

By the Committees on Appropriations; and Regulated Industries;
and Senator Simpson

576-04192-16

20161528c2

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 for 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 from the
30 definition of the term "cannabis"; creating a criminal
31 penalty for possession of specified controlled

576-04192-16

20161528c2

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

576-04192-16

20161528c2

61 a reference thereto; reenacting ss. 397.451(4)(b),
62 435.07(2), 772.12(2), 775.084(1)(a), 810.02(3),
63 812.014(2), 831.311(1), 893.1351(1), 893.138(3),
64 893.15, 903.133, and 921.187(1)(1), F.S., to
65 incorporate the amendment made to s. 893.13, F.S., in
66 references thereto; reenacting ss. 893.12(2)(a) and
67 893.147(6)(a), F.S., to incorporate the amendment made
68 to s. 893.145, F.S., in references thereto; reenacting
69 ss. 16.56(1)(a), 655.50(3)(g), 896.101(2)(g), and
70 905.34, F.S., to incorporate the amendment made to s.
71 895.02, F.S., in references thereto; providing an
72 effective date.

73

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

75

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

83 893.02 Definitions.—The following words and phrases as 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

576-04192-16

20161528c2

90 membrane receptors located within the human body ~~"Analog" or~~
91 ~~"chemical analog" means a structural derivative of a parent~~
92 ~~compound that is a controlled substance.~~

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

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

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

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

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

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

576-04192-16

20161528c2

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

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

139 893.03 Standards and schedules.—The substances enumerated
140 in this section are controlled by this chapter. The controlled
141 substances listed or to be listed in Schedules I, II, III, IV,
142 and V are included by whatever official, common, usual,
143 chemical, ~~or~~ trade name, or class designated. The provisions of
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

576-04192-16

20161528c2

148 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
149 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
150 Anabolic Steroid Products."

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

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

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

576-04192-16

20161528c2

- 177 12. Beta-hydroxyfentanyl.
- 178 13. Beta-hydroxy-3-methylfentanyl.
- 179 14. Betameprodine.
- 180 15. Betamethadol.
- 181 16. Betaprodine.
- 182 17. Clonitazene.
- 183 18. Dextromoramide.
- 184 19. Diampromide.
- 185 20. Diethylthiambutene.
- 186 21. Difenoxin.
- 187 22. Dimenoxadol.
- 188 23. Dimepheptanol.
- 189 24. Dimethylthiambutene.
- 190 25. Dioxaphetyl butyrate.
- 191 26. Dipipanone.
- 192 27. Ethylmethylthiambutene.
- 193 28. Etonitazene.
- 194 29. Etoxeridine.
- 195 30. Flunitrazepam.
- 196 31. Furethidine.
- 197 32. Hydroxypethidine.
- 198 33. Ketobemidone.
- 199 34. Levomoramide.
- 200 35. Levophenacilmorphan.
- 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.

576-04192-16

20161528c2

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

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

576-04192-16

20161528c2

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

576-04192-16

20161528c2

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

576-04192-16

20161528c2

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

576-04192-16

20161528c2

- 322 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) ~~(TCP)~~
323 (Thiophene analog of phencyclidine).
- 324 39. 3,4,5-Trimethoxyamphetamine.
- 325 40. Methylone (3,4-Methylenedioxy methcathinone).
- 326 41. MDPV (3,4-Methylenedioxy pyrovalerone) ~~(MDPV)~~.
- 327 42. Methy methcathinone.
- 328 43. Methoxy methcathinone.
- 329 44. Fluoro methcathinone.
- 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-

576-04192-16

20161528c2

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

576-04192-16

20161528c2

- 380 ~~methylaminobutyrophenone) beta-keto-N-~~
 381 ~~methylbenzodioxolylpropylamine).~~
- 382 82. Ethcathinone.
- 383 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 384 84. Naphyrone (Naphthylpyrovalerone).
- 385 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone)
 386 ~~N-N-Dimethyl-3,4-methylenedioxy~~cathinone.
- 387 86. 3,4-Methylenedioxy-N,N-diethylcathinone ~~N-N-Diethyl-~~
 388 ~~3,4-methylenedioxy~~cathinone.
- 389 87. 3,4-Methylenedioxy-propiofenone.
- 390 88. 3,4-Methylenedioxy-alpha-bromopropiofenone ~~2-Bromo-~~
 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 ~~Ethylbenzodioxolylbutanamine).~~
- 404 96. Dimethylcathinone.
- 405 97. Dimethylmethcathinone.
- 406 98. Pentylone (3,4-Methylenedioxy-alpha-
 407 methylaminovalerophenone) ~~(beta-Keto-~~
 408 ~~Methylbenzodioxolylpentanamine).~~

576-04192-16

20161528c2

- 409 99. MDPPP (3,4-Methylenedioxy-alpha-
 410 pyrrolidinopropiophenone) ~~(MDPPP) 3,4-Methylenedioxy-alpha-~~
 411 ~~pyrrolidinopropiophenone.~~
- 412 100. MDPBP (3,4-Methylenedioxy-alpha-
 413 pyrrolidinobutyrophenone) ~~(MDPBP) 3,4-Methylenedioxy-alpha-~~
 414 ~~pyrrolidinobutyrophenone.~~
- 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) ~~Pyrrolidinobutyrophenone~~
 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).~~

576-04192-16

20161528c2

- 438 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
 439 ~~yl-(1-hexylindol-3-yl)methanone~~).
- 440 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 441 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole) ~~Naphthalen-1-~~
 442 ~~yl-(1-propyl-1H-indol-3-yl)methanone~~).
- 443 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole) ~~4-~~
 444 ~~methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone~~).
- 445 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 446 121. JWH-133 (((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
 447 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene) ~~((6aR,10aR)-3-~~
 448 ~~(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-~~
 449 ~~dibenzo[b,d]pyran))~~).
- 450 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole) ~~3-~~
 451 ~~(naphthalen-1-ylmethyl)-1-pentyl-1H-indole~~).
- 452 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 453 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole) ~~2-~~
 454 ~~(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone~~).
- 455 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole) ~~4-~~
 456 ~~ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone~~).
- 457 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole) ~~2-~~
 458 ~~(2-methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone~~).
- 459 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole) ~~2-~~
 460 ~~(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone~~).
- 461 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 462 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 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-

576-04192-16

20161528c2

467 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
468 methanol).

469 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
470 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
471 1,4-dione).

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

474 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
475 undecanamide).

476 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
477 undecanamide).

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

481 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole) ~~1-~~
482 ~~[(5-fluoropentyl)-1H-indol-3-yl]-(2-iodophenyl)methanone~~).

483 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole) ~~1-~~
484 ~~[(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen-1-yl)methanone~~).

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

487 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
488 methoxyphenylacetyl)indole) ~~1-(1-(2-cyclohexylethyl)-1H-indol-3-~~
489 ~~yl)-2-(2-methoxyphenylethanone)~~).

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

576-04192-16

20161528c2

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

576-04192-16

20161528c2

- 525 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
526 cyclohexylcarbamate).
- 527 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
528 cyclohexyl ester).
- 529 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
530 benzoxazin-4-one).
- 531 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~
532 ~~Dimethoxy-4-methylphenyl)ethanamine).~~
- 533 161. 2C-H (2,5-Dimethoxyphenethylamine) ~~2-(2,5-~~
534 ~~Dimethoxyphenyl)ethanamine).~~
- 535 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) ~~2-(2,5-~~
536 ~~Dimethoxy-4-nitrophenyl)ethanamine).~~
- 537 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) ~~2-~~
538 ~~(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine).~~
- 539 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
540 methoxybenzyl)]phenethylamine) ~~4-iodo-2,5-dimethoxy-N-[(2-~~
541 ~~methoxyphenyl)methyl]-benzeneethanamine).~~
- 542 165. MDMA (3,4-Methylenedioxymethamphetamine) ~~(MDMA).~~
- 543 166. PB-22 (8-Quinoliny 1-pentylindole-3-carboxylate) ~~1-~~
544 ~~pentyl-8-quinoliny 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).~~

576-04192-16

20161528c2

- 554 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 555 pentylindazole-3-carboxamide) ~~N-(1-Amino-3-methyl-1-oxobutan-2-~~
 556 ~~yl)-1-pentyl-1H-indazole-3-carboxamide).~~
- 557 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 558 (4-fluorobenzyl)indazole-3-carboxamide) ~~N-(1-Amino-3-methyl-1-~~
 559 ~~oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).~~
- 560 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
 561 1-pentylindazole-3-carboxamide) ~~N-(1-Amino-3,3-dimethyl-1-~~
 562 ~~oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide).~~
- 563 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
 564 yl)-1-(fluoropentyl)indole-3-carboxamide) ~~N-(1-Amino-3,3-~~
 565 ~~dimethyl-1-oxobutan-2-yl)-1-(fluoropentyl)-1H-indole-3-~~
 566 ~~carboxamide).~~
- 567 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
 568 methoxybenzyl)]phenethylamine) ~~4-bromo-2,5-dimethoxy-N-[(2-~~
 569 ~~methoxyphenyl)methyl]-benzeneethanamine).~~
- 570 175. 25C-E-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
 571 methoxybenzyl)]phenethylamine) ~~4-chloro-2,5-dimethoxy-N-[(2-~~
 572 ~~methoxyphenyl)methyl]-benzeneethanamine).~~
- 573 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 574 (cyclohexylmethyl)indazole-3-carboxamide); ~~N-[1-(aminocarbonyl)-~~
 575 ~~2-methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.~~
- 576 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-
 577 carboxylate); ~~Quinolin-8-yl-1-(4-fluorobenzyl)-1H-indole-3-~~
 578 ~~carboxylate.~~
- 579 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(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-

576-04192-16

20161528c2

583 ~~(fluoropentyl)indazole-3-carboxamide): Methyl 2-(1-~~
584 ~~(fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate.~~
585 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole)-
586 ~~[1-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone.~~
587 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
588 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).
589 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
590 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
591 hexahydrobenzo[c]chromen-1-ol).
592 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
593 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
594 hexahydrobenzo[c]chromen-1-ol).
595 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
596 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
597 diol).
598 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
599 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
600 tetrahydro-6aH-benzo[c]chromen-1-ol).
601 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
602 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).
603 187. MAPB ((2-Methylaminopropyl)benzofuran).
604 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).
605 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).
606 190. Synthetic Cannabinoids. Unless specifically excepted
607 or unless listed in another schedule or contained within a
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

576-04192-16

20161528c2

612 descriptions, or homologues, nitrogen-heterocyclic analogs,
613 isomers (including optical, positional, or geometric), esters,
614 ethers, salts, and salts of homologues, nitrogen-heterocyclic
615 analogues, isomers, esters, or ethers, whenever the existence of
616 such homologues, nitrogen-heterocyclic analogues, 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 either or both the 3-position or
638 9-position, with or without substitution at the 1-position with
639 hydroxyl or alkoxy groups, including, but not limited to:

640 (I) Tetrahydrocannabinol.

576-04192-16

20161528c2

- 641 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
642 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
643 ol).
- 644 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
645 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
646 ol).
- 647 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
648 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 649 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
650 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 651 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
652 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 653 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-(2,3-
654 dimethylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 655 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
656 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 657 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
658 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 659 (X) Parahexyl.
- 660 b. Naphthoylindoles, Naphthoylindazoles,
661 Naphthoylcarbazoles, Naphthylmethylindoles,
662 Naphthylmethylindazoles, and Naphthylmethylcarbazoles. Any
663 compound containing a naphthoylindole, naphthoylindazole,
664 naphthoylcarbazole, naphthylmethylindole,
665 naphthylmethylindazole, or naphthylmethylcarbazole structure,
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).

576-04192-16

20161528c2

- 670 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
671 naphthoyl)indole).
- 672 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
- 673 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
- 674 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
- 675 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
- 676 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 677 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
- 678 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
- 679 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
- 680 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
- 681 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
- 682 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
- 683 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
684 naphthoyl)indole).
- 685 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
- 686 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
- 687 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
688 naphthoyl)indole).
- 689 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl)indole).
- 690 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
- 691 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).
- 692 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).
- 693 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
694 naphthylmethyl]indole).
- 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).

576-04192-16

20161528c2

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

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

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

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

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

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

706 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
707 naphthoyl)indole).

708 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
709 naphthoyl)indole).

710 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
711 naphthoyl)indole).

712 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
713 naphthoyl)indole).

714 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
715 naphthoyl)indole).

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

717 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
718 naphthoyl)indazole).

719 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
720 naphthoyl)indole).

721 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
722 naphthoyl)indole).

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

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

576-04192-16

20161528c2

728 pyrrole ring to any extent, whether or not substituted on the
729 naphthyl ring to any extent, including, but not limited to:

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

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

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

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

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

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

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

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

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

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

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

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

576-04192-16

20161528c2

- 757 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
758 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
759 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
760 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
761 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
762 (VII) Cannabipiperidiethanone.
763 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
764 methoxyphenylacetyl)indole).
765 f. Cyclohexylphenols. Any compound containing a
766 cyclohexylphenol structure, with or without substitution at the
767 5-position of the phenolic ring to any extent, whether or not
768 substituted on the cyclohexyl ring to any extent, including, but
769 not limited to:
770 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
771 yl)phenol).
772 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
773 homologue).
774 (III) CP-55,940 (2-(3-Hydroxy-5-propanol-cyclohexyl)-5-(2-
775 methyloctan-2-yl)phenol).
776 g. Benzoylindoles and Benzoylindazoles. Any compound
777 containing a benzoylindole or benzoylindazole structure, with or
778 without substitution on the indole or indazole ring to any
779 extent, whether or not substituted on the phenyl ring to any
780 extent, including, but not limited to:
781 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).
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-

576-04192-16

20161528c2

786 methoxybenzoyl)indole).

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

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

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

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

794 h. Tetramethylcyclopropanoylindoles and

795 Tetramethylcyclopropanoylindazoles. Any compound containing a

796 tetramethylcyclopropanoylindole or

797 tetramethylcyclopropanoylindazole structure, with or without

798 substitution on the indole or indazole ring to any extent,

799 whether or not substituted on the tetramethylcyclopropyl group

800 to any extent, including, but not limited to:

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

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

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

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

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

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).

576-04192-16

20161528c2

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

576-04192-16

20161528c2

844 carboxylate, quinolinylindole carboxamide, quinolinylindazole
845 carboxamide, isoquinolinylindole carboxamide, or
846 isoquinolinylindazole carboxamide structure, with or without
847 substitution on the indole or indazole ring to any extent,
848 whether or not substituted on the quinoline or isoquinoline ring
849 to any extent, including, but not limited to:

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

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

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

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

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

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

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

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

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

865 k. Naphthylindolecarboxylates and

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

576-04192-16

20161528c2

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

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

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

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

881 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

576-04192-16

20161528c2

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

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

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

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

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

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

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

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

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

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

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

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).

576-04192-16

20161528c2

- 931 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
932 pentylindazole-3-carboxamide).
- 933 (XIV) Fluoro AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
934 (fluoropentyl)indazole-3-carboxamide).
- 935 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
936 fluorobenzyl)indazole-3-carboxamide).
- 937 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
938 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 939 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
940 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 941 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
942 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).
- 943 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
944 fluoropentyl)indole-3-carboxamide).
- 945 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
946 fluoropentyl)indazole-3-carboxamide).
- 947 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
948 (cyclohexylmethyl)indazole-3-carboxamide).
- 949 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
950 fluorobenzyl)indazole-3-carboxamide).
- 951 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
952 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).
- 953 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.
954 Any compound containing a N-(2-phenylpropan-2-yl) indole
955 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide
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:

576-04192-16

20161528c2

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

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

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

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

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

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

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

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

576-04192-16

20161528c2

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

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

993

994 whether or not the compound is further modified:

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

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

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

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

1008 (A) Methcathinone.

1009 (B) Ethcathinone.

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

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

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

1013 (F) Methylmethcathinone.

1014 (G) Methoxymethcathinone.

1015 (H) Fluoromethcathinone.

1016 (I) Methylethcathinone.

1017 (J) Butylone (3,4-Methylenedioxy-alpha-

576-04192-16

20161528c2

1018 methylaminobutyrophenone).
1019 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
1020 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
1021 (M) Naphyrone (Naphthylpyrovalerone).
1022 (N) Bromomethcathinone.
1023 (O) Buphedrone (alpha-Methylaminobutyrophenone).
1024 (P) Eutylone (3,4-Methylenedioxy-alpha-
1025 ethylaminobutyrophenone).
1026 (Q) Dimethylcathinone.
1027 (R) Dimethylmethcathinone.
1028 (S) Pentylone (3,4-Methylenedioxy-alpha-
1029 methylaminovalerophenone).
1030 (T) Pentedrone (alpha-Methylaminovalerophenone).
1031 (U) MDPPP (3,4-Methylenedioxy-alpha-
1032 pyrrolidinopropiophenone).
1033 (V) MDPBP (3,4-Methylenedioxy-alpha-
1034 pyrrolidinobutyrophenone).
1035 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
1036 (X) PPP (Pyrrolidinopropiophenone).
1037 (Y) PVP (Pyrrolidinovalerophenone) or
1038 (Pyrrolidinopentiophenone).
1039 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
1040 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
1041 (BB) F-MABP (Fluoromethylaminobutyrophenone).
1042 (CC) Me-EABP (Methylethylaminobutyrophenone).
1043 (DD) PBP (Pyrrolidinobutyrophenone).
1044 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
1045 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
1046 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).

576-04192-16

20161528c2

1047 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
 1048 dimethylcathinone).

1049 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.

1050 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.

1051 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.

1052 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.

1053 (MM) Methylbuphedrone (Methyl-alpha-
 1054 methylaminobutyrophenone).

1055 (NN) Methyl-alpha-methylaminohexanophenone.

1056 (OO) N-Ethyl-N-methylcathinone.

1057 (PP) PHP (Pyrrolidinohexanophenone).

1058 (QQ) PV8 (Pyrrolidinoheptanophenone).

1059 (RR) Chloromethcathinone.

1060 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.

1061 192. Substituted Phenethylamines. Unless specifically
 1062 excepted or unless listed in another schedule, or contained
 1063 within a pharmaceutical product approved by the United States
 1064 Food and Drug Administration, any material, compound, mixture,
 1065 or preparation, including its salts, isomers, esters, or ethers,
 1066 and salts of isomers, esters, or ethers, whenever the existence
 1067 of such salts is possible within any of the following specific
 1068 chemical designations, any compound containing a phenethylamine
 1069 structure, without a beta-keto group, and without a benzyl group
 1070 attached to the amine group, whether or not the compound is
 1071 further modified with or without substitution on the phenyl ring
 1072 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
 1073 halide, fused alkylenedioxy, fused furan, fused benzofuran,
 1074 fused dihydrofuran, or fused tetrahydropyran substituents,
 1075 whether or not further substituted on a ring to any extent, with

576-04192-16

20161528c2

- 1076 or without substitution at the alpha or beta position by any
1077 alkyl substituent, with or without substitution at the nitrogen
1078 atom, and with or without inclusion of the 2-amino nitrogen atom
1079 in a cyclic structure, including, but not limited to:
- 1080 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
 - 1081 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
 - 1082 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
 - 1083 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
 - 1084 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
 - 1085 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
 - 1086 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
 - 1087 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
 - 1088 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
 - 1089 j. 2C-H (2,5-Dimethoxyphenethylamine).
 - 1090 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
 - 1091 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
 - 1092 m. MDMA (3,4-Methylenedioxyamphetamine).
 - 1093 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
1094 Methylenedioxy-N-methylbutanamine).
 - 1095 o. MDA (3,4-Methylenedioxyamphetamine).
 - 1096 p. 2,5-Dimethoxyamphetamine.
 - 1097 q. Fluoroamphetamine.
 - 1098 r. Fluoromethamphetamine.
 - 1099 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
 - 1100 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
 - 1101 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
 - 1102 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
 - 1103 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
 - 1104 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).

576-04192-16

20161528c2

- 1105 y. PMA (4-Methoxyamphetamine).
- 1106 z. N-Ethylamphetamine.
- 1107 aa. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 1108 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1109 cc. PMMA (4-Methoxymethamphetamine).
- 1110 dd. N,N-Dimethylamphetamine.
- 1111 ee. 3,4,5-Trimethoxyamphetamine.
- 1112 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1113 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1114 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1115 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1116 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1117 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1118 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1119 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1120 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1121 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1122 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1123 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1124 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1125 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1126 dihydrobenzofuran),

1127

1128 which does not include phenethylamine, mescaline as described in

1129 subparagraph 20., substituted cathinones as described in

1130 subparagraph 191., N-Benzyl phenethylamine compounds as

1131 described in subparagraph 193., or methamphetamine as described

1132 in subparagraph (2)(c)4.

1133 193. N-Benzyl Phenethylamine Compounds. Unless specifically

576-04192-16

20161528c2

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

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

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

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

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

1158 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1159 methoxybenzyl)]phenethylamine).

1160 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1161 hydroxybenzyl)]phenethylamine).

1162 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-

576-04192-16

20161528c2

1163 fluorobenzyl)]phenethylamine).

1164 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1165 methylenedioxybenzyl)]phenethylamine).

1166 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
1167 methoxybenzyl)]phenethylanamine).

1168 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1169 methoxybenzyl)]phenethylanamine).

1170 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1171 methoxybenzyl)]phenethylanamine).

1172 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1173 methoxybenzyl)]phenethylamine).

1174 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1175 hydroxybenzyl)]phenethylamine).

1176 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1177 fluorobenzyl)]phenethylamine).

1178 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1179 methylenedioxybenzyl)]phenethylamine).

1180 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
1181 methoxybenzyl)]phenethylamine).

1182 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1183 hydroxybenzyl)]phenethylamine).

1184 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
1185 fluorobenzyl)]phenethylamine).

1186 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1187 methoxybenzyl)]phenethylamine),

1188
1189 which does not include substituted cathinones as described in
1190 subparagraph 191.

1191 194. Substituted Tryptamines. Unless specifically excepted

576-04192-16

20161528c2

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

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

576-04192-16

20161528c2

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

1231
 1232 which does not include tryptamine, psilocybin as described in
 1233 subparagraph 33, or psilocyn as described in subparagraph 34.

- 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

576-04192-16

20161528c2

- 1250 analog of phencyclidine).
- 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.

576-04192-16

20161528c2

1279 (2) SCHEDULE II.—A substance in Schedule II has a high
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.

576-04192-16

20161528c2

- 1308 o. Oxycodone.
- 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.

576-04192-16

20161528c2

- 1337 11. Levomethorphan.
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:

576-04192-16

20161528c2

- 1366 1. Amobarbital.
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.

576-04192-16

20161528c2

- 1395 4. Chlorphentermine.
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

576-04192-16

20161528c2

1424 that are not controlled substances.

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.

576-04192-16

20161528c2

- 1453 c. Boldenone.
- 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.

576-04192-16

20161528c2

1482 bb.~~ee.~~ Oxymetholone.
 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,

576-04192-16

20161528c2

1511 and salts of isomers, esters, and ethers, whenever the existence
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.

576-04192-16

20161528c2

1540 (h) Chlordiazepoxide.
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.

576-04192-16

20161528c2

1569 (kk) Meprobamate.
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.

576-04192-16

20161528c2

1598 (jjj) Carisoprodol.

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

576-04192-16

20161528c2

1627 their salts: Buprenorphine.

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.

576-04192-16

20161528c2

- 1656 ~~(i) Hydriodic acid.~~
- 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.

576-04192-16

20161528c2

1685 (c) Ammonium salts, including, but not limited to, nitrate,
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:

576-04192-16

20161528c2

1714 893.0356 Control of new substances; findings of fact;
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~~

576-04192-16

20161528c2

1743 ~~illegal channels; or~~

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

576-04192-16

20161528c2

1772 limited to, the placement of the substance in an area commonly
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.

576-04192-16

20161528c2

1801 893.03(5) commits a misdemeanor of the first degree, punishable
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

576-04192-16

20161528c2

1830 property comprising a child care facility as defined in s.
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

576-04192-16

20161528c2

1859 s. 775.082, s. 775.083, or s. 775.084.

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

576-04192-16

20161528c2

1888 and to serve 100 hours of public service in addition to any
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:

576-04192-16

20161528c2

1917 1. The commission or attempted commission of the crime
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

576-04192-16

20161528c2

1946 and to serve 100 hours of public service in addition to any
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

576-04192-16

20161528c2

1975 avoiding detection or apprehension for a violation of this
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.

576-04192-16

20161528c2

2004 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
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

576-04192-16

20161528c2

2033 this paragraph commits a felony of the first degree, punishable
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

576-04192-16

20161528c2

2062 information obtained in enforcement of this chapter except in a
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.

576-04192-16

20161528c2

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

576-04192-16

20161528c2

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

576-04192-16

20161528c2

2149 ineligible for any form of discretionary early release except
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;

576-04192-16

20161528c2

- 2178 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 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-Methylenedioxypropylvalerone) ~~(MDPV)~~; or
- 2188 r. Methylmethcathinone,

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.

576-04192-16

20161528c2

2207 3. A person who knowingly manufactures or brings into this
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-Methylenedioxyamphetaminone);
- 2227 q. MDPV (3,4-Methylenedioxypropylvaleronone) ~~(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.

576-04192-16

20161528c2

2236 775.082 and 921.142. A person sentenced for a capital felony
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

576-04192-16

20161528c2

2265 of lysergic acid diethylamide (LSD), a capital felony punishable
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

576-04192-16

20161528c2

2294 of a controlled substance, where such possession constitutes a
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

576-04192-16

20161528c2

2323 hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,
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

576-04192-16

20161528c2

2352 device used to contain nitrous oxide.

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

576-04192-16

20161528c2

- 2381 control.
- 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.

576-04192-16

20161528c2

- 2410 19. Section 655.50, relating to reports of currency
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.

576-04192-16

20161528c2

- 2439 34. Chapter 817, relating to fraudulent practices, false
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.

576-04192-16

20161528c2

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

2479

2480

2481

576-04192-16

20161528c2

2482

quantity for commercial 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

576-04192-16

20161528c2

2488	810.09(2)(e)	3rd	telephone or power to a dwelling; facilitating or furthering burglary.
2489	812.014(2)(c)1.	3rd	Trespassing on posted commercial horticulture property.
2490	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
2491	812.015(7)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
2492	817.234(1)(a)2.	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
2493	817.481(3)(a)	3rd	False statement in support of insurance claim.
			Obtain credit or

576-04192-16

20161528c2

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

576-04192-16

20161528c2

2501	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2502	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2503	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2504	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
2505	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
2506	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
2507	843.08	3rd	False personation.
2508			

576-04192-16

20161528c2

893.13 (2) (a) 2.

3rd

Purchase of any s.
893.03 (1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3.,
(2) (c) 5., (2) (c) 6.,
(2) (c) 7., (2) (c) 8.,
(2) (c) 9., (3), or (4)
drugs other than
cannabis.

2509

893.147 (2)

3rd

Manufacture or delivery
of drug paraphernalia.

2510

2511

2512

2513 (c) LEVEL 3

2514

Florida
Statute

Felony
Degree

Description

2515

119.10 (2) (b)

3rd

Unlawful use of
confidential information
from police reports.

2516

316.066
(3) (b) - (d)

3rd

Unlawfully obtaining or
using confidential crash
reports.

2517

316.193 (2) (b)

3rd

Felony DUI, 3rd conviction.

2518

576-04192-16

20161528c2

	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2519	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2520	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2521	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2522	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
2523	327.35 (2) (b)	3rd	Felony BUI.
2524	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious,

576-04192-16

20161528c2

2525

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

328.07(4)

3rd

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

2526

376.302(5)

3rd

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

2527

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.

2528

379.2431
(1) (e) 6.

3rd

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

576-04192-16

20161528c2

2529

Turtle Protection Act.

400.9935 (4) (a)
or (b)

3rd

Operating a clinic, or 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.

2534

624.401 (4) (b) 1.

3rd

Transacting insurance

576-04192-16

20161528c2

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

	576-04192-16		20161528c2
2542	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2543	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2544	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
2545	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2546	817.233	3rd	Burning to defraud insurer.
2547	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2548	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2549	817.236	3rd	Filing a false motor vehicle insurance application.

576-04192-16 20161528c2

2550	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2551	817.413 (2)	3rd	Sale of used goods as new.
2552	817.505 (4)	3rd	Patient brokering.
2553	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2554	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
2555	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2556	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2556	843.19	3rd	Injure, disable, or kill

576-04192-16

20161528c2

2557

police dog or horse.

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.

2561

893.13 (1) (f) 2.

2nd

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

576-04192-16

20161528c2

(2) (c) 3., (2) (c) 5.,
 (2) (c) 6., (2) (c) 7.,
 (2) (c) 8., (2) (c) 9., (3), or
 (4) drugs within 1,000 feet
 of public housing facility.

2562

893.13 (4) (c)

3rd

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

2563

893.13 (6) (a)

3rd

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

2564

893.13 (7) (a) 8.

3rd

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

2565

893.13 (7) (a) 9.

3rd

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

2566

893.13 (7) (a) 10.

3rd

Affix false or forged label
 to package of controlled
 substance.

576-04192-16

20161528c2

2567

893.13(7)(a)11.

3rd

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

2568

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.

2569

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.

2570

893.13(8)(a)3.

3rd

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

2571

893.13(8)(a)4.

3rd

Write a prescription for a

576-04192-16

20161528c2

2572			controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
2573	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
2574	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
2575	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2576	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2577			
2578	(d) LEVEL 4		
2579			
2580	Florida Statute	Felony Degree	Description

576-04192-16

20161528c2

316.1935(3)(a)

2nd

Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

2581

499.0051(1)

3rd

Failure to maintain or deliver pedigree papers.

2582

499.0051(2)

3rd

Failure to authenticate pedigree papers.

2583

499.0051(6)

2nd

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

2584

517.07(1)

3rd

Failure to register securities.

2585

517.12(1)

3rd

Failure of dealer, associated person, or issuer of securities to register.

2586

	576-04192-16		20161528c2
2587	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
2588	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
2589	784.075	3rd	Battery on detention or commitment facility staff.
2590	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
2591	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
2592	784.081 (3)	3rd	Battery on specified official or employee.
2593	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
	784.083 (3)	3rd	Battery on code

576-04192-16

20161528c2

2594

inspector.

784.085

3rd

Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.

2595

787.03 (1)

3rd

Interference with custody; wrongly takes minor from appointed guardian.

2596

787.04 (2)

3rd

Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.

2597

787.04 (3)

3rd

Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

2598

787.07

3rd

Human smuggling.

2599

	576-04192-16		20161528c2
2600	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
2601	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
2602	790.115 (2) (c)	3rd	Possessing firearm on school property.
2603	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
2604	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
2605	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

	576-04192-16		20161528c2
2606	810.06	3rd	Burglary; possession of tools.
2607	810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
2608	812.014(2)(c)3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
2609	812.014 (2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
2610	812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
2611	817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
	817.568(2)(a)	3rd	Fraudulent use of personal identification information.

576-04192-16

20161528c2

2612

817.625 (2) (a)

3rd

Fraudulent use of scanning device or reencoder.

2613

828.125 (1)

2nd

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

2614

837.02 (1)

3rd

Perjury in official proceedings.

2615

837.021 (1)

3rd

Make contradictory statements in official proceedings.

2616

838.022

3rd

Official misconduct.

2617

839.13 (2) (a)

3rd

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

2618

839.13 (2) (c)

3rd

Falsifying records of the Department of Children and Families.

576-04192-16

20161528c2

2619

843.021 3rd Possession of a
concealed handcuff key
by a person in custody.

2620

843.025 3rd Deprive law enforcement,
correctional, or
correctional probation
officer of means of
protection or
communication.

2621

843.15 (1) (a) 3rd Failure to appear while
on bail for felony (bond
estreature or bond
jumping).

2622

847.0135 (5) (c) 3rd Lewd or lascivious
exhibition using
computer; offender less
than 18 years.

2623

874.05 (1) (a) 3rd Encouraging or
recruiting another to
join a criminal gang.

2624

893.13 (2) (a) 1. 2nd Purchase of cocaine (or
other s. 893.03 (1) (a),
(b), or (d), (2) (a),

576-04192-16

20161528c2

			(2) (b), or (2) (c) 4. drugs).
2625	914.14 (2)	3rd	Witnesses accepting bribes.
2626	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
2627	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
2628	918.12	3rd	Tampering with jurors.
2629	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.
2630			
2631			
2632	(e) LEVEL 5		
2633			
	Florida	Felony	
	Statute	Degree	Description
2634	316.027 (2) (a)	3rd	Accidents involving

576-04192-16

20161528c2

2635	316.1935 (4) (a)	2nd	personal injuries other than serious bodily injury, failure to stop; leaving scene.
2636	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
2637	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
2638	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
2639	379.3671 (2) (c) 3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.

576-04192-16

20161528c2

2640

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

2641

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

2642

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

2643

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

2644

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

2645

	576-04192-16		20161528c2
2646	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
2647	790.01 (2)	3rd	Carrying a concealed firearm.
2648	790.162	2nd	Threat to throw or discharge destructive device.
2649	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
2650	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2651	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
2652	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less

	576-04192-16		20161528c2
			than 18 years of age.
2653	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2654	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2655	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2656	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
2657	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
2658	812.131 (2) (b)	3rd	Robbery by sudden snatching.
2659	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.

576-04192-16

20161528c2

2660

817.034 (4) (a) 2.

2nd

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

2661

817.234 (11) (b)

2nd

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

2662

817.2341 (1),
(2) (a) & (3) (a)

3rd

Filing false financial
statements, making false
entries of material fact
or false statements
regarding property
values relating to the
solvency of an insuring
entity.

2663

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

576-04192-16

20161528c2

2664

more persons.

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

2665

825.1025 (4)

3rd

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

2666

827.071 (4)

2nd

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

2667

827.071 (5)

3rd

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

2668

839.13 (2) (b)

2nd

Falsifying records of an individual in the care

576-04192-16

20161528c2

2669

and custody of a state agency involving great bodily harm or death.

843.01

3rd

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

2670

847.0135 (5) (b)

2nd

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

2671

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

2672

847.0138
(2) & (3)

3rd

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

2673

874.05 (1) (b)

2nd

Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

576-04192-16

20161528c2

2674

874.05 (2) (a)

2nd

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

2675

893.13 (1) (a) 1.

2nd

Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).

2676

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.

2677

576-04192-16

20161528c2

2678

893.13(1)(d)1.

1st

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

893.13(1)(e)2.

2nd

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

2679

893.13(1)(f)1.

1st

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.

576-04192-16

20161528c2

2680

893.13 (4) (b)	2nd	<p><u>Use or hire of minor;</u> deliver to minor <u>other</u> <u>controlled substance</u> cannabis (or other s. 893.03 (1) (e), (2) (e) 1., (2) (e) 2., (2) (e) 3., (2) (e) 5., (2) (e) 6., (2) (e) 7., (2) (e) 8., (2) (e) 9., (3), or (4) drugs).</p>
----------------	-----	---

2681

893.1351 (1)	3rd	<p>Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.</p>
--------------	-----	--

2682

2683

2684 (g) LEVEL 7

2685

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

2686

316.027 (2) (c)	1st	<p>Accident involving death, failure to stop; leaving scene.</p>
-----------------	-----	--

2687

316.193 (3) (c) 2.	3rd	<p>DUI resulting in serious bodily injury.</p>
--------------------	-----	---

576-04192-16

20161528c2

2688

316.1935 (3) (b) 1st Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

2689

327.35 (3) (c) 2. 3rd Vessel BUI resulting in serious bodily injury.

2690

402.319 (2) 2nd Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

2691

409.920 (2) (b) 1.a. 3rd Medicaid provider fraud; \$10,000 or less.

2692

409.920 (2) (b) 1.b. 2nd Medicaid provider fraud; more than \$10,000, but less than \$50,000.

2693

576-04192-16

20161528c2

2694

456.065 (2)

3rd

Practicing a health care profession without a license.

2695

456.065 (2)

2nd

Practicing a health care profession without a license which results in serious bodily injury.

2696

458.327 (1)

3rd

Practicing medicine without a license.

2697

459.013 (1)

3rd

Practicing osteopathic medicine without a license.

2698

460.411 (1)

3rd

Practicing chiropractic medicine without a license.

2699

461.012 (1)

3rd

Practicing podiatric medicine without a license.

2700

462.17

3rd

Practicing naturopathy without a license.

463.015 (1)

3rd

Practicing optometry without a license.

576-04192-16

20161528c2

2701

464.016(1) 3rd Practicing nursing without a license.

2702

465.015(2) 3rd Practicing pharmacy without a license.

2703

466.026(1) 3rd Practicing dentistry or dental hygiene without a license.

2704

467.201 3rd Practicing midwifery without a license.

2705

468.366 3rd Delivering respiratory care services without a license.

2706

483.828(1) 3rd Practicing as clinical laboratory personnel without a license.

2707

483.901(9) 3rd Practicing medical physics without a license.

2708

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

2709

	576-04192-16		20161528c2
2710	484.053	3rd	Dispensing hearing aids without a license.
2711	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
2712	560.123 (8) (b) 1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
2713	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
2714	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

576-04192-16 20161528c2

2715	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
2716	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
2717	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
2718	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
2719	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
2719	782.071	2nd	Killing of a human being or unborn child by the

576-04192-16

20161528c2

2720	782.072	2nd	operation of a motor vehicle in a reckless manner (vehicular homicide).
2721	784.045 (1) (a) 1.	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
2722	784.045 (1) (a) 2.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
2723	784.045 (1) (b)	2nd	Aggravated battery; using deadly weapon.
2724	784.048 (4)	3rd	Aggravated battery; perpetrator aware victim pregnant.
2725	784.048 (7)	3rd	Aggravated stalking; violation of injunction or court order.
2726			Aggravated stalking; violation of court order.

	576-04192-16		20161528c2
2727	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2728	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2729	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2730	784.081 (1)	1st	Aggravated battery on specified official or employee.
2731	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
2732	784.083 (1)	1st	Aggravated battery on code inspector.
2733	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer

576-04192-16

20161528c2

			or transport of an adult from outside Florida to within the state.
2734	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
2735	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
2736	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2737	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2738	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2739	790.166(4)	2nd	Possessing, displaying, or

576-04192-16

20161528c2

	576-04192-16	20161528c2	threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
2740	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
2741	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.
2742	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2743	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2744	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than

576-04192-16

20161528c2

2745

800.04(5)(c)2.

2nd

18 years of age.

Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.

2746

800.04(5)(e)

1st

Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.

2747

806.01(2)

2nd

Maliciously damage structure by fire or explosive.

2748

810.02(3)(a)

2nd

Burglary of occupied dwelling; unarmed; no assault or battery.

2749

810.02(3)(b)

2nd

Burglary of unoccupied dwelling; unarmed; no assault or battery.

2750

576-04192-16 20161528c2

2751	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
2752	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
2753	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
2754	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
2755	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.

576-04192-16

20161528c2

2756

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

2757

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

2758

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

2759

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

2760

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

2761

817.234 (8) (a) 2nd Solicitation of motor vehicle accident victims with intent to defraud.

2762

817.234 (9) 2nd Organizing, planning, or participating in an intentional motor vehicle

576-04192-16

20161528c2

2763

collision.

817.234 (11) (c)

1st

Insurance fraud; property value \$100,000 or more.

2764

817.2341
(2) (b) & (3) (b)

1st

Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

2765

817.535 (2) (a)

3rd

Filing false lien or other unauthorized document.

2766

825.102 (3) (b)

2nd

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

2767

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.

2768

	576-04192-16		20161528c2
	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
2769			
	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
2770			
	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2771			
	838.015	2nd	Bribery.
2772			
	838.016	2nd	Unlawful compensation or reward for official behavior.
2773			
	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2774			
	838.22	2nd	Bid tampering.
2775			
	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2776			

	576-04192-16		20161528c2
2777	843.0855 (3)	3rd	Unlawful simulation of legal process.
2778	843.0855 (4)	3rd	Intimidation of a public officer or employee.
2779	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2780	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2781	872.06	2nd	Abuse of a dead human body.
2782	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

576-04192-16

20161528c2

2783

893.13(1)(c)1.

1st

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

2784

893.13(1)(e)1.

1st

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

2785

893.13(4)(a)

1st

Use or hire of minor;
deliver to minor other
controlled substance
~~cocaine (or other s.~~

576-04192-16

20161528c2

~~893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4. drugs).~~

2786

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

2787

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

2788

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

2789

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

2790

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

2791

893.135 1st Trafficking in oxycodone,
(1)(c)3.a. 7 grams or more, less than
14 grams.

2792

893.135 1st Trafficking in oxycodone,

	576-04192-16		20161528c2
	(1) (c) 3.b.		14 grams or more, less than 25 grams.
2793	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
2794	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
2795	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
2796	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2797	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2798	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5

	576-04192-16		20161528c2
2799			kilograms.
	893.135	1st	Trafficking in
	(1) (k) 2.a.		Phenethylamines, 10 grams
			or more, less than 200
2800			grams.
	893.1351 (2)	2nd	Possession of place for
			trafficking in or
			manufacturing of
2801			controlled substance.
	896.101 (5) (a)	3rd	Money laundering,
			financial transactions
			exceeding \$300 but less
2802			than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions
			to evade reporting or
			registration requirements,
			financial transactions
			exceeding \$300 but less
2803			than \$20,000.
	943.0435 (4) (c)	2nd	Sexual offender vacating
			permanent residence;
			failure to comply with
2804			reporting requirements.

	576-04192-16		20161528c2
	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2805			
	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2806			
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2807			
	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
2808			
	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
2809			
	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of

576-04192-16

20161528c2

2810

944.607(12)

3rd

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

2811

944.607(13)

3rd

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

2812

985.4815(10)

3rd

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

2813

985.4815(12)

3rd

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

2814

985.4815(13)

3rd

Sexual offender; failure to report and reregister; failure to respond to address verification;

576-04192-16

20161528c2

providing false
registration information.

2815

2816

2817 (h) LEVEL 8

2818

Florida
Statute

Felony
Degree

Description

2819

316.193
(3) (c) 3.a.

2nd

DUI manslaughter.

2820

316.1935 (4) (b)

1st

Aggravated fleeing or
attempted eluding with
serious bodily injury or
death.

2821

327.35 (3) (c) 3.

2nd

Vessel BUI manslaughter.

2822

499.0051 (7)

1st

Knowing trafficking in
contraband prescription
drugs.

2823

499.0051 (8)

1st

Knowing forgery of
prescription labels or
prescription drug labels.

2824

560.123 (8) (b) 2.

2nd

Failure to report
currency or payment

576-04192-16

20161528c2

instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.

2825

560.125 (5) (b)

2nd

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

2826

655.50 (10) (b) 2.

2nd

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

2827

777.03 (2) (a)

1st

Accessory after the fact, capital felony.

2828

782.04 (4)

2nd

Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping,

576-04192-16

20161528c2

			<p>aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.</p>
<p>2829</p>	<p>782.051 (2)</p>	<p>1st</p>	<p>Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).</p>
<p>2830</p>	<p>782.071 (1) (b)</p>	<p>1st</p>	<p>Committing vehicular homicide and failing to render aid or give information.</p>
<p>2831</p>	<p>782.072 (2)</p>	<p>1st</p>	<p>Committing vessel homicide and failing to render aid or give information.</p>
<p>2832</p>	<p>787.06 (3) (a) 1.</p>	<p>1st</p>	<p>Human trafficking for labor and services of a child.</p>
<p>2833</p>	<p>787.06 (3) (b)</p>	<p>1st</p>	<p>Human trafficking using coercion for commercial</p>

576-04192-16

20161528c2

2834

sexual activity of an adult.

787.06(3)(c)2.

1st

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

2835

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.

2836

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.

2837

790.161(3)

1st

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

2838

794.011(5)(a)

1st

Sexual battery; victim 12

576-04192-16

20161528c2

2839	794.011 (5) (b)	2nd	<p>years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.</p>
2840	794.011 (5) (c)	2nd	<p>Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.</p>
2841	794.011 (5) (d)	1st	<p>Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.</p>
2842			<p>Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.</p>

576-04192-16

20161528c2

794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
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.
806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
810.02 (2) (c)	1st	Burglary of a dwelling or

576-04192-16

20161528c2

			structure causing structural damage or \$1,000 or more property damage.
2849	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
2850	812.13 (2) (b)	1st	Robbery with a weapon.
2851	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
2852	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
2853	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
2854	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized

576-04192-16

20161528c2

2855

817.535 (5) (a)

2nd

document; defendant is incarcerated or under supervision.

2856

817.568 (6)

2nd

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

2857

825.102 (2)

1st

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

2858

825.1025 (2)

2nd

Aggravated abuse of an elderly person or disabled adult.

2859

825.103 (3) (a)

1st

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

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

576-04192-16

20161528c2

2860

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

2861

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

2862

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

2863

860.16 1st Aircraft piracy.

2864

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).

2865

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

576-04192-16

20161528c2

2866

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

2867

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

2868

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

2869

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

2870

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

2871

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

2872

893.135 1st Trafficking in

576-04192-16

20161528c2

(1) (d) 1.b.

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

2873

893.135

1st

(1) (e) 1.b.

Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.

2874

893.135

1st

(1) (f) 1.b.

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

2875

893.135

1st

(1) (g) 1.b.

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

2876

893.135

1st

(1) (h) 1.b.

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

2877

893.135

1st

(1) (j) 1.b.

Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.

576-04192-16

20161528c2

2878

893.135
(1) (k) 2.b.

1st

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

2879

893.1351 (3)

1st

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

2880

895.03 (1)

1st

Use or invest proceeds
derived from pattern of
racketeering activity.

2881

895.03 (2)

1st

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

2882

895.03 (3)

1st

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

2883

896.101 (5) (b)

2nd

Money laundering,

576-04192-16

20161528c2

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

2884

896.104 (4) (a) 2.

2nd

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

2885

2886

2887

2888 Section 11. For the purpose of incorporating the amendment
 2889 made by this act to section 893.03, Florida Statutes, in
 2890 references thereto, paragraphs (a) and (g) of subsection (30) of
 2891 section 39.01, Florida Statutes, are reenacted to read:

2892 39.01 Definitions.—When used in this chapter, unless the
 2893 context otherwise requires:

2894 (30) "Harm" to a child's health or welfare can occur when
 2895 any person:

2896 (a) Inflicts or allows to be inflicted upon the child
 2897 physical, mental, or emotional injury. In determining whether
 2898 harm has occurred, the following factors must be considered in
 2899 evaluating any physical, mental, or emotional injury to a child:
 2900 the age of the child; any prior history of injuries to the
 2901 child; the location of the injury on the body of the child; the

576-04192-16

20161528c2

2902 multiplicity of the injury; and the type of trauma inflicted.

2903 Such injury includes, but is not limited to:

2904 1. Willful acts that produce the following specific
2905 injuries:

2906 a. Sprains, dislocations, or cartilage damage.

2907 b. Bone or skull fractures.

2908 c. Brain or spinal cord damage.

2909 d. Intracranial hemorrhage or injury to other internal
2910 organs.

2911 e. Asphyxiation, suffocation, or drowning.

2912 f. Injury resulting from the use of a deadly weapon.

2913 g. Burns or scalding.

2914 h. Cuts, lacerations, punctures, or bites.

2915 i. Permanent or temporary disfigurement.

2916 j. Permanent or temporary loss or impairment of a body part
2917 or function.

2918
2919 As used in this subparagraph, the term "willful" refers to the
2920 intent to perform an action, not to the intent to achieve a
2921 result or to cause an injury.

2922 2. Purposely giving a child poison, alcohol, drugs, or
2923 other substances that substantially affect the child's behavior,
2924 motor coordination, or judgment or that result in sickness or
2925 internal injury. For the purposes of this subparagraph, the term
2926 "drugs" means prescription drugs not prescribed for the child or
2927 not administered as prescribed, and controlled substances as
2928 outlined in Schedule I or Schedule II of s. 893.03.

2929 3. Leaving a child without adult supervision or arrangement
2930 appropriate for the child's age or mental or physical condition,

576-04192-16

20161528c2

2931 so that the child is unable to care for the child's own needs or
2932 another's basic needs or is unable to exercise good judgment in
2933 responding to any kind of physical or emotional crisis.

2934 4. Inappropriate or excessively harsh disciplinary action
2935 that is likely to result in physical injury, mental injury as
2936 defined in this section, or emotional injury. The significance
2937 of any injury must be evaluated in light of the following
2938 factors: the age of the child; any prior history of injuries to
2939 the child; the location of the injury on the body of the child;
2940 the multiplicity of the injury; and the type of trauma
2941 inflicted. Corporal discipline may be considered excessive or
2942 abusive when it results in any of the following or other similar
2943 injuries:

- 2944 a. Sprains, dislocations, or cartilage damage.
2945 b. Bone or skull fractures.
2946 c. Brain or spinal cord damage.
2947 d. Intracranial hemorrhage or injury to other internal
2948 organs.
2949 e. Asphyxiation, suffocation, or drowning.
2950 f. Injury resulting from the use of a deadly weapon.
2951 g. Burns or scalding.
2952 h. Cuts, lacerations, punctures, or bites.
2953 i. Permanent or temporary disfigurement.
2954 j. Permanent or temporary loss or impairment of a body part
2955 or function.

2956 k. Significant bruises or welts.

2957 (g) Exposes a child to a controlled substance or alcohol.

2958 Exposure to a controlled substance or alcohol is established by:

- 2959 1. A test, administered at birth, which indicated that the

576-04192-16

20161528c2

2960 child's blood, urine, or meconium contained any amount of
2961 alcohol or a controlled substance or metabolites of such
2962 substances, the presence of which was not the result of medical
2963 treatment administered to the mother or the newborn infant; or
2964 2. Evidence of extensive, abusive, and chronic use of a
2965 controlled substance or alcohol by a parent when the child is
2966 demonstrably adversely affected by such usage.

2967

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

2972 Section 12. For the purpose of incorporating the amendment
2973 made by this act to section 893.03, Florida Statutes, in a
2974 reference thereto, subsection (5) of section 316.193, Florida
2975 Statutes, is reenacted to read:

2976 316.193 Driving under the influence; penalties.—

2977 (5) The court shall place all offenders convicted of
2978 violating this section on monthly reporting probation and shall
2979 require completion of a substance abuse course conducted by a
2980 DUI program licensed by the department under s. 322.292, which
2981 must include a psychosocial evaluation of the offender. If the
2982 DUI program refers the offender to an authorized substance abuse
2983 treatment provider for substance abuse treatment, in addition to
2984 any sentence or fine imposed under this section, completion of
2985 all such education, evaluation, and treatment is a condition of
2986 reporting probation. The offender shall assume reasonable costs
2987 for such education, evaluation, and treatment. The referral to
2988 treatment resulting from a psychosocial evaluation shall not be

576-04192-16

20161528c2

2989 waived without a supporting independent psychosocial evaluation
2990 conducted by an authorized substance abuse treatment provider
2991 appointed by the court, which shall have access to the DUI
2992 program's psychosocial evaluation before the independent
2993 psychosocial evaluation is conducted. The court shall review the
2994 results and recommendations of both evaluations before
2995 determining the request for waiver. The offender shall bear the
2996 full cost of this procedure. The term "substance abuse" means
2997 the abuse of alcohol or any substance named or described in
2998 Schedules I through V of s. 893.03. If an offender referred to
2999 treatment under this subsection fails to report for or complete
3000 such treatment or fails to complete the DUI program substance
3001 abuse education course and evaluation, the DUI program shall
3002 notify the court and the department of the failure. Upon receipt
3003 of the notice, the department shall cancel the offender's
3004 driving privilege, notwithstanding the terms of the court order
3005 or any suspension or revocation of the driving privilege. The
3006 department may temporarily reinstate the driving privilege on a
3007 restricted basis upon verification from the DUI program that the
3008 offender is currently participating in treatment and the DUI
3009 education course and evaluation requirement has been completed.
3010 If the DUI program notifies the department of the second failure
3011 to complete treatment, the department shall reinstate the
3012 driving privilege only after notice of completion of treatment
3013 from the DUI program. The organization that conducts the
3014 substance abuse education and evaluation may not provide
3015 required substance abuse treatment unless a waiver has been
3016 granted to that organization by the department. A waiver may be
3017 granted only if the department determines, in accordance with

576-04192-16

20161528c2

3018 its rules, that the service provider that conducts the substance
3019 abuse education and evaluation is the most appropriate service
3020 provider and is licensed under chapter 397 or is exempt from
3021 such licensure. A statistical referral report shall be submitted
3022 quarterly to the department by each organization authorized to
3023 provide services under this section.

3024 Section 13. For the purpose of incorporating the amendment
3025 made by this act to section 893.03, Florida Statutes, in a
3026 reference thereto, paragraph (c) of subsection (2) of section
3027 322.2616, Florida Statutes, is reenacted to read:

3028 322.2616 Suspension of license; persons under 21 years of
3029 age; right to review.—

3030 (2)

3031 (c) When a driver subject to this section has a blood-
3032 alcohol or breath-alcohol level of 0.05 or higher, the
3033 suspension shall remain in effect until such time as the driver
3034 has completed a substance abuse course offered by a DUI program
3035 licensed by the department. The driver shall assume the
3036 reasonable costs for the substance abuse course. As part of the
3037 substance abuse course, the program shall conduct a substance
3038 abuse evaluation of the driver, and notify the parents or legal
3039 guardians of drivers under the age of 19 years of the results of
3040 the evaluation. The term "substance abuse" means the abuse of
3041 alcohol or any substance named or described in Schedules I
3042 through V of s. 893.03. If a driver fails to complete the
3043 substance abuse education course and evaluation, the driver
3044 license shall not be reinstated by the department.

3045 Section 14. For the purpose of incorporating the amendment
3046 made by this act to section 893.03, Florida Statutes, in a

576-04192-16

20161528c2

3047 reference thereto, subsection (5) of section 327.35, Florida
3048 Statutes, is reenacted to read:

3049 327.35 Boating under the influence; penalties; "designated
3050 drivers."—

3051 (5) In addition to any sentence or fine, the court shall
3052 place any offender convicted of violating this section on
3053 monthly reporting probation and shall require attendance at a
3054 substance abuse course specified by the court; and the agency
3055 conducting the course may refer the offender to an authorized
3056 service provider for substance abuse evaluation and treatment,
3057 in addition to any sentence or fine imposed under this section.
3058 The offender shall assume reasonable costs for such education,
3059 evaluation, and treatment, with completion of all such
3060 education, evaluation, and treatment being a condition of
3061 reporting probation. Treatment resulting from a psychosocial
3062 evaluation may not be waived without a supporting psychosocial
3063 evaluation conducted by an agency appointed by the court and
3064 with access to the original evaluation. The offender shall bear
3065 the cost of this procedure. The term "substance abuse" means the
3066 abuse of alcohol or any substance named or described in
3067 Schedules I-V of s. 893.03.

3068 Section 15. For the purpose of incorporating the amendment
3069 made by this act to section 893.03, Florida Statutes, in a
3070 reference thereto, paragraph (b) of subsection (11) of section
3071 440.102, Florida Statutes, is reenacted to read:

3072 440.102 Drug-free workplace program requirements.—The
3073 following provisions apply to a drug-free workplace program
3074 implemented pursuant to law or to rules adopted by the Agency
3075 for Health Care Administration:

576-04192-16

20161528c2

3076 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK
3077 POSITIONS.—

3078 (b) An employee who is employed by a public employer in a
3079 special-risk position may be discharged or disciplined by a
3080 public employer for the first positive confirmed test result if
3081 the drug confirmed is an illicit drug under s. 893.03. A
3082 special-risk employee who is participating in an employee
3083 assistance program or drug rehabilitation program may not be
3084 allowed to continue to work in any special-risk or mandatory-
3085 testing position of the public employer, but may be assigned to
3086 a position other than a mandatory-testing position or placed on
3087 leave while the employee is participating in the program.
3088 However, the employee shall be permitted to use any accumulated
3089 annual leave credits before leave may be ordered without pay.

3090 Section 16. For the purpose of incorporating the amendment
3091 made by this act to section 893.03, Florida Statutes, in a
3092 reference thereto, subsection (2) of section 456.44, Florida
3093 Statutes, is reenacted to read:

3094 456.44 Controlled substance prescribing.—

3095 (2) REGISTRATION.—Effective January 1, 2012, a physician
3096 licensed under chapter 458, chapter 459, chapter 461, or chapter
3097 466 who prescribes any controlled substance, listed in Schedule
3098 II, Schedule III, or Schedule IV as defined in s. 893.03, for
3099 the treatment of chronic nonmalignant pain, must:

3100 (a) Designate himself or herself as a controlled substance
3101 prescribing practitioner on the physician's practitioner
3102 profile.

3103 (b) Comply with the requirements of this section and
3104 applicable board rules.

576-04192-16

20161528c2

3105 Section 17. For the purpose of incorporating the amendment
3106 made by this act to section 893.03, Florida Statutes, in a
3107 reference thereto, subsection (3) of section 458.326, Florida
3108 Statutes, is reenacted to read:

3109 458.326 Intractable pain; authorized treatment.—

3110 (3) Notwithstanding any other provision of law, a physician
3111 may prescribe or administer any controlled substance under
3112 Schedules II-V, as provided for in s. 893.03, to a person for
3113 the treatment of intractable pain, provided the physician does
3114 so in accordance with that level of care, skill, and treatment
3115 recognized by a reasonably prudent physician under similar
3116 conditions and circumstances.

3117 Section 18. For the purpose of incorporating the amendment
3118 made by this act to section 893.03, Florida Statutes, in a
3119 reference thereto, paragraph (e) of subsection (1) of section
3120 458.3265, Florida Statutes, is reenacted to read:

3121 458.3265 Pain-management clinics.—

3122 (1) REGISTRATION.—

3123 (e) The department shall deny registration to any pain-
3124 management clinic owned by or with any contractual or employment
3125 relationship with a physician:

3126 1. Whose Drug Enforcement Administration number has ever
3127 been revoked.

3128 2. Whose application for a license to prescribe, dispense,
3129 or administer a controlled substance has been denied by any
3130 jurisdiction.

3131 3. Who has been convicted of or pleaded guilty or nolo
3132 contendere to, regardless of adjudication, an offense that
3133 constitutes a felony for receipt of illicit and diverted drugs,

576-04192-16

20161528c2

3134 including a controlled substance listed in Schedule I, Schedule
3135 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3136 this state, any other state, or the United States.

3137 Section 19. For the purpose of incorporating the amendment
3138 made by this act to section 893.03, Florida Statutes, in a
3139 reference thereto, paragraph (e) of subsection (1) of section
3140 459.0137, Florida Statutes, is reenacted to read:

3141 459.0137 Pain-management clinics.—

3142 (1) REGISTRATION.—

3143 (e) The department shall deny registration to any pain-
3144 management clinic owned by or with any contractual or employment
3145 relationship with a physician:

3146 1. Whose Drug Enforcement Administration number has ever
3147 been revoked.

3148 2. Whose application for a license to prescribe, dispense,
3149 or administer a controlled substance has been denied by any
3150 jurisdiction.

3151 3. Who has been convicted of or pleaded guilty or nolo
3152 contendere to, regardless of adjudication, an offense that
3153 constitutes a felony for receipt of illicit and diverted drugs,
3154 including a controlled substance listed in Schedule I, Schedule
3155 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in
3156 this state, any other state, or the United States.

3157 Section 20. For the purpose of incorporating the amendment
3158 made by this act to section 893.03, Florida Statutes, in a
3159 reference thereto, paragraph (a) of subsection (4) of section
3160 463.0055, Florida Statutes, is reenacted to read:

3161 463.0055 Administration and prescription of ocular
3162 pharmaceutical agents.—

576-04192-16

20161528c2

3163 (4) A certified optometrist shall be issued a prescriber
3164 number by the board. Any prescription written by a certified
3165 optometrist for an ocular pharmaceutical agent pursuant to this
3166 section shall have the prescriber number printed thereon. A
3167 certified optometrist may not administer or prescribe:

3168 (a) A controlled substance listed in Schedule III, Schedule
3169 IV, or Schedule V of s. 893.03, except for an oral analgesic
3170 placed on the formulary pursuant to this section for the relief
3171 of pain due to ocular conditions of the eye and its appendages.

3172 Section 21. For the purpose of incorporating the amendment
3173 made by this act to section 893.03, Florida Statutes, in a
3174 reference thereto, paragraph (b) of subsection (1) of section
3175 465.0276, Florida Statutes, is reenacted to read:

3176 465.0276 Dispensing practitioner.-

3177 (1)

3178 (b) A practitioner registered under this section may not
3179 dispense a controlled substance listed in Schedule II or
3180 Schedule III as provided in s. 893.03. This paragraph does not
3181 apply to:

3182 1. The dispensing of complimentary packages of medicinal
3183 drugs which are labeled as a drug sample or complimentary drug
3184 as defined in s. 499.028 to the practitioner's own patients in
3185 the regular course of her or his practice without the payment of
3186 a fee or remuneration of any kind, whether direct or indirect,
3187 as provided in subsection (5).

3188 2. The dispensing of controlled substances in the health
3189 care system of the Department of Corrections.

3190 3. The dispensing of a controlled substance listed in
3191 Schedule II or Schedule III in connection with the performance

576-04192-16

20161528c2

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

3199 a. Perioperative medication and sedation that allows the
3200 patient to tolerate unpleasant procedures while maintaining
3201 adequate cardiorespiratory function and the ability to respond
3202 purposefully to verbal or tactile stimulation and makes intra-
3203 and postoperative monitoring necessary; or

3204 b. The use of general anesthesia or major conduction
3205 anesthesia and preoperative sedation.

3206 4. The dispensing of a controlled substance listed in
3207 Schedule II or Schedule III pursuant to an approved clinical
3208 trial. For purposes of this subparagraph, the term "approved
3209 clinical trial" means a clinical research study or clinical
3210 investigation that, in whole or in part, is state or federally
3211 funded or is conducted under an investigational new drug
3212 application that is reviewed by the United States Food and Drug
3213 Administration.

3214 5. The dispensing of methadone in a facility licensed under
3215 s. 397.427 where medication-assisted treatment for opiate
3216 addiction is provided.

3217 6. The dispensing of a controlled substance listed in
3218 Schedule II or Schedule III to a patient of a facility licensed
3219 under part IV of chapter 400.

3220 Section 22. For the purpose of incorporating the amendment

576-04192-16

20161528c2

3221 made by this act to section 893.03, Florida Statutes, in
3222 references thereto, subsection (14) and paragraph (a) of
3223 subsection (15) of section 499.0121, Florida Statutes, are
3224 reenacted to read:

3225 499.0121 Storage and handling of prescription drugs;
3226 recordkeeping.—The department shall adopt rules to implement
3227 this section as necessary to protect the public health, safety,
3228 and welfare. Such rules shall include, but not be limited to,
3229 requirements for the storage and handling of prescription drugs
3230 and for the establishment and maintenance of prescription drug
3231 distribution records.

3232 (14) DISTRIBUTION REPORTING.—Each prescription drug
3233 wholesale distributor, out-of-state prescription drug wholesale
3234 distributor, retail pharmacy drug wholesale distributor,
3235 manufacturer, or repackager that engages in the wholesale
3236 distribution of controlled substances as defined in s. 893.02
3237 shall submit a report to the department of its receipts and
3238 distributions of controlled substances listed in Schedule II,
3239 Schedule III, Schedule IV, or Schedule V as provided in s.
3240 893.03. Wholesale distributor facilities located within this
3241 state shall report all transactions involving controlled
3242 substances, and wholesale distributor facilities located outside
3243 this state shall report all distributions to entities located in
3244 this state. If the prescription drug wholesale distributor, out-
3245 of-state prescription drug wholesale distributor, retail
3246 pharmacy drug wholesale distributor, manufacturer, or repackager
3247 does not have any controlled substance distributions for the
3248 month, a report shall be sent indicating that no distributions
3249 occurred in the period. The report shall be submitted monthly by

576-04192-16

20161528c2

3250 the 20th of the next month, in the electronic format used for
3251 controlled substance reporting to the Automation of Reports and
3252 Consolidated Orders System division of the federal Drug
3253 Enforcement Administration. Submission of electronic data must
3254 be made in a secured Internet environment that allows for manual
3255 or automated transmission. Upon successful transmission, an
3256 acknowledgment page must be displayed to confirm receipt. The
3257 report must contain the following information:

3258 (a) The federal Drug Enforcement Administration
3259 registration number of the wholesale distributing location.

3260 (b) The federal Drug Enforcement Administration
3261 registration number of the entity to which the drugs are
3262 distributed or from which the drugs are received.

3263 (c) The transaction code that indicates the type of
3264 transaction.

3265 (d) The National Drug Code identifier of the product and
3266 the quantity distributed or received.

3267 (e) The Drug Enforcement Administration Form 222 number or
3268 Controlled Substance Ordering System Identifier on all Schedule
3269 II transactions.

3270 (f) The date of the transaction.

3271

3272 The department must share the reported data with the Department
3273 of Law Enforcement and local law enforcement agencies upon
3274 request and must monitor purchasing to identify purchasing
3275 levels that are inconsistent with the purchasing entity's
3276 clinical needs. The Department of Law Enforcement shall
3277 investigate purchases at levels that are inconsistent with the
3278 purchasing entity's clinical needs to determine whether

576-04192-16

20161528c2

3279 violations of chapter 893 have occurred.

3280 (15) DUE DILIGENCE OF PURCHASERS.—

3281 (a) Each prescription drug wholesale distributor, out-of-
3282 state prescription drug wholesale distributor, and retail
3283 pharmacy drug wholesale distributor must establish and maintain
3284 policies and procedures to credential physicians licensed under
3285 chapter 458, chapter 459, chapter 461, or chapter 466 and
3286 pharmacies that purchase or otherwise receive from the wholesale
3287 distributor controlled substances listed in Schedule II or
3288 Schedule III as provided in s. 893.03. The prescription drug
3289 wholesale distributor, out-of-state prescription drug wholesale
3290 distributor, or retail pharmacy drug wholesale distributor shall
3291 maintain records of such credentialing and make the records
3292 available to the department upon request. Such credentialing
3293 must, at a minimum, include:

3294 1. A determination of the clinical nature of the receiving
3295 entity, including any specialty practice area.

3296 2. A review of the receiving entity's history of Schedule
3297 II and Schedule III controlled substance purchasing from the
3298 wholesale distributor.

3299 3. A determination that the receiving entity's Schedule II
3300 and Schedule III controlled substance purchasing history, if
3301 any, is consistent with and reasonable for that entity's
3302 clinical business needs.

3303 Section 23. For the purpose of incorporating the amendment
3304 made by this act to section 893.03, Florida Statutes, in a
3305 reference thereto, paragraph (a) of subsection (3) of section
3306 499.029, Florida Statutes, is reenacted to read:

3307 499.029 Cancer Drug Donation Program.—

576-04192-16

20161528c2

3308 (3) As used in this section:

3309 (a) "Cancer drug" means a prescription drug that has been
3310 approved under s. 505 of the federal Food, Drug, and Cosmetic
3311 Act and is used to treat cancer or its side effects or is used
3312 to treat the side effects of a prescription drug used to treat
3313 cancer or its side effects. "Cancer drug" does not include a
3314 substance listed in Schedule II, Schedule III, Schedule IV, or
3315 Schedule V of s. 893.03.

3316 Section 24. For the purpose of incorporating the amendment
3317 made by this act to section 893.03, Florida Statutes, in
3318 references thereto, subsections (1) and (4) of section 782.04,
3319 Florida Statutes, are reenacted to read:

3320 782.04 Murder.—

3321 (1)(a) The unlawful killing of a human being:

3322 1. When perpetrated from a premeditated design to effect
3323 the death of the person killed or any human being;

3324 2. When committed by a person engaged in the perpetration
3325 of, or in the attempt to perpetrate, any:

3326 a. Trafficking offense prohibited by s. 893.135(1),

3327 b. Arson,

3328 c. Sexual battery,

3329 d. Robbery,

3330 e. Burglary,

3331 f. Kidnapping,

3332 g. Escape,

3333 h. Aggravated child abuse,

3334 i. Aggravated abuse of an elderly person or disabled adult,

3335 j. Aircraft piracy,

3336 k. Unlawful throwing, placing, or discharging of a

576-04192-16

20161528c2

3337 destructive device or bomb,
3338 1. Carjacking,
3339 m. Home-invasion robbery,
3340 n. Aggravated stalking,
3341 o. Murder of another human being,
3342 p. Resisting an officer with violence to his or her person,
3343 q. Aggravated fleeing or eluding with serious bodily injury
3344 or death,
3345 r. Felony that is an act of terrorism or is in furtherance
3346 of an act of terrorism; or
3347 3. Which resulted from the unlawful distribution of any
3348 substance controlled under s. 893.03(1), cocaine as described in
3349 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
3350 compound, derivative, or preparation of opium, or methadone by a
3351 person 18 years of age or older, when such drug is proven to be
3352 the proximate cause of the death of the user,
3353
3354 is murder in the first degree and constitutes a capital felony,
3355 punishable as provided in s. 775.082.
3356 (b) In all cases under this section, the procedure set
3357 forth in s. 921.141 shall be followed in order to determine
3358 sentence of death or life imprisonment.
3359 (4) The unlawful killing of a human being, when perpetrated
3360 without any design to effect death, by a person engaged in the
3361 perpetration of, or in the attempt to perpetrate, any felony
3362 other than any:
3363 (a) Trafficking offense prohibited by s. 893.135(1),
3364 (b) Arson,
3365 (c) Sexual battery,

576-04192-16

20161528c2

3366 (d) Robbery,
3367 (e) Burglary,
3368 (f) Kidnapping,
3369 (g) Escape,
3370 (h) Aggravated child abuse,
3371 (i) Aggravated abuse of an elderly person or disabled
3372 adult,
3373 (j) Aircraft piracy,
3374 (k) Unlawful throwing, placing, or discharging of a
3375 destructive device or bomb,
3376 (l) Unlawful distribution of any substance controlled under
3377 s. 893.03(1), cocaine as described in s. 893.03(2)(a)4., or
3378 opium or any synthetic or natural salt, compound, derivative, or
3379 preparation of opium by a person 18 years of age or older, when
3380 such drug is proven to be the proximate cause of the death of
3381 the user,
3382 (m) Carjacking,
3383 (n) Home-invasion robbery,
3384 (o) Aggravated stalking,
3385 (p) Murder of another human being,
3386 (q) Aggravated fleeing or eluding with serious bodily
3387 injury or death,
3388 (r) Resisting an officer with violence to his or her
3389 person, or
3390 (s) Felony that is an act of terrorism or is in furtherance
3391 of an act of terrorism,
3392
3393 is murder in the third degree and constitutes a felony of the
3394 second degree, punishable as provided in s. 775.082, s. 775.083,

576-04192-16

20161528c2

3395 or s. 775.084.

3396 Section 25. For the purpose of incorporating the amendment
3397 made by this act to section 893.03, Florida Statutes, in a
3398 reference thereto, paragraph (a) of subsection (2) of section
3399 787.06, Florida Statutes, is reenacted to read:

3400 787.06 Human trafficking.—

3401 (2) As used in this section, the term:

3402 (a) "Coercion" means:

3403 1. Using or threatening to use physical force against any
3404 person;

3405 2. Restraining, isolating, or confining or threatening to
3406 restrain, isolate, or confine any person without lawful
3407 authority and against her or his will;

3408 3. Using lending or other credit methods to establish a
3409 debt by any person when labor or services are pledged as a
3410 security for the debt, if the value of the labor or services as
3411 reasonably assessed is not applied toward the liquidation of the
3412 debt, the length and nature of the labor or services are not
3413 respectively limited and defined;

3414 4. Destroying, concealing, removing, confiscating,
3415 withholding, or possessing any actual or purported passport,
3416 visa, or other immigration document, or any other actual or
3417 purported government identification document, of any person;

3418 5. Causing or threatening to cause financial harm to any
3419 person;

3420 6. Enticing or luring any person by fraud or deceit; or

3421 7. Providing a controlled substance as outlined in Schedule
3422 I or Schedule II of s. 893.03 to any person for the purpose of
3423 exploitation of that person.

576-04192-16

20161528c2

3424 Section 26. For the purpose of incorporating the amendment
3425 made by this act to section 893.03, Florida Statutes, in a
3426 reference thereto, subsection (1) of section 817.563, Florida
3427 Statutes, is reenacted to read:

3428 817.563 Controlled substance named or described in s.
3429 893.03; sale of substance in lieu thereof.—It is unlawful for
3430 any person to agree, consent, or in any manner offer to
3431 unlawfully sell to any person a controlled substance named or
3432 described in s. 893.03 and then sell to such person any other
3433 substance in lieu of such controlled substance. Any person who
3434 violates this section with respect to:

3435 (1) A controlled substance named or described in s.
3436 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3437 degree, punishable as provided in s. 775.082, s. 775.083, or s.
3438 775.084.

3439 Section 27. For the purpose of incorporating the amendment
3440 made by this act to section 893.03, Florida Statutes, in a
3441 reference thereto, section 831.31, Florida Statutes, is
3442 reenacted to read:

3443 831.31 Counterfeit controlled substance; sale, manufacture,
3444 delivery, or possession with intent to sell, manufacture, or
3445 deliver.—

3446 (1) It is unlawful for any person to sell, manufacture, or
3447 deliver, or to possess with intent to sell, manufacture, or
3448 deliver, a counterfeit controlled substance. Any person who
3449 violates this subsection with respect to:

3450 (a) A controlled substance named or described in s.
3451 893.03(1), (2), (3), or (4) is guilty of a felony of the third
3452 degree, punishable as provided in s. 775.082, s. 775.083, or s.

576-04192-16

20161528c2

3453 775.084.

3454 (b) A controlled substance named or described in s.
3455 893.03(5) is guilty of a misdemeanor of the second degree,
3456 punishable as provided in s. 775.082 or s. 775.083.

3457 (2) For purposes of this section, "counterfeit controlled
3458 substance" means:

3459 (a) A controlled substance named or described in s. 893.03
3460 which, or the container or labeling of which, without
3461 authorization bears the trademark, trade name, or other
3462 identifying mark, imprint, or number, or any likeness thereof,
3463 of a manufacturer other than the person who in fact manufactured
3464 the controlled substance; or

3465 (b) Any substance which is falsely identified as a
3466 controlled substance named or described in s. 893.03.

3467 Section 28. For the purpose of incorporating the amendment
3468 made by this act to section 893.03, Florida Statutes, in a
3469 reference thereto, section 893.0301, Florida Statutes, is
3470 reenacted to read:

3471 893.0301 Death resulting from apparent drug overdose;
3472 reporting requirements.—If a person dies of an apparent drug
3473 overdose:

3474 (1) A law enforcement agency shall prepare a report
3475 identifying each prescribed controlled substance listed in
3476 Schedule II, Schedule III, or Schedule IV of s. 893.03 which is
3477 found on or near the deceased or among the deceased's
3478 possessions. The report must identify the person who prescribed
3479 the controlled substance, if known or ascertainable. Thereafter,
3480 the law enforcement agency shall submit a copy of the report to
3481 the medical examiner.

576-04192-16

20161528c2

3482 (2) A medical examiner who is preparing a report pursuant
3483 to s. 406.11 shall include in the report information identifying
3484 each prescribed controlled substance listed in Schedule II,
3485 Schedule III, or Schedule IV of s. 893.03 that was found in, on,
3486 or near the deceased or among the deceased's possessions.

3487 Section 29. For the purpose of incorporating the amendment
3488 made by this act to section 893.03, Florida Statutes, in a
3489 reference thereto, paragraph (a) of subsection (7) of section
3490 893.035, Florida Statutes, is reenacted to read:

3491 893.035 Control of new substances; findings of fact;
3492 delegation of authority to Attorney General to control
3493 substances by rule.—

3494 (7) (a) If the Attorney General finds that the scheduling of
3495 a substance in Schedule I of s. 893.03 on a temporary basis is
3496 necessary to avoid an imminent hazard to the public safety, he
3497 or she may by rule and without regard to the requirements of
3498 subsection (5) relating to the Department of Health and the
3499 Department of Law Enforcement schedule such substance in
3500 Schedule I if the substance is not listed in any other schedule
3501 of s. 893.03. The Attorney General shall be required to
3502 consider, with respect to his or her finding of imminent hazard
3503 to the public safety, only those factors set forth in paragraphs
3504 (3) (a) and (4) (d), (e), and (f), including actual abuse,
3505 diversion from legitimate channels, and clandestine importation,
3506 manufacture, or distribution.

3507 Section 30. For the purpose of incorporating the amendment
3508 made by this act to section 893.03, Florida Statutes, in a
3509 reference thereto, subsection (1) of section 893.05, Florida
3510 Statutes, is reenacted to read:

576-04192-16

20161528c2

3511 893.05 Practitioners and persons administering controlled
3512 substances in their absence.—

3513 (1) A practitioner, in good faith and in the course of his
3514 or her professional practice only, may prescribe, administer,
3515 dispense, mix, or otherwise prepare a controlled substance, or
3516 the practitioner may cause the same to be administered by a
3517 licensed nurse or an intern practitioner under his or her
3518 direction and supervision only. A veterinarian may so prescribe,
3519 administer, dispense, mix, or prepare a controlled substance for
3520 use on animals only, and may cause it to be administered by an
3521 assistant or orderly under the veterinarian's direction and
3522 supervision only. A certified optometrist licensed under chapter
3523 463 may not administer or prescribe a controlled substance
3524 listed in Schedule I or Schedule II of s. 893.03.

3525 Section 31. For the purpose of incorporating the amendment
3526 made by this act to section 893.03, Florida Statutes, in a
3527 reference thereto, paragraph (b) of subsection (1) of section
3528 893.055, Florida Statutes, is reenacted to read:

3529 893.055 Prescription drug monitoring program.—

3530 (1) As used in this section, the term:

3531 (b) "Controlled substance" means a controlled substance
3532 listed in Schedule II, Schedule III, or Schedule IV in s.
3533 893.03.

3534 Section 32. For the purpose of incorporating the amendment
3535 made by this act to section 893.03, Florida Statutes, in a
3536 reference thereto, paragraph (b) of subsection (5) of section
3537 893.07, Florida Statutes, is reenacted to read:

3538 893.07 Records.—

3539 (5) Each person described in subsection (1) shall:

576-04192-16

20161528c2

3540 (b) In the event of the discovery of the theft or
3541 significant loss of controlled substances, report such theft or
3542 significant loss to the sheriff of that county within 24 hours
3543 after discovery. A person who fails to report a theft or
3544 significant loss of a substance listed in s. 893.03(3), (4), or
3545 (5) within 24 hours after discovery as required in this
3546 paragraph commits a misdemeanor of the second degree, punishable
3547 as provided in s. 775.082 or s. 775.083. A person who fails to
3548 report a theft or significant loss of a substance listed in s.
3549 893.03(2) within 24 hours after discovery as required in this
3550 paragraph commits a misdemeanor of the first degree, punishable
3551 as provided in s. 775.082 or s. 775.083.

3552 Section 33. For the purpose of incorporating the amendment
3553 made by this act to section 893.03, Florida Statutes, in
3554 references thereto, paragraphs (b), (c), and (d) of subsection
3555 (2) of section 893.12, Florida Statutes, are reenacted to read:
3556 893.12 Contraband; seizure, forfeiture, sale.—

3557 (2)

3558 (b) All real property, including any right, title,
3559 leasehold interest, and other interest in the whole of any lot
3560 or tract of land and any appurtenances or improvements, which
3561 real property is used, or intended to be used, in any manner or
3562 part, to commit or to facilitate the commission of, or which
3563 real property is acquired with proceeds obtained as a result of,
3564 a violation of any provision of this chapter related to a
3565 controlled substance described in s. 893.03(1) or (2) may be
3566 seized and forfeited as provided by the Florida Contraband
3567 Forfeiture Act except that no property shall be forfeited under
3568 this paragraph to the extent of an interest of an owner or

576-04192-16

20161528c2

3569 lienholder by reason of any act or omission established by that
3570 owner or lienholder to have been committed or omitted without
3571 the knowledge or consent of that owner or lienholder.

3572 (c) All moneys, negotiable instruments, securities, and
3573 other things of value furnished or intended to be furnished by
3574 any person in exchange for a controlled substance described in
3575 s. 893.03(1) or (2) or a listed chemical in violation of any
3576 provision of this chapter, all proceeds traceable to such an
3577 exchange, and all moneys, negotiable instruments, and securities
3578 used or intended to be used to facilitate any violation of any
3579 provision of this chapter or which are acquired with proceeds
3580 obtained in violation of any provision of this chapter may be
3581 seized and forfeited as provided by the Florida Contraband
3582 Forfeiture Act, except that no property shall be forfeited under
3583 this paragraph to the extent of an interest of an owner or
3584 lienholder by reason of any act or omission established by that
3585 owner or lienholder to have been committed or omitted without
3586 the knowledge or consent of that owner or lienholder.

3587 (d) All books, records, and research, including formulas,
3588 microfilm, tapes, and data which are used, or intended for use,
3589 or which are acquired with proceeds obtained, in violation of
3590 any provision of this chapter related to a controlled substance
3591 described in s. 893.03(1) or (2) or a listed chemical may be
3592 seized and forfeited as provided by the Florida Contraband
3593 Forfeiture Act.

3594 Section 34. For the purpose of incorporating the amendment
3595 made by this act to section 893.03, Florida Statutes, in a
3596 reference thereto, subsection (2) of section 944.474, Florida
3597 Statutes, is reenacted to read:

576-04192-16

20161528c2

3598 944.474 Legislative intent; employee wellness program; drug
3599 and alcohol testing.—

3600 (2) An employee of the department may not test positive for
3601 illegal use of controlled substances. An employee of the
3602 department may not be under the influence of alcohol while on
3603 duty. In order to ensure that these prohibitions are adhered to
3604 by all employees of the department and notwithstanding s.
3605 112.0455, the department may develop a program for the drug
3606 testing of all job applicants and for the random drug testing of
3607 all employees. The department may randomly evaluate employees
3608 for the contemporaneous use or influence of alcohol through the
3609 use of alcohol tests and observation methods. Notwithstanding s.
3610 112.0455, the department may develop a program for the
3611 reasonable suspicion drug testing of employees who are in
3612 mandatory-testing positions, as defined in s. 440.102(1)(o), or
3613 special risk positions, as defined in s. 112.0455(5), for the
3614 controlled substances listed in s. 893.03(3)(d). The reasonable
3615 suspicion drug testing authorized by this subsection shall be
3616 conducted in accordance with s. 112.0455, but may also include
3617 testing upon reasonable suspicion based on violent acts or
3618 violent behavior of an employee who is on or off duty. The
3619 department shall adopt rules pursuant to ss. 120.536(1) and
3620 120.54 that are necessary to administer this subsection.

3621 Section 35. For the purpose of incorporating the amendment
3622 made by this act to section 893.033, Florida Statutes, in a
3623 reference thereto, subsection (4) of section 893.149, Florida
3624 Statutes, is reenacted to read:

3625 893.149 Unlawful possession of listed chemical.—

3626 (4) Any damages arising out of the unlawful possession of,

576-04192-16

20161528c2

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

3639 Section 36. For the purpose of incorporating the amendment
3640 made by this act to section 893.13, Florida Statutes, in a
3641 reference thereto, paragraph (b) of subsection (4) of section
3642 397.451, Florida Statutes, is reenacted to read:

3643 397.451 Background checks of service provider personnel.—

3644 (4) EXEMPTIONS FROM DISQUALIFICATION.—

3645 (b) Since rehabilitated substance abuse impaired persons
3646 are effective in the successful treatment and rehabilitation of
3647 substance abuse impaired adolescents, for service providers
3648 which treat adolescents 13 years of age and older, service
3649 provider personnel whose background checks indicate crimes under
3650 s. 817.563, s. 893.13, or s. 893.147 may be exempted from
3651 disqualification from employment pursuant to this paragraph.

3652 Section 37. For the purpose of incorporating the amendment
3653 made by this act to section 893.13, Florida Statutes, in a
3654 reference thereto, subsection (2) of section 435.07, Florida
3655 Statutes, is reenacted to read:

576-04192-16

20161528c2

3656 435.07 Exemptions from disqualification.—Unless otherwise
3657 provided by law, the provisions of this section apply to
3658 exemptions from disqualification for disqualifying offenses
3659 revealed pursuant to background screenings required under this
3660 chapter, regardless of whether those disqualifying offenses are
3661 listed in this chapter or other laws.

3662 (2) Persons employed, or applicants for employment, by
3663 treatment providers who treat adolescents 13 years of age and
3664 older who are disqualified from employment solely because of
3665 crimes under s. 817.563, s. 893.13, or s. 893.147 may be
3666 exempted from disqualification from employment pursuant to this
3667 chapter without application of the waiting period in
3668 subparagraph (1)(a)1.

3669 Section 38. For the purpose of incorporating the amendment
3670 made by this act to section 893.13, Florida Statutes, in a
3671 reference thereto, subsection (2) of section 772.12, Florida
3672 Statutes, is reenacted to read:

3673 772.12 Drug Dealer Liability Act.—

3674 (2) A person, including any governmental entity, has a
3675 cause of action for threefold the actual damages sustained and
3676 is entitled to minimum damages in the amount of \$1,000 and
3677 reasonable attorney's fees and court costs in the trial and
3678 appellate courts, if the person proves by the greater weight of
3679 the evidence that:

3680 (a) The person was injured because of the defendant's
3681 actions that resulted in the defendant's conviction for:

- 3682 1. A violation of s. 893.13, except for a violation of s.
3683 893.13(2)(a) or (b), (3), (5), (6)(a), (b), or (c), (7); or
3684 2. A violation of s. 893.135; and

576-04192-16

20161528c2

3685 (b) The person was not injured by reason of his or her
3686 participation in the same act or transaction that resulted in
3687 the defendant's conviction for any offense described in
3688 subparagraph (a)1.

3689 Section 39. For the purpose of incorporating the amendment
3690 made by this act to section 893.13, Florida Statutes, in a
3691 reference thereto, paragraph (a) of subsection (1) of section
3692 775.084, Florida Statutes, is reenacted to read:

3693 775.084 Violent career criminals; habitual felony offenders
3694 and habitual violent felony offenders; three-time violent felony
3695 offenders; definitions; procedure; enhanced penalties or
3696 mandatory minimum prison terms.—

3697 (1) As used in this act:

3698 (a) "Habitual felony offender" means a defendant for whom
3699 the court may impose an extended term of imprisonment, as
3700 provided in paragraph (4) (a), if it finds that:

3701 1. The defendant has previously been convicted of any
3702 combination of two or more felonies in this state or other
3703 qualified offenses.

3704 2. The felony for which the defendant is to be sentenced
3705 was committed:

3706 a. While the defendant was serving a prison sentence or
3707 other sentence, or court-ordered or lawfully imposed supervision
3708 that is imposed as a result of a prior conviction for a felony
3709 or other qualified offense; or

3710 b. Within 5 years of the date of the conviction of the
3711 defendant's last prior felony or other qualified offense, or
3712 within 5 years of the defendant's release from a prison
3713 sentence, probation, community control, control release,

576-04192-16

20161528c2

3714 conditional release, parole or court-ordered or lawfully imposed
3715 supervision or other sentence that is imposed as a result of a
3716 prior conviction for a felony or other qualified offense,
3717 whichever is later.

3718 3. The felony for which the defendant is to be sentenced,
3719 and one of the two prior felony convictions, is not a violation
3720 of s. 893.13 relating to the purchase or the possession of a
3721 controlled substance.

3722 4. The defendant has not received a pardon for any felony
3723 or other qualified offense that is necessary for the operation
3724 of this paragraph.

3725 5. A conviction of a felony or other qualified offense
3726 necessary to the operation of this paragraph has not been set
3727 aside in any postconviction proceeding.

3728 Section 40. For the purpose of incorporating the amendment
3729 made by this act to section 893.13, Florida Statutes, in a
3730 reference thereto, subsection (3) of section 810.02, Florida
3731 Statutes, is reenacted to read:

3732 810.02 Burglary.—

3733 (3) Burglary is a felony of the second degree, punishable
3734 as provided in s. 775.082, s. 775.083, or s. 775.084, if, in the
3735 course of committing the offense, the offender does not make an
3736 assault or battery and is not and does not become armed with a
3737 dangerous weapon or explosive, and the offender enters or
3738 remains in a:

3739 (a) Dwelling, and there is another person in the dwelling
3740 at the time the offender enters or remains;

3741 (b) Dwelling, and there is not another person in the
3742 dwelling at the time the offender enters or remains;

576-04192-16

20161528c2

3743 (c) Structure, and there is another person in the structure
3744 at the time the offender enters or remains;

3745 (d) Conveyance, and there is another person in the
3746 conveyance at the time the offender enters or remains;

3747 (e) Authorized emergency vehicle, as defined in s. 316.003;
3748 or

3749 (f) Structure or conveyance when the offense intended to be
3750 committed therein is theft of a controlled substance as defined
3751 in s. 893.02. Notwithstanding any other law, separate judgments
3752 and sentences for burglary with the intent to commit theft of a
3753 controlled substance under this paragraph and for any applicable
3754 possession of controlled substance offense under s. 893.13 or
3755 trafficking in controlled substance offense under s. 893.135 may
3756 be imposed when all such offenses involve the same amount or
3757 amounts of a controlled substance.

3758
3759 However, if the burglary is committed within a county that is
3760 subject to a state of emergency declared by the Governor under
3761 chapter 252 after the declaration of emergency is made and the
3762 perpetration of the burglary is facilitated by conditions
3763 arising from the emergency, the burglary is a felony of the
3764 first degree, punishable as provided in s. 775.082, s. 775.083,
3765 or s. 775.084. As used in this subsection, the term "conditions
3766 arising from the emergency" means civil unrest, power outages,
3767 curfews, voluntary or mandatory evacuations, or a reduction in
3768 the presence of or response time for first responders or
3769 homeland security personnel. A person arrested for committing a
3770 burglary within a county that is subject to such a state of
3771 emergency may not be released until the person appears before a

576-04192-16

20161528c2

3772 committing magistrate at a first appearance hearing. For
3773 purposes of sentencing under chapter 921, a felony offense that
3774 is reclassified under this subsection is ranked one level above
3775 the ranking under s. 921.0022 or s. 921.0023 of the offense
3776 committed.

3777 Section 41. For the purpose of incorporating the amendment
3778 made by this act to section 893.13, Florida Statutes, in a
3779 reference thereto, subsection (2) of section 812.014, Florida
3780 Statutes, is reenacted to read:

3781 812.014 Theft.—

3782 (2) (a) 1. If the property stolen is valued at \$100,000 or
3783 more or is a semitrailer that was deployed by a law enforcement
3784 officer; or

3785 2. If the property stolen is cargo valued at \$50,000 or
3786 more that has entered the stream of interstate or intrastate
3787 commerce from the shipper's loading platform to the consignee's
3788 receiving dock; or

3789 3. If the offender commits any grand theft and:

3790 a. In the course of committing the offense the offender
3791 uses a motor vehicle as an instrumentality, other than merely as
3792 a getaway vehicle, to assist in committing the offense and
3793 thereby damages the real property of another; or

3794 b. In the course of committing the offense the offender
3795 causes damage to the real or personal property of another in
3796 excess of \$1,000,

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

576-04192-16

20161528c2

3801 (b)1. If the property stolen is valued at \$20,000 or more,
3802 but less than \$100,000;

3803 2. The property stolen is cargo valued at less than \$50,000
3804 that has entered the stream of interstate or intrastate commerce
3805 from the shipper's loading platform to the consignee's receiving
3806 dock;

3807 3. The property stolen is emergency medical equipment,
3808 valued at \$300 or more, that is taken from a facility licensed
3809 under chapter 395 or from an aircraft or vehicle permitted under
3810 chapter 401; or

3811 4. The property stolen is law enforcement equipment, valued
3812 at \$300 or more, that is taken from an authorized emergency
3813 vehicle, as defined in s. 316.003,
3814

3815 the offender commits grand theft in the second degree,
3816 punishable as a felony of the second degree, as provided in s.
3817 775.082, s. 775.083, or s. 775.084. Emergency medical equipment
3818 means mechanical or electronic apparatus used to provide
3819 emergency services and care as defined in s. 395.002(9) or to
3820 treat medical emergencies. Law enforcement equipment means any
3821 property, device, or apparatus used by any law enforcement
3822 officer as defined in s. 943.10 in the officer's official
3823 business. However, if the property is stolen within a county
3824 that is subject to a state of emergency declared by the Governor
3825 under chapter 252, the theft is committed after the declaration
3826 of emergency is made, and the perpetration of the theft is
3827 facilitated by conditions arising from the emergency, the theft
3828 is a felony of the first degree, punishable as provided in s.
3829 775.082, s. 775.083, or s. 775.084. As used in this paragraph,

576-04192-16

20161528c2

3830 the term "conditions arising from the emergency" means civil
3831 unrest, power outages, curfews, voluntary or mandatory
3832 evacuations, or a reduction in the presence of or response time
3833 for first responders or homeland security personnel. For
3834 purposes of sentencing under chapter 921, a felony offense that
3835 is reclassified under this paragraph is ranked one level above
3836 the ranking under s. 921.0022 or s. 921.0023 of the offense
3837 committed.

3838 (c) It is grand theft of the third degree and a felony of
3839 the third degree, punishable as provided in s. 775.082, s.
3840 775.083, or s. 775.084, if the property stolen is:

- 3841 1. Valued at \$300 or more, but less than \$5,000.
- 3842 2. Valued at \$5,000 or more, but less than \$10,000.
- 3843 3. Valued at \$10,000 or more, but less than \$20,000.
- 3844 4. A will, codicil, or other testamentary instrument.
- 3845 5. A firearm.
- 3846 6. A motor vehicle, except as provided in paragraph (a).
- 3847 7. Any commercially farmed animal, including any animal of
3848 the equine, bovine, or swine class or other grazing animal; a
3849 bee colony of a registered beekeeper; and aquaculture species
3850 raised at a certified aquaculture facility. If the property
3851 stolen is aquaculture species raised at a certified aquaculture
3852 facility, then a \$10,000 fine shall be imposed.
- 3853 8. Any fire extinguisher.
- 3854 9. Any amount of citrus fruit consisting of 2,000 or more
3855 individual pieces of fruit.
- 3856 10. Taken from a designated construction site identified by
3857 the posting of a sign as provided for in s. 810.09(2)(d).
- 3858 11. Any stop sign.

576-04192-16

20161528c2

3859 12. Anhydrous ammonia.

3860 13. Any amount of a controlled substance as defined in s.
3861 893.02. Notwithstanding any other law, separate judgments and
3862 sentences for theft of a controlled substance under this
3863 subparagraph and for any applicable possession of controlled
3864 substance offense under s. 893.13 or trafficking in controlled
3865 substance offense under s. 893.135 may be imposed when all such
3866 offenses involve the same amount or amounts of a controlled
3867 substance.

3868

3869 However, if the property is stolen within a county that is
3870 subject to a state of emergency declared by the Governor under
3871 chapter 252, the property is stolen after the declaration of
3872 emergency is made, and the perpetration of the theft is
3873 facilitated by conditions arising from the emergency, the
3874 offender commits a felony of the second degree, punishable as
3875 provided in s. 775.082, s. 775.083, or s. 775.084, if the
3876 property is valued at \$5,000 or more, but less than \$10,000, as
3877 provided under subparagraph 2., or if the property is valued at
3878 \$10,000 or more, but less than \$20,000, as provided under
3879 subparagraph 3. As used in this paragraph, the term "conditions
3880 arising from the emergency" means civil unrest, power outages,
3881 curfews, voluntary or mandatory evacuations, or a reduction in
3882 the presence of or the response time for first responders or
3883 homeland security personnel. For purposes of sentencing under
3884 chapter 921, a felony offense that is reclassified under this
3885 paragraph is ranked one level above the ranking under s.
3886 921.0022 or s. 921.0023 of the offense committed.

3887 (d) It is grand theft of the third degree and a felony of

576-04192-16

20161528c2

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

3893 (e) Except as provided in paragraph (d), if the property
3894 stolen is valued at \$100 or more, but less than \$300, the
3895 offender commits petit theft of the first degree, punishable as
3896 a misdemeanor of the first degree, as provided in s. 775.082 or
3897 s. 775.083.

3898 Section 42. For the purpose of incorporating the amendment
3899 made by this act to section 893.13, Florida Statutes, in a
3900 reference thereto, subsection (1) of section 831.311, Florida
3901 Statutes, is reenacted to read:

3902 831.311 Unlawful sale, manufacture, alteration, delivery,
3903 uttering, or possession of counterfeit-resistant prescription
3904 blanks for controlled substances.—

3905 (1) It is unlawful for any person having the intent to
3906 injure or defraud any person or to facilitate any violation of
3907 s. 893.13 to sell, manufacture, alter, deliver, utter, or
3908 possess with intent to injure or defraud any person, or to
3909 facilitate any violation of s. 893.13, any counterfeit-resistant
3910 prescription blanks for controlled substances, the form and
3911 content of which are adopted by rule of the Department of Health
3912 pursuant to s. 893.065.

3913 Section 43. For the purpose of incorporating the amendment
3914 made by this act to section 893.13, Florida Statutes, in a
3915 reference thereto, subsection (1) of section 893.1351, Florida
3916 Statutes, is reenacted to read:

576-04192-16

20161528c2

3917 893.1351 Ownership, lease, rental, or possession for
3918 trafficking in or manufacturing a controlled substance.—

3919 (1) A person may not own, lease, or rent any place,
3920 structure, or part thereof, trailer, or other conveyance with
3921 the knowledge that the place, structure, trailer, or conveyance
3922 will be used for the purpose of trafficking in a controlled
3923 substance, as provided in s. 893.135; for the sale of a
3924 controlled substance, as provided in s. 893.13; or for the
3925 manufacture of a controlled substance intended for sale or
3926 distribution to another. A person who violates this subsection
3927 commits a felony of the third degree, punishable as provided in
3928 s. 775.082, s. 775.083, or s. 775.084.

3929 Section 44. For the purpose of incorporating the amendment
3930 made by this act to section 893.138, Florida Statutes, in a
3931 reference thereto, subsection (3) of section 893.138, Florida
3932 Statutes, is reenacted to read:

3933 893.138 Local administrative action to abate drug-related,
3934 prostitution-related, or stolen-property-related public
3935 nuisances and criminal gang activity.—

3936 (3) Any pain-management clinic, as described in s. 458.3265
3937 or s. 459.0137, which has been used on more than two occasions
3938 within a 6-month period as the site of a violation of:

3939 (a) Section 784.011, s. 784.021, s. 784.03, or s. 784.045,
3940 relating to assault and battery;

3941 (b) Section 810.02, relating to burglary;

3942 (c) Section 812.014, relating to dealing in theft;

3943 (d) Section 812.131, relating to robbery by sudden
3944 snatching; or

3945 (e) Section 893.13, relating to the unlawful distribution

576-04192-16

20161528c2

3946 of controlled substances,

3947

3948 may be declared to be a public nuisance, and such nuisance may
3949 be abated pursuant to the procedures provided in this section.

3950 Section 45. For the purpose of incorporating the amendment
3951 made by this act to section 893.13, Florida Statutes, in a
3952 reference thereto, section 893.15, Florida Statutes, is
3953 reenacted to read:

3954 893.15 Rehabilitation.—Any person who violates s.
3955 893.13(6) (a) or (b) relating to possession may, in the
3956 discretion of the trial judge, be required to participate in a
3957 substance abuse services program approved or regulated by the
3958 Department of Children and Families pursuant to the provisions
3959 of chapter 397, provided the director of such program approves
3960 the placement of the defendant in such program. Such required
3961 participation shall be imposed in addition to any penalty or
3962 probation otherwise prescribed by law. However, the total time
3963 of such penalty, probation, and program participation shall not
3964 exceed the maximum length of sentence possible for the offense.

3965 Section 46. For the purpose of incorporating the amendment
3966 made by this act to section 893.13, Florida Statutes, in a
3967 reference thereto, section 903.133, Florida Statutes, is
3968 reenacted to read:

3969 903.133 Bail on appeal; prohibited for certain felony
3970 convictions.—Notwithstanding the provisions of s. 903.132, no
3971 person adjudged guilty of a felony of the first degree for a
3972 violation of s. 782.04(2) or (3), s. 787.01, s. 794.011(4), s.
3973 806.01, s. 893.13, or s. 893.135, or adjudged guilty of a
3974 violation of s. 794.011(2) or (3), shall be admitted to bail

576-04192-16

20161528c2

3975 pending review either by posttrial motion or appeal.

3976 Section 47. For the purpose of incorporating the amendment
3977 made by this act to section 893.13, Florida Statutes, in a
3978 reference thereto, paragraph (1) of subsection (1) of section
3979 921.187, Florida Statutes, is reenacted to read:

3980 921.187 Disposition and sentencing; alternatives;
3981 restitution.—

3982 (1) The alternatives provided in this section for the
3983 disposition of criminal cases shall be used in a manner that
3984 will best serve the needs of society, punish criminal offenders,
3985 and provide the opportunity for rehabilitation. If the offender
3986 does not receive a state prison sentence, the court may:

3987 (1)1. Require the offender who violates any criminal
3988 provision of chapter 893 to pay an additional assessment in an
3989 amount up to the amount of any fine imposed, pursuant to ss.
3990 938.21 and 938.23.

3991 2. Require the offender who violates any provision of s.
3992 893.13 to pay an additional assessment in an amount of \$100,
3993 pursuant to ss. 938.055 and 943.361.

3994 Section 48. For the purpose of incorporating the amendment
3995 made by this act to section 893.145, Florida Statutes, in a
3996 reference thereto, paragraph (a) of subsection (2) of section
3997 893.12, Florida Statutes, is reenacted to read:

3998 893.12 Contraband; seizure, forfeiture, sale.—

3999 (2) (a) Any vessel, vehicle, aircraft, or drug paraphernalia
4000 as defined in s. 893.145 which has been or is being used in
4001 violation of any provision of this chapter or in, upon, or by
4002 means of which any violation of this chapter has taken or is
4003 taking place may be seized and forfeited as provided by the

576-04192-16

20161528c2

4004 Florida Contraband Forfeiture Act.

4005 Section 49. For the purpose of incorporating the amendment
4006 made by this act to section 893.145, Florida Statutes, in a
4007 reference thereto, paragraph (a) of subsection (6) of section
4008 893.147, Florida Statutes, is reenacted to read:

4009 893.147 Use, possession, manufacture, delivery,
4010 transportation, advertisement, or retail sale of drug
4011 paraphernalia.—

4012 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

4013 (a) It is unlawful for a person to knowingly and willfully
4014 sell or offer for sale at retail any drug paraphernalia
4015 described in s. 893.145(12) (a)-(c) or (g)-(m), other than a pipe
4016 that is primarily made of briar, meerschaum, clay, or corn cob.

4017 Section 50. For the purpose of incorporating the amendment
4018 made by this act to section 895.02, Florida Statutes, in a
4019 reference thereto, paragraph (a) of subsection (1) of section
4020 16.56, Florida Statutes, is reenacted to read:

4021 16.56 Office of Statewide Prosecution.—

4022 (1) There is created in the Department of Legal Affairs an
4023 Office of Statewide Prosecution. The office shall be a separate
4024 "budget entity" as that term is defined in chapter 216. The
4025 office may:

4026 (a) Investigate and prosecute the offenses of:

4027 1. Bribery, burglary, criminal usury, extortion, gambling,
4028 kidnapping, larceny, murder, prostitution, perjury, robbery,
4029 carjacking, and home-invasion robbery;

4030 2. Any crime involving narcotic or other dangerous drugs;

4031 3. Any violation of the Florida RICO (Racketeer Influenced
4032 and Corrupt Organization) Act, including any offense listed in

576-04192-16

20161528c2

4033 the definition of racketeering activity in s. 895.02(1)(a),
4034 providing such listed offense is investigated in connection with
4035 a violation of s. 895.03 and is charged in a separate count of
4036 an information or indictment containing a count charging a
4037 violation of s. 895.03, the prosecution of which listed offense
4038 may continue independently if the prosecution of the violation
4039 of s. 895.03 is terminated for any reason;

4040 4. Any violation of the Florida Anti-Fencing Act;

4041 5. Any violation of the Florida Antitrust Act of 1980, as
4042 amended;

4043 6. Any crime involving, or resulting in, fraud or deceit
4044 upon any person;

4045 7. Any violation of s. 847.0135, relating to computer
4046 pornography and child exploitation prevention, or any offense
4047 related to a violation of s. 847.0135 or any violation of
4048 chapter 827 where the crime is facilitated by or connected to
4049 the use of the Internet or any device capable of electronic data
4050 storage or transmission;

4051 8. Any violation of chapter 815;

4052 9. Any criminal violation of part I of chapter 499;

4053 10. Any violation of the Florida Motor Fuel Tax Relief Act
4054 of 2004;

4055 11. Any criminal violation of s. 409.920 or s. 409.9201;

4056 12. Any crime involving voter registration, voting, or
4057 candidate or issue petition activities;

4058 13. Any criminal violation of the Florida Money Laundering
4059 Act;

4060 14. Any criminal violation of the Florida Securities and
4061 Investor Protection Act; or

576-04192-16

20161528c2

4062 15. Any violation of chapter 787, as well as any and all
4063 offenses related to a violation of chapter 787;
4064
4065 or any attempt, solicitation, or conspiracy to commit any of the
4066 crimes specifically enumerated above. The office shall have such
4067 power only when any such offense is occurring, or has occurred,
4068 in two or more judicial circuits as part of a related
4069 transaction, or when any such offense is connected with an
4070 organized criminal conspiracy affecting two or more judicial
4071 circuits. Informations or indictments charging such offenses
4072 shall contain general allegations stating the judicial circuits
4073 and counties in which crimes are alleged to have occurred or the
4074 judicial circuits and counties in which crimes affecting such
4075 circuits or counties are alleged to have been connected with an
4076 organized criminal conspiracy.

4077 Section 51. For the purpose of incorporating the amendment
4078 made by this act to section 895.02, Florida Statutes, in a
4079 reference thereto, paragraph (g) of subsection (3) of section
4080 655.50, Florida Statutes, is reenacted to read:

4081 655.50 Florida Control of Money Laundering and Terrorist
4082 Financing in Financial Institutions Act.—

4083 (3) As used in this section, the term:

4084 (g) "Specified unlawful activity" means "racketeering
4085 activity" as defined in s. 895.02.

4086 Section 52. For the purpose of incorporating the amendment
4087 made by this act to section 895.02, Florida Statutes, in a
4088 reference thereto, paragraph (g) of subsection (2) of section
4089 896.101, Florida Statutes, is reenacted to read:

4090 896.101 Florida Money Laundering Act; definitions;

576-04192-16

20161528c2

4091 penalties; injunctions; seizure warrants; immunity.—

4092 (2) As used in this section, the term:

4093 (g) "Specified unlawful activity" means any "racketeering
4094 activity" as defined in s. 895.02.

4095 Section 53. For the purpose of incorporating the amendment
4096 made by this act to section 895.02, Florida Statutes, in a
4097 reference thereto, section 905.34, Florida Statutes, is
4098 reenacted to read:

4099 905.34 Powers and duties; law applicable.—The jurisdiction
4100 of a statewide grand jury impaneled under this chapter shall
4101 extend throughout the state. The subject matter jurisdiction of
4102 the statewide grand jury shall be limited to the offenses of:

4103 (1) Bribery, burglary, carjacking, home-invasion robbery,
4104 criminal usury, extortion, gambling, kidnapping, larceny,
4105 murder, prostitution, perjury, and robbery;

4106 (2) Crimes involving narcotic or other dangerous drugs;

4107 (3) Any violation of the provisions of the Florida RICO
4108 (Racketeer Influenced and Corrupt Organization) Act, including
4109 any offense listed in the definition of racketeering activity in
4110 s. 895.02(1)(a), providing such listed offense is investigated
4111 in connection with a violation of s. 895.03 and is charged in a
4112 separate count of an information or indictment containing a
4113 count charging a violation of s. 895.03, the prosecution of
4114 which listed offense may continue independently if the
4115 prosecution of the violation of s. 895.03 is terminated for any
4116 reason;

4117 (4) Any violation of the provisions of the Florida Anti-
4118 Fencing Act;

4119 (5) Any violation of the provisions of the Florida

576-04192-16

20161528c2

4120 Antitrust Act of 1980, as amended;

4121 (6) Any violation of the provisions of chapter 815;

4122 (7) Any crime involving, or resulting in, fraud or deceit

4123 upon any person;

4124 (8) Any violation of s. 847.0135, s. 847.0137, or s.

4125 847.0138 relating to computer pornography and child exploitation

4126 prevention, or any offense related to a violation of s.

4127 847.0135, s. 847.0137, or s. 847.0138 or any violation of

4128 chapter 827 where the crime is facilitated by or connected to

4129 the use of the Internet or any device capable of electronic data

4130 storage or transmission;

4131 (9) Any criminal violation of part I of chapter 499;

4132 (10) Any criminal violation of s. 409.920 or s. 409.9201;

4133 (11) Any criminal violation of the Florida Money Laundering

4134 Act;

4135 (12) Any criminal violation of the Florida Securities and

4136 Investor Protection Act; or

4137 (13) Any violation of chapter 787, as well as any and all

4138 offenses related to a violation of chapter 787;

4139

4140 or any attempt, solicitation, or conspiracy to commit any

4141 violation of the crimes specifically enumerated above, when any

4142 such offense is occurring, or has occurred, in two or more

4143 judicial circuits as part of a related transaction or when any

4144 such offense is connected with an organized criminal conspiracy

4145 affecting two or more judicial circuits. The statewide grand

4146 jury may return indictments and presentments irrespective of the

4147 county or judicial circuit where the offense is committed or

4148 triable. If an indictment is returned, it shall be certified and

576-04192-16

20161528c2

4149 transferred for trial to the county where the offense was
4150 committed. The powers and duties of, and law applicable to,
4151 county grand juries shall apply to a statewide grand jury except
4152 when such powers, duties, and law are inconsistent with the
4153 provisions of ss. 905.31-905.40.

4154 Section 54. This act shall take effect July 1, 2016.