (6)	2nd	document; owner of the property incurs financial loss as a result of the false instrument.
2852	825.102 (2)	1st	Fraudulent use of personal identification information of an individual under the age of 18.
2853	825.1025 (2)	2nd	Aggravated abuse of an elderly person or disabled adult.
2854	825.103 (3) (a)	1st	Lewd or lascivious battery upon an elderly person or disabled adult.
2855	837.02 (2)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
2856			Perjury in official proceedings relating to prosecution of a capital felony.

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2857	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
2858	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
2859	860.16	1st	Aircraft piracy.
2860	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).
2861	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2862	893.13 (6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).

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2863

893.135 (1) (a) 2.

1st

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

2864

893.135
(1) (b) 1.b.

1st

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

2865

893.135
(1) (c) 1.b.

1st

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

2866

893.135
(1) (c) 2.c.

1st

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

2867

893.135
(1) (c) 3.c.

1st

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

2868

893.135
(1) (d) 1.b.

1st

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

893.135
(1) (e) 1.b.

1st

Trafficking in
methaqualone, more than 5

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2869
2870
2871
2872
2873
2874

893.135
(1) (f) 1.b.

1st

kilograms, less than 25 kilograms.

Trafficking in amphetamine, more than 28 grams, less than 200 grams.

893.135
(1) (g) 1.b.

1st

Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.

893.135
(1) (h) 1.b.

1st

Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.

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 400 grams.

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2875	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
2876	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
2877	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
2878	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
2879	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
	896.104 (4) (a) 2.	2nd	Structuring transactions

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

2880

2881

2882 Section 11. For the purpose of incorporating the amendment
2883 made by this act to section 893.03, Florida Statutes, in
2884 references thereto, paragraphs (a) and (g) of subsection (30) of
2885 section 39.01, Florida Statutes, are reenacted to read:

2886 39.01 Definitions.—When used in this chapter, unless the
2887 context otherwise requires:

2888 (30) "Harm" to a child's health or welfare can occur when
2889 any person:

2890 (a) Inflicts or allows to be inflicted upon the child
2891 physical, mental, or emotional injury. In determining whether
2892 harm has occurred, the following factors must be considered in
2893 evaluating any physical, mental, or emotional injury to a child:
2894 the age of the child; any prior history of injuries to the
2895 child; the location of the injury on the body of the child; the
2896 multiplicity of the injury; and the type of trauma inflicted.
2897 Such injury includes, but is not limited to:

2898 1. Willful acts that produce the following specific
2899 injuries:

2900 a. Sprains, dislocations, or cartilage damage.

2901 b. Bone or skull fractures.

2902 c. Brain or spinal cord damage.

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2903 d. Intracranial hemorrhage or injury to other internal
2904 organs.

2905 e. Asphyxiation, suffocation, or drowning.

2906 f. Injury resulting from the use of a deadly weapon.

2907 g. Burns or scalding.

2908 h. Cuts, lacerations, punctures, or bites.

2909 i. Permanent or temporary disfigurement.

2910 j. Permanent or temporary loss or impairment of a body part
2911 or function.

2912
2913 As used in this subparagraph, the term "willful" refers to the
2914 intent to perform an action, not to the intent to achieve a
2915 result or to cause an injury.

2916 2. Purposely giving a child poison, alcohol, drugs, or
2917 other substances that substantially affect the child's behavior,
2918 motor coordination, or judgment or that result in sickness or
2919 internal injury. For the purposes of this subparagraph, the term
2920 "drugs" means prescription drugs not prescribed for the child or
2921 not administered as prescribed, and controlled substances as
2922 outlined in Schedule I or Schedule II of s. 893.03.

2923 3. Leaving a child without adult supervision or arrangement
2924 appropriate for the child's age or mental or physical condition,
2925 so that the child is unable to care for the child's own needs or
2926 another's basic needs or is unable to exercise good judgment in
2927 responding to any kind of physical or emotional crisis.

2928 4. Inappropriate or excessively harsh disciplinary action
2929 that is likely to result in physical injury, mental injury as
2930 defined in this section, or emotional injury. The significance
2931 of any injury must be evaluated in light of the following

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2932 factors: the age of the child; any prior history of injuries to
2933 the child; the location of the injury on the body of the child;
2934 the multiplicity of the injury; and the type of trauma
2935 inflicted. Corporal discipline may be considered excessive or
2936 abusive when it results in any of the following or other similar
2937 injuries:

- 2938 a. Sprains, dislocations, or cartilage damage.
- 2939 b. Bone or skull fractures.
- 2940 c. Brain or spinal cord damage.
- 2941 d. Intracranial hemorrhage or injury to other internal
2942 organs.
- 2943 e. Asphyxiation, suffocation, or drowning.
- 2944 f. Injury resulting from the use of a deadly weapon.
- 2945 g. Burns or scalding.
- 2946 h. Cuts, lacerations, punctures, or bites.
- 2947 i. Permanent or temporary disfigurement.
- 2948 j. Permanent or temporary loss or impairment of a body part
2949 or function.
- 2950 k. Significant bruises or welts.

2951 (g) Exposes a child to a controlled substance or alcohol.
2952 Exposure to a controlled substance or alcohol is established by:

- 2953 1. A test, administered at birth, which indicated that the
2954 child's blood, urine, or meconium contained any amount of
2955 alcohol or a controlled substance or metabolites of such
2956 substances, the presence of which was not the result of medical
2957 treatment administered to the mother or the newborn infant; or
- 2958 2. Evidence of extensive, abusive, and chronic use of a
2959 controlled substance or alcohol by a parent when the child is
2960 demonstrably adversely affected by such usage.

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2961
2962 As used in this paragraph, the term "controlled substance" means
2963 prescription drugs not prescribed for the parent or not
2964 administered as prescribed and controlled substances as outlined
2965 in Schedule I or Schedule II of s. 893.03.

2966 Section 12. For the purpose of incorporating the amendment
2967 made by this act to section 893.03, Florida Statutes, in a
2968 reference thereto, subsection (5) of section 316.193, Florida
2969 Statutes, is reenacted to read:

2970 316.193 Driving under the influence; penalties.—

2971 (5) The court shall place all offenders convicted of
2972 violating this section on monthly reporting probation and shall
2973 require completion of a substance abuse course conducted by a
2974 DUI program licensed by the department under s. 322.292, which
2975 must include a psychosocial evaluation of the offender. If the
2976 DUI program refers the offender to an authorized substance abuse
2977 treatment provider for substance abuse treatment, in addition to
2978 any sentence or fine imposed under this section, completion of
2979 all such education, evaluation, and treatment is a condition of
2980 reporting probation. The offender shall assume reasonable costs
2981 for such education, evaluation, and treatment. The referral to
2982 treatment resulting from a psychosocial evaluation shall not be
2983 waived without a supporting independent psychosocial evaluation
2984 conducted by an authorized substance abuse treatment provider
2985 appointed by the court, which shall have access to the DUI
2986 program's psychosocial evaluation before the independent
2987 psychosocial evaluation is conducted. The court shall review the
2988 results and recommendations of both evaluations before
2989 determining the request for waiver. The offender shall bear the

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2990 full cost of this procedure. The term "substance abuse" means
2991 the abuse of alcohol or any substance named or described in
2992 Schedules I through V of s. 893.03. If an offender referred to
2993 treatment under this subsection fails to report for or complete
2994 such treatment or fails to complete the DUI program substance
2995 abuse education course and evaluation, the DUI program shall
2996 notify the court and the department of the failure. Upon receipt
2997 of the notice, the department shall cancel the offender's
2998 driving privilege, notwithstanding the terms of the court order
2999 or any suspension or revocation of the driving privilege. The
3000 department may temporarily reinstate the driving privilege on a
3001 restricted basis upon verification from the DUI program that the
3002 offender is currently participating in treatment and the DUI
3003 education course and evaluation requirement has been completed.
3004 If the DUI program notifies the department of the second failure
3005 to complete treatment, the department shall reinstate the
3006 driving privilege only after notice of completion of treatment
3007 from the DUI program. The organization that conducts the
3008 substance abuse education and evaluation may not provide
3009 required substance abuse treatment unless a waiver has been
3010 granted to that organization by the department. A waiver may be
3011 granted only if the department determines, in accordance with
3012 its rules, that the service provider that conducts the substance
3013 abuse education and evaluation is the most appropriate service
3014 provider and is licensed under chapter 397 or is exempt from
3015 such licensure. A statistical referral report shall be submitted
3016 quarterly to the department by each organization authorized to
3017 provide services under this section.

3018 Section 13. For the purpose of incorporating the amendment

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3019 made by this act to section 893.03, Florida Statutes, in a
3020 reference thereto, paragraph (c) of subsection (2) of section
3021 322.2616, Florida Statutes, is reenacted to read:

3022 322.2616 Suspension of license; persons under 21 years of
3023 age; right to review.—

3024 (2)

3025 (c) When a driver subject to this section has a blood-
3026 alcohol or breath-alcohol level of 0.05 or higher, the
3027 suspension shall remain in effect until such time as the driver
3028 has completed a substance abuse course offered by a DUI program
3029 licensed by the department. The driver shall assume the
3030 reasonable costs for the substance abuse course. As part of the
3031 substance abuse course, the program shall conduct a substance
3032 abuse evaluation of the driver, and notify the parents or legal
3033 guardians of drivers under the age of 19 years of the results of
3034 the evaluation. The term "substance abuse" means the abuse of
3035 alcohol or any substance named or described in Schedules I
3036 through V of s. 893.03. If a driver fails to complete the
3037 substance abuse education course and evaluation, the driver
3038 license shall not be reinstated by the department.

3039 Section 14. For the purpose of incorporating the amendment
3040 made by this act to section 893.03, Florida Statutes, in a
3041 reference thereto, subsection (5) of section 327.35, Florida
3042 Statutes, is reenacted to read:

3043 327.35 Boating under the influence; penalties; "designated
3044 drivers."—

3045 (5) In addition to any sentence or fine, the court shall
3046 place any offender convicted of violating this section on
3047 monthly reporting probation and shall require attendance at a

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3048 substance abuse course specified by the court; and the agency
3049 conducting the course may refer the offender to an authorized
3050 service provider for substance abuse evaluation and treatment,
3051 in addition to any sentence or fine imposed under this section.
3052 The offender shall assume reasonable costs for such education,
3053 evaluation, and treatment, with completion of all such
3054 education, evaluation, and treatment being a condition of
3055 reporting probation. Treatment resulting from a psychosocial
3056 evaluation may not be waived without a supporting psychosocial
3057 evaluation conducted by an agency appointed by the court and
3058 with access to the original evaluation. The offender shall bear
3059 the cost of this procedure. The term "substance abuse" means the
3060 abuse of alcohol or any substance named or described in
3061 Schedules I-V of s. 893.03.

3062 Section 15. For the purpose of incorporating the amendment
3063 made by this act to section 893.03, Florida Statutes, in a
3064 reference thereto, paragraph (b) of subsection (11) of section
3065 440.102, Florida Statutes, is reenacted to read:

3066 440.102 Drug-free workplace program requirements.—The
3067 following provisions apply to a drug-free workplace program
3068 implemented pursuant to law or to rules adopted by the Agency
3069 for Health Care Administration:

3070 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK
3071 POSITIONS.—

3072 (b) An employee who is employed by a public employer in a
3073 special-risk position may be discharged or disciplined by a
3074 public employer for the first positive confirmed test result if
3075 the drug confirmed is an illicit drug under s. 893.03. A
3076 special-risk employee who is participating in an employee

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3077 assistance program or drug rehabilitation program may not be
3078 allowed to continue to work in any special-risk or mandatory-
3079 testing position of the public employer, but may be assigned to
3080 a position other than a mandatory-testing position or placed on
3081 leave while the employee is participating in the program.
3082 However, the employee shall be permitted to use any accumulated
3083 annual leave credits before leave may be ordered without pay.

3084 Section 16. For the purpose of incorporating the amendment
3085 made by this act to section 893.03, Florida Statutes, in a
3086 reference thereto, subsection (2) of section 456.44, Florida
3087 Statutes, is reenacted to read:

3088 456.44 Controlled substance prescribing.—

3089 (2) REGISTRATION.—Effective January 1, 2012, a physician
3090 licensed under chapter 458, chapter 459, chapter 461, or chapter
3091 466 who prescribes any controlled substance, listed in Schedule
3092 II, Schedule III, or Schedule IV as defined in s. 893.03, for
3093 the treatment of chronic nonmalignant pain, must:

3094 (a) Designate himself or herself as a controlled substance
3095 prescribing practitioner on the physician's practitioner
3096 profile.

3097 (b) Comply with the requirements of this section and
3098 applicable board rules.

3099 Section 17. For the purpose of incorporating the amendment
3100 made by this act to section 893.03, Florida Statutes, in a
3101 reference thereto, subsection (3) of section 458.326, Florida
3102 Statutes, is reenacted to read:

3103 458.326 Intractable pain; authorized treatment.—

3104 (3) Notwithstanding any other provision of law, a physician
3105 may prescribe or administer any controlled substance under

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3106 Schedules II-V, as provided for in s. 893.03, to a person for
3107 the treatment of intractable pain, provided the physician does
3108 so in accordance with that level of care, skill, and treatment
3109 recognized by a reasonably prudent physician under similar
3110 conditions and circumstances.

3111 Section 18. For the purpose of incorporating the amendment
3112 made by this act to section 893.03, Florida Statutes, in a
3113 reference thereto, paragraph (e) of subsection (1) of section
3114 458.3265, Florida Statutes, is reenacted to read:

3115 458.3265 Pain-management clinics.—

3116 (1) REGISTRATION.—

3117 (e) The department shall deny registration to any pain-
3118 management clinic owned by or with any contractual or employment
3119 relationship with a physician:

3120 1. Whose Drug Enforcement Administration number has ever
3121 been revoked.

3122 2. Whose application for a license to prescribe, dispense,
3123 or administer a controlled substance has been denied by any
3124 jurisdiction.

3125 3. Who has been convicted of or pleaded guilty or nolo
3126 contendere to, regardless of adjudication, an offense that
3127 constitutes a felony for receipt of illicit and diverted drugs,
3128 including a controlled substance listed in Schedule I, Schedule
3129 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3130 this state, any other state, or the United States.

3131 Section 19. For the purpose of incorporating the amendment
3132 made by this act to section 893.03, Florida Statutes, in a
3133 reference thereto, paragraph (e) of subsection (1) of section
3134 459.0137, Florida Statutes, is reenacted to read:

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3135 459.0137 Pain-management clinics.—

3136 (1) REGISTRATION.—

3137 (e) The department shall deny registration to any pain-
3138 management clinic owned by or with any contractual or employment
3139 relationship with a physician:

3140 1. Whose Drug Enforcement Administration number has ever
3141 been revoked.

3142 2. Whose application for a license to prescribe, dispense,
3143 or administer a controlled substance has been denied by any
3144 jurisdiction.

3145 3. Who has been convicted of or pleaded guilty or nolo
3146 contendere to, regardless of adjudication, an offense that
3147 constitutes a felony for receipt of illicit and diverted drugs,
3148 including a controlled substance listed in Schedule I, Schedule
3149 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3150 this state, any other state, or the United States.

3151 Section 20. For the purpose of incorporating the amendment
3152 made by this act to section 893.03, Florida Statutes, in a
3153 reference thereto, paragraph (a) of subsection (4) of section
3154 463.0055, Florida Statutes, is reenacted to read:

3155 463.0055 Administration and prescription of ocular
3156 pharmaceutical agents.—

3157 (4) A certified optometrist shall be issued a prescriber
3158 number by the board. Any prescription written by a certified
3159 optometrist for an ocular pharmaceutical agent pursuant to this
3160 section shall have the prescriber number printed thereon. A
3161 certified optometrist may not administer or prescribe:

3162 (a) A controlled substance listed in Schedule III, Schedule
3163 IV, or Schedule V of s. 893.03, except for an oral analgesic

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3164 placed on the formulary pursuant to this section for the relief
3165 of pain due to ocular conditions of the eye and its appendages.

3166 Section 21. For the purpose of incorporating the amendment
3167 made by this act to section 893.03, Florida Statutes, in a
3168 reference thereto, paragraph (b) of subsection (1) of section
3169 465.0276, Florida Statutes, is reenacted to read:

3170 465.0276 Dispensing practitioner.—

3171 (1)

3172 (b) A practitioner registered under this section may not
3173 dispense a controlled substance listed in Schedule II or
3174 Schedule III as provided in s. 893.03. This paragraph does not
3175 apply to:

3176 1. The dispensing of complimentary packages of medicinal
3177 drugs which are labeled as a drug sample or complimentary drug
3178 as defined in s. 499.028 to the practitioner's own patients in
3179 the regular course of her or his practice without the payment of
3180 a fee or remuneration of any kind, whether direct or indirect,
3181 as provided in subsection (5).

3182 2. The dispensing of controlled substances in the health
3183 care system of the Department of Corrections.

3184 3. The dispensing of a controlled substance listed in
3185 Schedule II or Schedule III in connection with the performance
3186 of a surgical procedure. The amount dispensed pursuant to the
3187 subparagraph may not exceed a 14-day supply. This exception does
3188 not allow for the dispensing of a controlled substance listed in
3189 Schedule II or Schedule III more than 14 days after the
3190 performance of the surgical procedure. For purposes of this
3191 subparagraph, the term "surgical procedure" means any procedure
3192 in any setting which involves, or reasonably should involve:

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3193 a. Perioperative medication and sedation that allows the
3194 patient to tolerate unpleasant procedures while maintaining
3195 adequate cardiorespiratory function and the ability to respond
3196 purposefully to verbal or tactile stimulation and makes intra-
3197 and postoperative monitoring necessary; or

3198 b. The use of general anesthesia or major conduction
3199 anesthesia and preoperative sedation.

3200 4. The dispensing of a controlled substance listed in
3201 Schedule II or Schedule III pursuant to an approved clinical
3202 trial. For purposes of this subparagraph, the term "approved
3203 clinical trial" means a clinical research study or clinical
3204 investigation that, in whole or in part, is state or federally
3205 funded or is conducted under an investigational new drug
3206 application that is reviewed by the United States Food and Drug
3207 Administration.

3208 5. The dispensing of methadone in a facility licensed under
3209 s. 397.427 where medication-assisted treatment for opiate
3210 addiction is provided.

3211 6. The dispensing of a controlled substance listed in
3212 Schedule II or Schedule III to a patient of a facility licensed
3213 under part IV of chapter 400.

3214 Section 22. For the purpose of incorporating the amendment
3215 made by this act to section 893.03, Florida Statutes, in
3216 references thereto, subsection (14) and paragraph (a) of
3217 subsection (15) of section 499.0121, Florida Statutes, are
3218 reenacted to read:

3219 499.0121 Storage and handling of prescription drugs;
3220 recordkeeping.—The department shall adopt rules to implement
3221 this section as necessary to protect the public health, safety,

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3222 and welfare. Such rules shall include, but not be limited to,
3223 requirements for the storage and handling of prescription drugs
3224 and for the establishment and maintenance of prescription drug
3225 distribution records.

3226 (14) DISTRIBUTION REPORTING.—Each prescription drug
3227 wholesale distributor, out-of-state prescription drug wholesale
3228 distributor, retail pharmacy drug wholesale distributor,
3229 manufacturer, or repackager that engages in the wholesale
3230 distribution of controlled substances as defined in s. 893.02
3231 shall submit a report to the department of its receipts and
3232 distributions of controlled substances listed in Schedule II,
3233 Schedule III, Schedule IV, or Schedule V as provided in s.
3234 893.03. Wholesale distributor facilities located within this
3235 state shall report all transactions involving controlled
3236 substances, and wholesale distributor facilities located outside
3237 this state shall report all distributions to entities located in
3238 this state. If the prescription drug wholesale distributor, out-
3239 of-state prescription drug wholesale distributor, retail
3240 pharmacy drug wholesale distributor, manufacturer, or repackager
3241 does not have any controlled substance distributions for the
3242 month, a report shall be sent indicating that no distributions
3243 occurred in the period. The report shall be submitted monthly by
3244 the 20th of the next month, in the electronic format used for
3245 controlled substance reporting to the Automation of Reports and
3246 Consolidated Orders System division of the federal Drug
3247 Enforcement Administration. Submission of electronic data must
3248 be made in a secured Internet environment that allows for manual
3249 or automated transmission. Upon successful transmission, an
3250 acknowledgment page must be displayed to confirm receipt. The

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3251 report must contain the following information:

3252 (a) The federal Drug Enforcement Administration
3253 registration number of the wholesale distributing location.

3254 (b) The federal Drug Enforcement Administration
3255 registration number of the entity to which the drugs are
3256 distributed or from which the drugs are received.

3257 (c) The transaction code that indicates the type of
3258 transaction.

3259 (d) The National Drug Code identifier of the product and
3260 the quantity distributed or received.

3261 (e) The Drug Enforcement Administration Form 222 number or
3262 Controlled Substance Ordering System Identifier on all Schedule
3263 II transactions.

3264 (f) The date of the transaction.

3265

3266 The department must share the reported data with the Department
3267 of Law Enforcement and local law enforcement agencies upon
3268 request and must monitor purchasing to identify purchasing
3269 levels that are inconsistent with the purchasing entity's
3270 clinical needs. The Department of Law Enforcement shall
3271 investigate purchases at levels that are inconsistent with the
3272 purchasing entity's clinical needs to determine whether
3273 violations of chapter 893 have occurred.

3274 (15) DUE DILIGENCE OF PURCHASERS.—

3275 (a) Each prescription drug wholesale distributor, out-of-
3276 state prescription drug wholesale distributor, and retail
3277 pharmacy drug wholesale distributor must establish and maintain
3278 policies and procedures to credential physicians licensed under
3279 chapter 458, chapter 459, chapter 461, or chapter 466 and

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3280 pharmacies that purchase or otherwise receive from the wholesale
3281 distributor controlled substances listed in Schedule II or
3282 Schedule III as provided in s. 893.03. The prescription drug
3283 wholesale distributor, out-of-state prescription drug wholesale
3284 distributor, or retail pharmacy drug wholesale distributor shall
3285 maintain records of such credentialing and make the records
3286 available to the department upon request. Such credentialing
3287 must, at a minimum, include:

3288 1. A determination of the clinical nature of the receiving
3289 entity, including any specialty practice area.

3290 2. A review of the receiving entity's history of Schedule
3291 II and Schedule III controlled substance purchasing from the
3292 wholesale distributor.

3293 3. A determination that the receiving entity's Schedule II
3294 and Schedule III controlled substance purchasing history, if
3295 any, is consistent with and reasonable for that entity's
3296 clinical business needs.

3297 Section 23. For the purpose of incorporating the amendment
3298 made by this act to section 893.03, Florida Statutes, in a
3299 reference thereto, paragraph (a) of subsection (3) of section
3300 499.029, Florida Statutes, is reenacted to read:

3301 499.029 Cancer Drug Donation Program.—

3302 (3) As used in this section:

3303 (a) "Cancer drug" means a prescription drug that has been
3304 approved under s. 505 of the federal Food, Drug, and Cosmetic
3305 Act and is used to treat cancer or its side effects or is used
3306 to treat the side effects of a prescription drug used to treat
3307 cancer or its side effects. "Cancer drug" does not include a
3308 substance listed in Schedule II, Schedule III, Schedule IV, or

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3309 Schedule V of s. 893.03.

3310 Section 24. For the purpose of incorporating the amendment
3311 made by this act to section 893.03, Florida Statutes, in
3312 references thereto, subsections (1) and (4) of section 782.04,
3313 Florida Statutes, are reenacted to read:

3314 782.04 Murder.—

3315 (1) (a) The unlawful killing of a human being:

3316 1. When perpetrated from a premeditated design to effect
3317 the death of the person killed or any human being;

3318 2. When committed by a person engaged in the perpetration
3319 of, or in the attempt to perpetrate, any:

3320 a. Trafficking offense prohibited by s. 893.135(1),

3321 b. Arson,

3322 c. Sexual battery,

3323 d. Robbery,

3324 e. Burglary,

3325 f. Kidnapping,

3326 g. Escape,

3327 h. Aggravated child abuse,

3328 i. Aggravated abuse of an elderly person or disabled adult,

3329 j. Aircraft piracy,

3330 k. Unlawful throwing, placing, or discharging of a
3331 destructive device or bomb,

3332 l. Carjacking,

3333 m. Home-invasion robbery,

3334 n. Aggravated stalking,

3335 o. Murder of another human being,

3336 p. Resisting an officer with violence to his or her person,

3337 q. Aggravated fleeing or eluding with serious bodily injury

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3338 or death,

3339 r. Felony that is an act of terrorism or is in furtherance

3340 of an act of terrorism; or

3341 3. Which resulted from the unlawful distribution of any

3342 substance controlled under s. 893.03(1), cocaine as described in

3343 s. 893.03(2)(a)4., opium or any synthetic or natural salt,

3344 compound, derivative, or preparation of opium, or methadone by a

3345 person 18 years of age or older, when such drug is proven to be

3346 the proximate cause of the death of the user,

3347

3348 is murder in the first degree and constitutes a capital felony,

3349 punishable as provided in s. 775.082.

3350 (b) In all cases under this section, the procedure set

3351 forth in s. 921.141 shall be followed in order to determine

3352 sentence of death or life imprisonment.

3353 (4) The unlawful killing of a human being, when perpetrated

3354 without any design to effect death, by a person engaged in the

3355 perpetration of, or in the attempt to perpetrate, any felony

3356 other than any:

3357 (a) Trafficking offense prohibited by s. 893.135(1),

3358 (b) Arson,

3359 (c) Sexual battery,

3360 (d) Robbery,

3361 (e) Burglary,

3362 (f) Kidnapping,

3363 (g) Escape,

3364 (h) Aggravated child abuse,

3365 (i) Aggravated abuse of an elderly person or disabled

3366 adult,

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- 3367 (j) Aircraft piracy,
- 3368 (k) Unlawful throwing, placing, or discharging of a
3369 destructive device or bomb,
- 3370 (l) Unlawful distribution of any substance controlled under
3371 s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., or
3372 opium or any synthetic or natural salt, compound, derivative, or
3373 preparation of opium by a person 18 years of age or older, when
3374 such drug is proven to be the proximate cause of the death of
3375 the user,
- 3376 (m) Carjacking,
- 3377 (n) Home-invasion robbery,
- 3378 (o) Aggravated stalking,
- 3379 (p) Murder of another human being,
- 3380 (q) Aggravated fleeing or eluding with serious bodily
3381 injury or death,
- 3382 (r) Resisting an officer with violence to his or her
3383 person, or
- 3384 (s) Felony that is an act of terrorism or is in furtherance
3385 of an act of terrorism,
3386
3387 is murder in the third degree and constitutes a felony of the
3388 second degree, punishable as provided in s. 775.082, s. 775.083,
3389 or s. 775.084.
- 3390 Section 25. For the purpose of incorporating the amendment
3391 made by this act to section 893.03, Florida Statutes, in a
3392 reference thereto, paragraph (a) of subsection (2) of section
3393 787.06, Florida Statutes, is reenacted to read:
- 3394 787.06 Human trafficking.—
- 3395 (2) As used in this section, the term:

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- 3396 (a) "Coercion" means:
- 3397 1. Using or threatening to use physical force against any
- 3398 person;
- 3399 2. Restraining, isolating, or confining or threatening to
- 3400 restrain, isolate, or confine any person without lawful
- 3401 authority and against her or his will;
- 3402 3. Using lending or other credit methods to establish a
- 3403 debt by any person when labor or services are pledged as a
- 3404 security for the debt, if the value of the labor or services as
- 3405 reasonably assessed is not applied toward the liquidation of the
- 3406 debt, the length and nature of the labor or services are not
- 3407 respectively limited and defined;
- 3408 4. Destroying, concealing, removing, confiscating,
- 3409 withholding, or possessing any actual or purported passport,
- 3410 visa, or other immigration document, or any other actual or
- 3411 purported government identification document, of any person;
- 3412 5. Causing or threatening to cause financial harm to any
- 3413 person;
- 3414 6. Enticing or luring any person by fraud or deceit; or
- 3415 7. Providing a controlled substance as outlined in Schedule
- 3416 I or Schedule II of s. 893.03 to any person for the purpose of
- 3417 exploitation of that person.

3418 Section 26. For the purpose of incorporating the amendment

3419 made by this act to section 893.03, Florida Statutes, in a

3420 reference thereto, subsection (1) of section 817.563, Florida

3421 Statutes, is reenacted to read:

3422 817.563 Controlled substance named or described in s.

3423 893.03; sale of substance in lieu thereof.—It is unlawful for

3424 any person to agree, consent, or in any manner offer to

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3425 unlawfully sell to any person a controlled substance named or
3426 described in s. 893.03 and then sell to such person any other
3427 substance in lieu of such controlled substance. Any person who
3428 violates this section with respect to:

3429 (1) A controlled substance named or described in s.
3430 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3431 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3432 775.084.

3433 Section 27. For the purpose of incorporating the amendment
3434 made by this act to section 893.03, Florida Statutes, in a
3435 reference thereto, section 831.31, Florida Statutes, is
3436 reenacted to read:

3437 831.31 Counterfeit controlled substance; sale, manufacture,
3438 delivery, or possession with intent to sell, manufacture, or
3439 deliver.—

3440 (1) It is unlawful for any person to sell, manufacture, or
3441 deliver, or to possess with intent to sell, manufacture, or
3442 deliver, a counterfeit controlled substance. Any person who
3443 violates this subsection with respect to:

3444 (a) A controlled substance named or described in s.
3445 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3446 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3447 775.084.

3448 (b) A controlled substance named or described in s.
3449 893.03(5) is guilty of a misdemeanor of the second degree,
3450 punishable as provided in s. 775.082 or s. 775.083.

3451 (2) For purposes of this section, "counterfeit controlled
3452 substance" means:

3453 (a) A controlled substance named or described in s. 893.03

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3454 which, or the container or labeling of which, without
3455 authorization bears the trademark, trade name, or other
3456 identifying mark, imprint, or number, or any likeness thereof,
3457 of a manufacturer other than the person who in fact manufactured
3458 the controlled substance; or

3459 (b) Any substance which is falsely identified as a
3460 controlled substance named or described in s. 893.03.

3461 Section 28. For the purpose of incorporating the amendment
3462 made by this act to section 893.03, Florida Statutes, in a
3463 reference thereto, section 893.0301, Florida Statutes, is
3464 reenacted to read:

3465 893.0301 Death resulting from apparent drug overdose;
3466 reporting requirements.—If a person dies of an apparent drug
3467 overdose:

3468 (1) A law enforcement agency shall prepare a report
3469 identifying each prescribed controlled substance listed in
3470 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is
3471 found on or near the deceased or among the deceased's
3472 possessions. The report must identify the person who prescribed
3473 the controlled substance, if known or ascertainable. Thereafter,
3474 the law enforcement agency shall submit a copy of the report to
3475 the medical examiner.

3476 (2) A medical examiner who is preparing a report pursuant
3477 to s. 406.11 shall include in the report information identifying
3478 each prescribed controlled substance listed in Schedule II,
3479 Schedule III, or Schedule IV of s. 893.03 that was found in, on,
3480 or near the deceased or among the deceased's possessions.

3481 Section 29. For the purpose of incorporating the amendment
3482 made by this act to section 893.03, Florida Statutes, in a

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3483 reference thereto, paragraph (a) of subsection (7) of section
3484 893.035, Florida Statutes, is reenacted to read:

3485 893.035 Control of new substances; findings of fact;
3486 delegation of authority to Attorney General to control
3487 substances by rule.—

3488 (7) (a) If the Attorney General finds that the scheduling of
3489 a substance in Schedule I of s. 893.03 on a temporary basis is
3490 necessary to avoid an imminent hazard to the public safety, he
3491 or she may by rule and without regard to the requirements of
3492 subsection (5) relating to the Department of Health and the
3493 Department of Law Enforcement schedule such substance in
3494 Schedule I if the substance is not listed in any other schedule
3495 of s. 893.03. The Attorney General shall be required to
3496 consider, with respect to his or her finding of imminent hazard
3497 to the public safety, only those factors set forth in paragraphs
3498 (3) (a) and (4) (d), (e), and (f), including actual abuse,
3499 diversion from legitimate channels, and clandestine importation,
3500 manufacture, or distribution.

3501 Section 30. For the purpose of incorporating the amendment
3502 made by this act to section 893.03, Florida Statutes, in a
3503 reference thereto, subsection (1) of section 893.05, Florida
3504 Statutes, is reenacted to read:

3505 893.05 Practitioners and persons administering controlled
3506 substances in their absence.—

3507 (1) A practitioner, in good faith and in the course of his
3508 or her professional practice only, may prescribe, administer,
3509 dispense, mix, or otherwise prepare a controlled substance, or
3510 the practitioner may cause the same to be administered by a
3511 licensed nurse or an intern practitioner under his or her

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3512 direction and supervision only. A veterinarian may so prescribe,
3513 administer, dispense, mix, or prepare a controlled substance for
3514 use on animals only, and may cause it to be administered by an
3515 assistant or orderly under the veterinarian's direction and
3516 supervision only. A certified optometrist licensed under chapter
3517 463 may not administer or prescribe a controlled substance
3518 listed in Schedule I or Schedule II of s. 893.03.

3519 Section 31. For the purpose of incorporating the amendment
3520 made by this act to section 893.03, Florida Statutes, in a
3521 reference thereto, paragraph (b) of subsection (1) of section
3522 893.055, Florida Statutes, is reenacted to read:

3523 893.055 Prescription drug monitoring program.—

3524 (1) As used in this section, the term:

3525 (b) "Controlled substance" means a controlled substance
3526 listed in Schedule II, Schedule III, or Schedule IV in s.
3527 893.03.

3528 Section 32. For the purpose of incorporating the amendment
3529 made by this act to section 893.03, Florida Statutes, in a
3530 reference thereto, paragraph (b) of subsection (5) of section
3531 893.07, Florida Statutes, is reenacted to read:

3532 893.07 Records.—

3533 (5) Each person described in subsection (1) shall:

3534 (b) In the event of the discovery of the theft or
3535 significant loss of controlled substances, report such theft or
3536 significant loss to the sheriff of that county within 24 hours
3537 after discovery. A person who fails to report a theft or
3538 significant loss of a substance listed in s. 893.03(3), (4), or
3539 (5) within 24 hours after discovery as required in this
3540 paragraph commits a misdemeanor of the second degree, punishable

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3541 as provided in s. 775.082 or s. 775.083. A person who fails to
3542 report a theft or significant loss of a substance listed in s.
3543 893.03(2) within 24 hours after discovery as required in this
3544 paragraph commits a misdemeanor of the first degree, punishable
3545 as provided in s. 775.082 or s. 775.083.

3546 Section 33. For the purpose of incorporating the amendment
3547 made by this act to section 893.03, Florida Statutes, in
3548 references thereto, paragraphs (b), (c), and (d) of subsection
3549 (2) of section 893.12, Florida Statutes, are reenacted to read:
3550 893.12 Contraband; seizure, forfeiture, sale.—

3551 (2)

3552 (b) All real property, including any right, title,
3553 leasehold interest, and other interest in the whole of any lot
3554 or tract of land and any appurtenances or improvements, which
3555 real property is used, or intended to be used, in any manner or
3556 part, to commit or to facilitate the commission of, or which
3557 real property is acquired with proceeds obtained as a result of,
3558 a violation of any provision of this chapter related to a
3559 controlled substance described in s. 893.03(1) or (2) may be
3560 seized and forfeited as provided by the Florida Contraband
3561 Forfeiture Act except that no property shall be forfeited under
3562 this paragraph to the extent of an interest of an owner or
3563 lienholder by reason of any act or omission established by that
3564 owner or lienholder to have been committed or omitted without
3565 the knowledge or consent of that owner or lienholder.

3566 (c) All moneys, negotiable instruments, securities, and
3567 other things of value furnished or intended to be furnished by
3568 any person in exchange for a controlled substance described in
3569 s. 893.03(1) or (2) or a listed chemical in violation of any

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3570 provision of this chapter, all proceeds traceable to such an
3571 exchange, and all moneys, negotiable instruments, and securities
3572 used or intended to be used to facilitate any violation of any
3573 provision of this chapter or which are acquired with proceeds
3574 obtained in violation of any provision of this chapter may be
3575 seized and forfeited as provided by the Florida Contraband
3576 Forfeiture Act, except that no property shall be forfeited under
3577 this paragraph to the extent of an interest of an owner or
3578 lienholder by reason of any act or omission established by that
3579 owner or lienholder to have been committed or omitted without
3580 the knowledge or consent of that owner or lienholder.

3581 (d) All books, records, and research, including formulas,
3582 microfilm, tapes, and data which are used, or intended for use,
3583 or which are acquired with proceeds obtained, in violation of
3584 any provision of this chapter related to a controlled substance
3585 described in s. 893.03(1) or (2) or a listed chemical may be
3586 seized and forfeited as provided by the Florida Contraband
3587 Forfeiture Act.

3588 Section 34. For the purpose of incorporating the amendment
3589 made by this act to section 893.03, Florida Statutes, in a
3590 reference thereto, subsection (2) of section 944.474, Florida
3591 Statutes, is reenacted to read:

3592 944.474 Legislative intent; employee wellness program; drug
3593 and alcohol testing.—

3594 (2) An employee of the department may not test positive for
3595 illegal use of controlled substances. An employee of the
3596 department may not be under the influence of alcohol while on
3597 duty. In order to ensure that these prohibitions are adhered to
3598 by all employees of the department and notwithstanding s.

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3599 112.0455, the department may develop a program for the drug
3600 testing of all job applicants and for the random drug testing of
3601 all employees. The department may randomly evaluate employees
3602 for the contemporaneous use or influence of alcohol through the
3603 use of alcohol tests and observation methods. Notwithstanding s.
3604 112.0455, the department may develop a program for the
3605 reasonable suspicion drug testing of employees who are in
3606 mandatory-testing positions, as defined in s. 440.102(1)(o), or
3607 special risk positions, as defined in s. 112.0455(5), for the
3608 controlled substances listed in s. 893.03(3)(d). The reasonable
3609 suspicion drug testing authorized by this subsection shall be
3610 conducted in accordance with s. 112.0455, but may also include
3611 testing upon reasonable suspicion based on violent acts or
3612 violent behavior of an employee who is on or off duty. The
3613 department shall adopt rules pursuant to ss. 120.536(1) and
3614 120.54 that are necessary to administer this subsection.

3615 Section 35. For the purpose of incorporating the amendment
3616 made by this act to section 893.033, Florida Statutes, in a
3617 reference thereto, subsection (4) of section 893.149, Florida
3618 Statutes, is reenacted to read:

3619 893.149 Unlawful possession of listed chemical.—

3620 (4) Any damages arising out of the unlawful possession of,
3621 storage of, or tampering with a listed chemical, as defined in
3622 s. 893.033, shall be the sole responsibility of the person or
3623 persons unlawfully possessing, storing, or tampering with the
3624 listed chemical. In no case shall liability for damages arising
3625 out of the unlawful possession of, storage of, or tampering with
3626 a listed chemical extend to the lawful owner, installer,
3627 maintainer, designer, manufacturer, possessor, or seller of the

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3628 listed chemical, unless such damages arise out of the acts or
3629 omissions of the owner, installer, maintainer, designer,
3630 manufacturer, possessor, or seller which constitute negligent
3631 misconduct or failure to abide by the laws regarding the
3632 possession or storage of a listed chemical.

3633 Section 36. For the purpose of incorporating the amendment
3634 made by this act to section 893.13, Florida Statutes, in a
3635 reference thereto, paragraph (b) of subsection (4) of section
3636 397.451, Florida Statutes, is reenacted to read:

3637 397.451 Background checks of service provider personnel.—

3638 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3639 (b) Since rehabilitated substance abuse impaired persons
3640 are effective in the successful treatment and rehabilitation of
3641 substance abuse impaired adolescents, for service providers
3642 which treat adolescents 13 years of age and older, service
3643 provider personnel whose background checks indicate crimes under
3644 s. 817.563, s. 893.13, or s. 893.147 may be exempted from
3645 disqualification from employment pursuant to this paragraph.

3646 Section 37. For the purpose of incorporating the amendment
3647 made by this act to section 893.13, Florida Statutes, in a
3648 reference thereto, subsection (2) of section 435.07, Florida
3649 Statutes, is reenacted to read:

3650 435.07 Exemptions from disqualification.—Unless otherwise
3651 provided by law, the provisions of this section apply to
3652 exemptions from disqualification for disqualifying offenses
3653 revealed pursuant to background screenings required under this
3654 chapter, regardless of whether those disqualifying offenses are
3655 listed in this chapter or other laws.

3656 (2) Persons employed, or applicants for employment, by

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3657 treatment providers who treat adolescents 13 years of age and
3658 older who are disqualified from employment solely because of
3659 crimes under s. 817.563, s. 893.13, or s. 893.147 may be
3660 exempted from disqualification from employment pursuant to this
3661 chapter without application of the waiting period in
3662 subparagraph (1)(a)1.

3663 Section 38. For the purpose of incorporating the amendment
3664 made by this act to section 893.13, Florida Statutes, in a
3665 reference thereto, subsection (2) of section 772.12, Florida
3666 Statutes, is reenacted to read:

3667 772.12 Drug Dealer Liability Act.—

3668 (2) A person, including any governmental entity, has a
3669 cause of action for threefold the actual damages sustained and
3670 is entitled to minimum damages in the amount of \$1,000 and
3671 reasonable attorney's fees and court costs in the trial and
3672 appellate courts, if the person proves by the greater weight of
3673 the evidence that:

3674 (a) The person was injured because of the defendant's
3675 actions that resulted in the defendant's conviction for:

- 3676 1. A violation of s. 893.13, except for a violation of s.
3677 893.13(2)(a) or (b), (3), (5), (6)(a), (b), or (c), (7); or
3678 2. A violation of s. 893.135; and

3679 (b) The person was not injured by reason of his or her
3680 participation in the same act or transaction that resulted in
3681 the defendant's conviction for any offense described in
3682 subparagraph (a)1.

3683 Section 39. For the purpose of incorporating the amendment
3684 made by this act to section 893.13, Florida Statutes, in a
3685 reference thereto, paragraph (a) of subsection (1) of section

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3686 775.084, Florida Statutes, is reenacted to read:

3687 775.084 Violent career criminals; habitual felony offenders
3688 and habitual violent felony offenders; three-time violent felony
3689 offenders; definitions; procedure; enhanced penalties or
3690 mandatory minimum prison terms.—

3691 (1) As used in this act:

3692 (a) "Habitual felony offender" means a defendant for whom
3693 the court may impose an extended term of imprisonment, as
3694 provided in paragraph (4) (a), if it finds that:

3695 1. The defendant has previously been convicted of any
3696 combination of two or more felonies in this state or other
3697 qualified offenses.

3698 2. The felony for which the defendant is to be sentenced
3699 was committed:

3700 a. While the defendant was serving a prison sentence or
3701 other sentence, or court-ordered or lawfully imposed supervision
3702 that is imposed as a result of a prior conviction for a felony
3703 or other qualified offense; or

3704 b. Within 5 years of the date of the conviction of the
3705 defendant's last prior felony or other qualified offense, or
3706 within 5 years of the defendant's release from a prison
3707 sentence, probation, community control, control release,
3708 conditional release, parole or court-ordered or lawfully imposed
3709 supervision or other sentence that is imposed as a result of a
3710 prior conviction for a felony or other qualified offense,
3711 whichever is later.

3712 3. The felony for which the defendant is to be sentenced,
3713 and one of the two prior felony convictions, is not a violation
3714 of s. 893.13 relating to the purchase or the possession of a

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3715 controlled substance.

3716 4. The defendant has not received a pardon for any felony
3717 or other qualified offense that is necessary for the operation
3718 of this paragraph.

3719 5. A conviction of a felony or other qualified offense
3720 necessary to the operation of this paragraph has not been set
3721 aside in any postconviction proceeding.

3722 Section 40. For the purpose of incorporating the amendment
3723 made by this act to section 893.13, Florida Statutes, in a
3724 reference thereto, subsection (3) of section 810.02, Florida
3725 Statutes, is reenacted to read:

3726 810.02 Burglary.—

3727 (3) Burglary is a felony of the second degree, punishable
3728 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
3729 course of committing the offense, the offender does not make an
3730 assault or battery and is not and does not become armed with a
3731 dangerous weapon or explosive, and the offender enters or
3732 remains in a:

3733 (a) Dwelling, and there is another person in the dwelling
3734 at the time the offender enters or remains;

3735 (b) Dwelling, and there is not another person in the
3736 dwelling at the time the offender enters or remains;

3737 (c) Structure, and there is another person in the structure
3738 at the time the offender enters or remains;

3739 (d) Conveyance, and there is another person in the
3740 conveyance at the time the offender enters or remains;

3741 (e) Authorized emergency vehicle, as defined in s. 316.003;
3742 or

3743 (f) Structure or conveyance when the offense intended to be

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3744 committed therein is theft of a controlled substance as defined
3745 in s. 893.02. Notwithstanding any other law, separate judgments
3746 and sentences for burglary with the intent to commit theft of a
3747 controlled substance under this paragraph and for any applicable
3748 possession of controlled substance offense under s. 893.13 or
3749 trafficking in controlled substance offense under s. 893.135 may
3750 be imposed when all such offenses involve the same amount or
3751 amounts of a controlled substance.

3752

3753 However, if the burglary is committed within a county that is
3754 subject to a state of emergency declared by the Governor under
3755 chapter 252 after the declaration of emergency is made and the
3756 perpetration of the burglary is facilitated by conditions
3757 arising from the emergency, the burglary is a felony of the
3758 first degree, punishable as provided in s. 775.082, s. 775.083,
3759 or s. 775.084. As used in this subsection, the term "conditions
3760 arising from the emergency" means civil unrest, power outages,
3761 curfews, voluntary or mandatory evacuations, or a reduction in
3762 the presence of or response time for first responders or
3763 homeland security personnel. A person arrested for committing a
3764 burglary within a county that is subject to such a state of
3765 emergency may not be released until the person appears before a
3766 committing magistrate at a first appearance hearing. For
3767 purposes of sentencing under chapter 921, a felony offense that
3768 is reclassified under this subsection is ranked one level above
3769 the ranking under s. 921.0022 or s. 921.0023 of the offense
3770 committed.

3771 Section 41. For the purpose of incorporating the amendment
3772 made by this act to section 893.13, Florida Statutes, in a

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3773 reference thereto, subsection (2) of section 812.014, Florida
3774 Statutes, is reenacted to read:

3775 812.014 Theft.—

3776 (2) (a) 1. If the property stolen is valued at \$100,000 or
3777 more or is a semitrailer that was deployed by a law enforcement
3778 officer; or

3779 2. If the property stolen is cargo valued at \$50,000 or
3780 more that has entered the stream of interstate or intrastate
3781 commerce from the shipper's loading platform to the consignee's
3782 receiving dock; or

3783 3. If the offender commits any grand theft and:

3784 a. In the course of committing the offense the offender
3785 uses a motor vehicle as an instrumentality, other than merely as
3786 a getaway vehicle, to assist in committing the offense and
3787 thereby damages the real property of another; or

3788 b. In the course of committing the offense the offender
3789 causes damage to the real or personal property of another in
3790 excess of \$1,000,

3791
3792 the offender commits grand theft in the first degree, punishable
3793 as a felony of the first degree, as provided in s. 775.082, s.
3794 775.083, or s. 775.084.

3795 (b) 1. If the property stolen is valued at \$20,000 or more,
3796 but less than \$100,000;

3797 2. The property stolen is cargo valued at less than \$50,000
3798 that has entered the stream of interstate or intrastate commerce
3799 from the shipper's loading platform to the consignee's receiving
3800 dock;

3801 3. The property stolen is emergency medical equipment,

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3802 valued at \$300 or more, that is taken from a facility licensed
3803 under chapter 395 or from an aircraft or vehicle permitted under
3804 chapter 401; or

3805 4. The property stolen is law enforcement equipment, valued
3806 at \$300 or more, that is taken from an authorized emergency
3807 vehicle, as defined in s. 316.003,

3808

3809 the offender commits grand theft in the second degree,
3810 punishable as a felony of the second degree, as provided in s.
3811 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
3812 means mechanical or electronic apparatus used to provide
3813 emergency services and care as defined in s. 395.002(9) or to
3814 treat medical emergencies. Law enforcement equipment means any
3815 property, device, or apparatus used by any law enforcement
3816 officer as defined in s. 943.10 in the officer's official
3817 business. However, if the property is stolen within a county
3818 that is subject to a state of emergency declared by the Governor
3819 under chapter 252, the theft is committed after the declaration
3820 of emergency is made, and the perpetration of the theft is
3821 facilitated by conditions arising from the emergency, the theft
3822 is a felony of the first degree, punishable as provided in s.
3823 775.082, s. 775.083, or s. 775.084. As used in this paragraph,
3824 the term "conditions arising from the emergency" means civil
3825 unrest, power outages, curfews, voluntary or mandatory
3826 evacuations, or a reduction in the presence of or response time
3827 for first responders or homeland security personnel. For
3828 purposes of sentencing under chapter 921, a felony offense that
3829 is reclassified under this paragraph is ranked one level above
3830 the ranking under s. 921.0022 or s. 921.0023 of the offense

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3831 committed.

3832 (c) It is grand theft of the third degree and a felony of
3833 the third degree, punishable as provided in s. 775.082, s.
3834 775.083, or s. 775.084, if the property stolen is:

- 3835 1. Valued at \$300 or more, but less than \$5,000.
- 3836 2. Valued at \$5,000 or more, but less than \$10,000.
- 3837 3. Valued at \$10,000 or more, but less than \$20,000.
- 3838 4. A will, codicil, or other testamentary instrument.
- 3839 5. A firearm.
- 3840 6. A motor vehicle, except as provided in paragraph (a).
- 3841 7. Any commercially farmed animal, including any animal of
3842 the equine, bovine, or swine class or other grazing animal; a
3843 bee colony of a registered beekeeper; and aquaculture species
3844 raised at a certified aquaculture facility. If the property
3845 stolen is aquaculture species raised at a certified aquaculture
3846 facility, then a \$10,000 fine shall be imposed.
- 3847 8. Any fire extinguisher.
- 3848 9. Any amount of citrus fruit consisting of 2,000 or more
3849 individual pieces of fruit.
- 3850 10. Taken from a designated construction site identified by
3851 the posting of a sign as provided for in s. 810.09(2)(d).
- 3852 11. Any stop sign.
- 3853 12. Anhydrous ammonia.
- 3854 13. Any amount of a controlled substance as defined in s.
3855 893.02. Notwithstanding any other law, separate judgments and
3856 sentences for theft of a controlled substance under this
3857 subparagraph and for any applicable possession of controlled
3858 substance offense under s. 893.13 or trafficking in controlled
3859 substance offense under s. 893.135 may be imposed when all such

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3860 offenses involve the same amount or amounts of a controlled
3861 substance.

3862

3863 However, if the property is stolen within a county that is
3864 subject to a state of emergency declared by the Governor under
3865 chapter 252, the property is stolen after the declaration of
3866 emergency is made, and the perpetration of the theft is
3867 facilitated by conditions arising from the emergency, the
3868 offender commits a felony of the second degree, punishable as
3869 provided in s. 775.082, s. 775.083, or s. 775.084, if the
3870 property is valued at \$5,000 or more, but less than \$10,000, as
3871 provided under subparagraph 2., or if the property is valued at
3872 \$10,000 or more, but less than \$20,000, as provided under
3873 subparagraph 3. As used in this paragraph, the term "conditions
3874 arising from the emergency" means civil unrest, power outages,
3875 curfews, voluntary or mandatory evacuations, or a reduction in
3876 the presence of or the response time for first responders or
3877 homeland security personnel. For purposes of sentencing under
3878 chapter 921, a felony offense that is reclassified under this
3879 paragraph is ranked one level above the ranking under s.
3880 921.0022 or s. 921.0023 of the offense committed.

3881 (d) It is grand theft of the third degree and a felony of
3882 the third degree, punishable as provided in s. 775.082, s.
3883 775.083, or s. 775.084, if the property stolen is valued at \$100
3884 or more, but less than \$300, and is taken from a dwelling as
3885 defined in s. 810.011(2) or from the unenclosed curtilage of a
3886 dwelling pursuant to s. 810.09(1).

3887 (e) Except as provided in paragraph (d), if the property
3888 stolen is valued at \$100 or more, but less than \$300, the

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3889 offender commits petit theft of the first degree, punishable as
3890 a misdemeanor of the first degree, as provided in s. 775.082 or
3891 s. 775.083.

3892 Section 42. For the purpose of incorporating the amendment
3893 made by this act to section 893.13, Florida Statutes, in a
3894 reference thereto, subsection (1) of section 831.311, Florida
3895 Statutes, is reenacted to read:

3896 831.311 Unlawful sale, manufacture, alteration, delivery,
3897 uttering, or possession of counterfeit-resistant prescription
3898 blanks for controlled substances.—

3899 (1) It is unlawful for any person having the intent to
3900 injure or defraud any person or to facilitate any violation of
3901 s. 893.13 to sell, manufacture, alter, deliver, utter, or
3902 possess with intent to injure or defraud any person, or to
3903 facilitate any violation of s. 893.13, any counterfeit-resistant
3904 prescription blanks for controlled substances, the form and
3905 content of which are adopted by rule of the Department of Health
3906 pursuant to s. 893.065.

3907 Section 43. For the purpose of incorporating the amendment
3908 made by this act to section 893.13, Florida Statutes, in a
3909 reference thereto, subsection (1) of section 893.1351, Florida
3910 Statutes, is reenacted to read:

3911 893.1351 Ownership, lease, rental, or possession for
3912 trafficking in or manufacturing a controlled substance.—

3913 (1) A person may not own, lease, or rent any place,
3914 structure, or part thereof, trailer, or other conveyance with
3915 the knowledge that the place, structure, trailer, or conveyance
3916 will be used for the purpose of trafficking in a controlled
3917 substance, as provided in s. 893.135; for the sale of a

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3918 controlled substance, as provided in s. 893.13; or for the
3919 manufacture of a controlled substance intended for sale or
3920 distribution to another. A person who violates this subsection
3921 commits a felony of the third degree, punishable as provided in
3922 s. 775.082, s. 775.083, or s. 775.084.

3923 Section 44. For the purpose of incorporating the amendment
3924 made by this act to section 893.138, Florida Statutes, in a
3925 reference thereto, subsection (3) of section 893.138, Florida
3926 Statutes, is reenacted to read:

3927 893.138 Local administrative action to abate drug-related,
3928 prostitution-related, or stolen-property-related public
3929 nuisances and criminal gang activity.—

3930 (3) Any pain-management clinic, as described in s. 458.3265
3931 or s. 459.0137, which has been used on more than two occasions
3932 within a 6-month period as the site of a violation of:

3933 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,
3934 relating to assault and battery;

3935 (b) Section 810.02, relating to burglary;

3936 (c) Section 812.014, relating to dealing in theft;

3937 (d) Section 812.131, relating to robbery by sudden
3938 snatching; or

3939 (e) Section 893.13, relating to the unlawful distribution
3940 of controlled substances,

3941
3942 may be declared to be a public nuisance, and such nuisance may
3943 be abated pursuant to the procedures provided in this section.

3944 Section 45. For the purpose of incorporating the amendment
3945 made by this act to section 893.13, Florida Statutes, in a
3946 reference thereto, section 893.15, Florida Statutes, is

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3947 reenacted to read:

3948 893.15 Rehabilitation.—Any person who violates s.
3949 893.13(6) (a) or (b) relating to possession may, in the
3950 discretion of the trial judge, be required to participate in a
3951 substance abuse services program approved or regulated by the
3952 Department of Children and Families pursuant to the provisions
3953 of chapter 397, provided the director of such program approves
3954 the placement of the defendant in such program. Such required
3955 participation shall be imposed in addition to any penalty or
3956 probation otherwise prescribed by law. However, the total time
3957 of such penalty, probation, and program participation shall not
3958 exceed the maximum length of sentence possible for the offense.

3959 Section 46. For the purpose of incorporating the amendment
3960 made by this act to section 893.13, Florida Statutes, in a
3961 reference thereto, section 903.133, Florida Statutes, is
3962 reenacted to read:

3963 903.133 Bail on appeal; prohibited for certain felony
3964 convictions.—Notwithstanding the provisions of s. 903.132, no
3965 person adjudged guilty of a felony of the first degree for a
3966 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
3967 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
3968 violation of s. 794.011(2) or (3), shall be admitted to bail
3969 pending review either by posttrial motion or appeal.

3970 Section 47. For the purpose of incorporating the amendment
3971 made by this act to section 893.13, Florida Statutes, in a
3972 reference thereto, paragraph (1) of subsection (1) of section
3973 921.187, Florida Statutes, is reenacted to read:

3974 921.187 Disposition and sentencing; alternatives;
3975 restitution.—

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3976 (1) The alternatives provided in this section for the
3977 disposition of criminal cases shall be used in a manner that
3978 will best serve the needs of society, punish criminal offenders,
3979 and provide the opportunity for rehabilitation. If the offender
3980 does not receive a state prison sentence, the court may:

3981 (1)1. Require the offender who violates any criminal
3982 provision of chapter 893 to pay an additional assessment in an
3983 amount up to the amount of any fine imposed, pursuant to ss.
3984 938.21 and 938.23.

3985 2. Require the offender who violates any provision of s.
3986 893.13 to pay an additional assessment in an amount of \$100,
3987 pursuant to ss. 938.055 and 943.361.

3988 Section 48. For the purpose of incorporating the amendment
3989 made by this act to section 893.145, Florida Statutes, in a
3990 reference thereto, paragraph (a) of subsection (2) of section
3991 893.12, Florida Statutes, is reenacted to read:

3992 893.12 Contraband; seizure, forfeiture, sale.—

3993 (2) (a) Any vessel, vehicle, aircraft, or drug paraphernalia
3994 as defined in s. 893.145 which has been or is being used in
3995 violation of any provision of this chapter or in, upon, or by
3996 means of which any violation of this chapter has taken or is
3997 taking place may be seized and forfeited as provided by the
3998 Florida Contraband Forfeiture Act.

3999 Section 49. For the purpose of incorporating the amendment
4000 made by this act to section 893.145, Florida Statutes, in a
4001 reference thereto, paragraph (a) of subsection (6) of section
4002 893.147, Florida Statutes, is reenacted to read:

4003 893.147 Use, possession, manufacture, delivery,
4004 transportation, advertisement, or retail sale of drug

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4005 paraphernalia.—

4006 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

4007 (a) It is unlawful for a person to knowingly and willfully
4008 sell or offer for sale at retail any drug paraphernalia
4009 described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe
4010 that is primarily made of briar, meerschaum, clay, or corn cob.

4011 Section 50. For the purpose of incorporating the amendment
4012 made by this act to section 895.02, Florida Statutes, in a
4013 reference thereto, paragraph (a) of subsection (1) of section
4014 16.56, Florida Statutes, is reenacted to read:

4015 16.56 Office of Statewide Prosecution.—

4016 (1) There is created in the Department of Legal Affairs an
4017 Office of Statewide Prosecution. The office shall be a separate
4018 "budget entity" as that term is defined in chapter 216. The
4019 office may:

4020 (a) Investigate and prosecute the offenses of:

4021 1. Bribery, burglary, criminal usury, extortion, gambling,
4022 kidnapping, larceny, murder, prostitution, perjury, robbery,
4023 carjacking, and home-invasion robbery;

4024 2. Any crime involving narcotic or other dangerous drugs;

4025 3. Any violation of the Florida RICO (Racketeer Influenced
4026 and Corrupt Organization) Act, including any offense listed in
4027 the definition of racketeering activity in s. 895.02(1) (a),
4028 providing such listed offense is investigated in connection with
4029 a violation of s. 895.03 and is charged in a separate count of
4030 an information or indictment containing a count charging a
4031 violation of s. 895.03, the prosecution of which listed offense
4032 may continue independently if the prosecution of the violation
4033 of s. 895.03 is terminated for any reason;

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- 4034 4. Any violation of the Florida Anti-Fencing Act;
- 4035 5. Any violation of the Florida Antitrust Act of 1980, as
4036 amended;
- 4037 6. Any crime involving, or resulting in, fraud or deceit
4038 upon any person;
- 4039 7. Any violation of s. 847.0135, relating to computer
4040 pornography and child exploitation prevention, or any offense
4041 related to a violation of s. 847.0135 or any violation of
4042 chapter 827 where the crime is facilitated by or connected to
4043 the use of the Internet or any device capable of electronic data
4044 storage or transmission;
- 4045 8. Any violation of chapter 815;
- 4046 9. Any criminal violation of part I of chapter 499;
- 4047 10. Any violation of the Florida Motor Fuel Tax Relief Act
4048 of 2004;
- 4049 11. Any criminal violation of s. 409.920 or s. 409.9201;
- 4050 12. Any crime involving voter registration, voting, or
4051 candidate or issue petition activities;
- 4052 13. Any criminal violation of the Florida Money Laundering
4053 Act;
- 4054 14. Any criminal violation of the Florida Securities and
4055 Investor Protection Act; or
- 4056 15. Any violation of chapter 787, as well as any and all
4057 offenses related to a violation of chapter 787;
- 4058
- 4059 or any attempt, solicitation, or conspiracy to commit any of the
4060 crimes specifically enumerated above. The office shall have such
4061 power only when any such offense is occurring, or has occurred,
4062 in two or more judicial circuits as part of a related

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4063 transaction, or when any such offense is connected with an
4064 organized criminal conspiracy affecting two or more judicial
4065 circuits. Informations or indictments charging such offenses
4066 shall contain general allegations stating the judicial circuits
4067 and counties in which crimes are alleged to have occurred or the
4068 judicial circuits and counties in which crimes affecting such
4069 circuits or counties are alleged to have been connected with an
4070 organized criminal conspiracy.

4071 Section 51. For the purpose of incorporating the amendment
4072 made by this act to section 895.02, Florida Statutes, in a
4073 reference thereto, paragraph (g) of subsection (3) of section
4074 655.50, Florida Statutes, is reenacted to read:

4075 655.50 Florida Control of Money Laundering and Terrorist
4076 Financing in Financial Institutions Act.—

4077 (3) As used in this section, the term:

4078 (g) "Specified unlawful activity" means "racketeering
4079 activity" as defined in s. 895.02.

4080 Section 52. For the purpose of incorporating the amendment
4081 made by this act to section 895.02, Florida Statutes, in a
4082 reference thereto, paragraph (g) of subsection (2) of section
4083 896.101, Florida Statutes, is reenacted to read:

4084 896.101 Florida Money Laundering Act; definitions;
4085 penalties; injunctions; seizure warrants; immunity.—

4086 (2) As used in this section, the term:

4087 (g) "Specified unlawful activity" means any "racketeering
4088 activity" as defined in s. 895.02.

4089 Section 53. For the purpose of incorporating the amendment
4090 made by this act to section 895.02, Florida Statutes, in a
4091 reference thereto, section 905.34, Florida Statutes, is

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4092 reenacted to read:

4093 905.34 Powers and duties; law applicable.—The jurisdiction
4094 of a statewide grand jury impaneled under this chapter shall
4095 extend throughout the state. The subject matter jurisdiction of
4096 the statewide grand jury shall be limited to the offenses of:

4097 (1) Bribery, burglary, carjacking, home-invasion robbery,
4098 criminal usury, extortion, gambling, kidnapping, larceny,
4099 murder, prostitution, perjury, and robbery;

4100 (2) Crimes involving narcotic or other dangerous drugs;

4101 (3) Any violation of the provisions of the Florida RICO
4102 (Racketeer Influenced and Corrupt Organization) Act, including
4103 any offense listed in the definition of racketeering activity in
4104 s. 895.02(1)(a), providing such listed offense is investigated
4105 in connection with a violation of s. 895.03 and is charged in a
4106 separate count of an information or indictment containing a
4107 count charging a violation of s. 895.03, the prosecution of
4108 which listed offense may continue independently if the
4109 prosecution of the violation of s. 895.03 is terminated for any
4110 reason;

4111 (4) Any violation of the provisions of the Florida Anti-
4112 Fencing Act;

4113 (5) Any violation of the provisions of the Florida
4114 Antitrust Act of 1980, as amended;

4115 (6) Any violation of the provisions of chapter 815;

4116 (7) Any crime involving, or resulting in, fraud or deceit
4117 upon any person;

4118 (8) Any violation of s. 847.0135, s. 847.0137, or s.
4119 847.0138 relating to computer pornography and child exploitation
4120 prevention, or any offense related to a violation of s.

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4121 847.0135, s. 847.0137, or s. 847.0138 or any violation of
4122 chapter 827 where the crime is facilitated by or connected to
4123 the use of the Internet or any device capable of electronic data
4124 storage or transmission;

4125 (9) Any criminal violation of part I of chapter 499;

4126 (10) Any criminal violation of s. 409.920 or s. 409.9201;

4127 (11) Any criminal violation of the Florida Money Laundering
4128 Act;

4129 (12) Any criminal violation of the Florida Securities and
4130 Investor Protection Act; or

4131 (13) Any violation of chapter 787, as well as any and all
4132 offenses related to a violation of chapter 787;

4133

4134 or any attempt, solicitation, or conspiracy to commit any
4135 violation of the crimes specifically enumerated above, when any
4136 such offense is occurring, or has occurred, in two or more
4137 judicial circuits as part of a related transaction or when any
4138 such offense is connected with an organized criminal conspiracy
4139 affecting two or more judicial circuits. The statewide grand
4140 jury may return indictments and presentments irrespective of the
4141 county or judicial circuit where the offense is committed or
4142 triable. If an indictment is returned, it shall be certified and
4143 transferred for trial to the county where the offense was
4144 committed. The powers and duties of, and law applicable to,
4145 county grand juries shall apply to a statewide grand jury except
4146 when such powers, duties, and law are inconsistent with the
4147 provisions of ss. 905.31-905.40.

4148 Section 54. This act shall take effect July 1, 2016.