

HB 385

2016

1 A bill to be entitled

2 An act relating to controlled substances; amending s.
3 893.13, F.S.; providing a minimum mandatory term of
4 imprisonment for specified violations committed in a
5 dwelling; amending s. 893.135, F.S.; creating the
6 offense of trafficking in synthetic drugs; providing
7 specified offenses involving 250 grams or more of
8 specified controlled substances; providing specified
9 minimum terms of imprisonment and fines based on the
10 quantity involved in the offense; amending s.
11 921.0022, F.S.; adding specified trafficking
12 provisions established in s. 893.135, F.S., to the
13 offense severity ranking chart of the Criminal
14 Punishment Code; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Paragraph (a) of subsection (1) of section
19 893.13, Florida Statutes, is amended to read:

20 893.13 Prohibited acts; penalties.—

21 (1) (a) Except as authorized by this chapter and chapter
22 499, a person may not sell, manufacture, or deliver, or possess
23 with intent to sell, manufacture, or deliver, a controlled
24 substance. A person who violates this provision with respect to:

25 1. A controlled substance named or described in s.
26 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.

27 | commits a felony of the second degree, punishable as provided in
 28 | s. 775.082, s. 775.083, or s. 775.084. A person who violates
 29 | this subparagraph in a dwelling, as defined in s. 810.011, shall
 30 | be sentenced to a mandatory minimum term of imprisonment of 3
 31 | years.

32 | 2. A controlled substance named or described in s.
 33 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 34 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 35 | the third degree, punishable as provided in s. 775.082, s.
 36 | 775.083, or s. 775.084.

37 | 3. A controlled substance named or described in s.
 38 | 893.03(5) commits a misdemeanor of the first degree, punishable
 39 | as provided in s. 775.082 or s. 775.083.

40 | Section 2. Paragraph (m) is added to subsection (1) of
 41 | section 893.135, Florida Statutes, to read:

42 | 893.135 Trafficking; mandatory sentences; suspension or
 43 | reduction of sentences; conspiracy to engage in trafficking.-

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

46 | (m)1. Except as provided in subparagraph 2. or
 47 | subparagraph 3., a person who knowingly sells, purchases,
 48 | manufactures, delivers, or brings into this state, or who is
 49 | knowingly in actual or constructive possession of, 250 grams or
 50 | more of a controlled substance described in s. 893.03(1)(c)46.-
 51 | 50., 114.-142., 151.-159., or 166.-173., or any mixture
 52 | containing those substances, commits a felony of the first

53 degree, which felony shall be known as "trafficking in synthetic
54 drugs," punishable as provided in s. 775.082, s. 775.083, or s.
55 775.084. If the quantity involved:

56 a. Is 250 grams or more, but less than 500 grams, such
57 person shall be sentenced to a mandatory minimum term of
58 imprisonment of 3 years, and the defendant shall be ordered to
59 pay a fine of \$25,000.

60 b. Is 500 grams or more, but less than 1,000 grams, such
61 person shall be sentenced to a mandatory minimum term of
62 imprisonment of 7 years, and the defendant shall be ordered to
63 pay a fine of \$50,000.

64 c. Is 1,000 grams or more, but less than 30 kilograms,
65 such person shall be sentenced to a mandatory minimum term of
66 imprisonment of 15 years, and the defendant shall be ordered to
67 pay a fine of \$200,000.

68 d. Is 30 kilograms or more, such person shall be sentenced
69 to a mandatory minimum term of imprisonment of 25 years, and the
70 defendant shall be ordered to pay a fine of \$750,000.

71 2. A person who knowingly sells, purchases, manufactures,
72 delivers, or brings into this state, or who is knowingly in
73 actual or constructive possession of, 30 kilograms or more of a
74 controlled substance described in s. 893.03(1)(c)46.-50., 114.-
75 142., 151.-159., or 166.-173., or any mixture containing those
76 substances, commits the first degree felony of trafficking in
77 synthetic drugs. A person who is convicted of the first degree
78 felony of trafficking in synthetic drugs under this subparagraph

79 shall be punished by life imprisonment and is ineligible for any
80 form of discretionary early release except pardon or executive
81 clemency or conditional medical release under s. 947.149.

82 However, if the court determines that, in addition to committing
83 any act specified in this paragraph:

84 a. The person intentionally killed an individual or
85 counseled, commanded, induced, procured, or caused the
86 intentional killing of an individual and such killing was the
87 result; or

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

90
91 such person commits the capital felony of trafficking in
92 synthetic drugs, punishable as provided in ss. 775.082 and
93 921.142. A person sentenced for a capital felony under this
94 subparagraph shall also be sentenced to pay the maximum fine
95 provided under subparagraph 1.

96 3. A person who knowingly brings into this state 60
97 kilograms or more of a controlled substance described in s.
98 893.03(1)(c)46.-50., 114.-142., 151.-159., or 166.-173., or any
99 mixture containing those substances, and who knows that the
100 probable result of such importation would be the death of a
101 person, commits capital importation of synthetic drugs, a
102 capital felony punishable as provided in ss. 775.082 and
103 921.142. A person sentenced for a capital felony under this
104 subparagraph shall also be sentenced to pay the maximum fine

105 provided under subparagraph 1.

106 Section 3. Paragraphs (g), (h), and (i) of subsection (3)
 107 of section 921.0022, Florida Statutes, are amended to read:

108 921.0022 Criminal Punishment Code; offense severity
 109 ranking chart.—

110 (3) OFFENSE SEVERITY RANKING CHART

111 (g) LEVEL 7

112

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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.

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117	327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
118	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
119	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
120	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
121	456.065(2)	3rd	Practicing a health care profession without a license.
122	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
	458.327(1)	3rd	Practicing medicine without a license.

123	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
124	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
125	461.012 (1)	3rd	Practicing podiatric medicine without a license.
126	462.17	3rd	Practicing naturopathy without a license.
127	463.015 (1)	3rd	Practicing optometry without a license.
128	464.016 (1)	3rd	Practicing nursing without a license.
129	465.015 (2)	3rd	Practicing pharmacy without a license.
130	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
131	467.201	3rd	Practicing midwifery without a

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license.

132

468.366 3rd Delivering respiratory care services without a license.

133

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

134

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

135

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

136

484.053 3rd Dispensing hearing aids without a license.

137

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.

138

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.

139

560.125 (5) (a) 3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

140

655.50 (10) (b) 1. 3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

141

775.21 (10) (a) 3rd

Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

142

775.21 (10) (b) 3rd

Sexual predator working where children regularly congregate.

143

775.21 (10) (g) 3rd

Failure to report or providing false information about a

sexual predator; harbor or
conceal a sexual predator.

144

782.051(3) 2nd Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

145

782.07(1) 2nd Killing of a human being by the
act, procurement, or culpable
negligence of another
(manslaughter).

146

782.071 2nd Killing of a human being or
unborn child by the operation
of a motor vehicle in a
reckless manner (vehicular
homicide).

147

782.072 2nd Killing of a human being by the
operation of a vessel in a
reckless manner (vessel
homicide).

148

784.045(1)(a)1. 2nd Aggravated battery;

official or employee.

157

784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.

158

784.083 (1) 1st Aggravated battery on code inspector.

159

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

160

787.06 (3) (e) 2. 1st Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

161

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

162

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

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163	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
164	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
165	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
166	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
167	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
168	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.

169

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

170

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

171

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

172

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.

173

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.

174

806.01(2) 2nd Maliciously damage structure by fire or explosive.

175

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

176

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

177

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

178

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

179

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.

180

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

181

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

182

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

183

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

184

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

185

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

186

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

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187	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
188	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
189	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
190	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
191	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.
192	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
193			

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194	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
195	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.
196	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
197	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
198	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
199	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward for official behavior.

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200

838.021 (3) (a) 2nd Unlawful harm to a public servant.

201

838.22 2nd Bid tampering.

202

843.0855 (2) 3rd Impersonation of a public officer or employee.

203

843.0855 (3) 3rd Unlawful simulation of legal process.

204

843.0855 (4) 3rd Intimidation of a public officer or employee.

205

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

206

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

207

872.06 2nd Abuse of a dead human body.

208

874.05 (2) (b) 1st Encouraging or recruiting person under 13 to join a

criminal gang; second or subsequent offense.

209

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

210

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.

211

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.

212

893.13(4)(a) 1st Deliver to minor cocaine (or
other s. 893.03(1)(a), (1)(b),
(1)(d), (2)(a), (2)(b), or
(2)(c)4. drugs).

213

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

214

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

215

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

216

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

217

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

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grams.

218

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

219

893.135 (1) (c) 3.b. 1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.

220

893.135 (1) (d) 1. 1st Trafficking in phencyclidine, more than 28 grams, less than 200 grams.

221

893.135 (1) (e) 1. 1st Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.

222

893.135 (1) (f) 1. 1st Trafficking in amphetamine, more than 14 grams, less than 28 grams.

223

893.135 (1) (g) 1.a. 1st Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.

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225	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
226	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
227	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
228	<u>893.135</u> <u>(1) (l) 1.a.</u>	<u>1st</u>	<u>Trafficking in LSD, 1 gram or more, less than 5 grams.</u>
229	<u>893.135</u> <u>(1) (m) 1.a.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs, 250 grams or more, less than 500 grams.</u>
230	<u>893.135</u> <u>(1) (m) 1.b.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs, 500 grams or more, less than 1,000 grams.</u>
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing

of controlled substance.

231

896.101(5)(a) 3rd Money laundering, financial transactions exceeding \$300 but less than \$20,000.

232

896.104(4)(a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

233

943.0435(4)(c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

234

943.0435(8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

235

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

236

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237	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
238	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
239	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
240	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
241	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure

to respond to address
verification; providing false
registration information.

242

985.4815(10) 3rd Sexual offender; failure to
submit to the taking of a
digitized photograph.

243

985.4815(12) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

244

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

245

246 (h) LEVEL 8

247

Florida	Felony	
Statute	Degree	Description

248

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

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249	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
250	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
251	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
252	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
253	560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
254	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.
255			

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256	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
257	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
258	782.04 (4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.
259	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or

give information.

260

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

261

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

262

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

263

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

264

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.

265

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.

266

790.161 (3) 1st Discharging a destructive
device which results in bodily
harm or property damage.

267

794.011 (5) (a) 1st Sexual battery; victim 12 years
of age or older but younger
than 18 years; offender 18
years or older; offender does
not use physical force likely
to cause serious injury.

268

794.011 (5) (b) 2nd Sexual battery; victim and
offender 18 years of age or
older; offender does not use
physical force likely to cause
serious injury.

269

794.011 (5) (c) 2nd Sexual battery; victim 12 years
of age or older; offender
younger than 18 years; offender
does not use physical force
likely to cause injury.

270	794.011 (5) (d)	1st	Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.
271	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
272	800.04 (4) (b)	2nd	Lewd or lascivious battery.
273	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
274	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
275	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.

276	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
277	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
278	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
279	812.13 (2) (b)	1st	Robbery with a weapon.
280	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
281	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
282	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or

employee.

283

817.535 (4) (a) 1. 2nd Filing false lien or other
unauthorized document;
defendant is incarcerated or
under supervision.

284

817.535 (5) (a) 2nd Filing false lien or other
unauthorized document; owner of
the property incurs financial
loss as a result of the false
instrument.

285

817.568 (6) 2nd Fraudulent use of personal
identification information of
an individual under the age of
18.

286

825.102 (2) 1st Aggravated abuse of an elderly
person or disabled adult.

287

825.1025 (2) 2nd Lewd or lascivious battery upon
an elderly person or disabled
adult.

288

825.103 (3) (a) 1st Exploiting an elderly person or

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disabled adult and property is
valued at \$50,000 or more.

289

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

290

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

291

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

292

860.16 1st Aircraft piracy.

293

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) .

294

893.13 (2) (b) 1st Purchase in excess of 10 grams
of any substance specified in

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

295

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

296

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

297

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

298

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

299

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

300

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

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302	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
303	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
304	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
305	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
306	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
307	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
	893.135	1st	Trafficking in Phenethylamines,

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308	(1) (k) 2.b.		200 grams or more, less than 400 grams.
309	<u>893.135</u> <u>(1) (l) 1.b.</u>	<u>1st</u>	<u>Trafficking in LSD, 5 grams or more, less than 7 grams.</u>
310	<u>893.135</u> <u>(1) (m) 1.c.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs, 1,000 grams or more, less than 30 kilograms.</u>
311	893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
312	895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
313	895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
313	895.03(3)	1st	Conduct or participate in any enterprise through pattern of

racketeering activity.

314

896.101 (5) (b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

315

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.

316

317 (i) LEVEL 9

318

Florida	Felony	
Statute	Degree	Description

319

316.193	1st	DUI manslaughter; failing to render aid or give information.
(3) (c) 3.b.		

320

327.35	1st	BUI manslaughter; failing to render aid or give information.
(3) (c) 3.b.		

321

409.920	1st	Medicaid provider fraud;
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322	(2) (b) 1.c.		\$50,000 or more.
323	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
324	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
325	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
326	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
327	775.0844	1st	Aggravated white collar crime.
328	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.

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329	782.04(3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
330	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
331	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
332	787.01(1)(a)1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
333	787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
	787.01(1)(a)4.	1st, PBL	Kidnapping with intent to

interfere with performance of
any governmental or political
function.

334

787.02 (3) (a) 1st, PBL False imprisonment; child under
age 13; perpetrator also
commits aggravated child abuse,
sexual battery, or lewd or
lascivious battery,
molestation, conduct, or
exhibition.

335

787.06 (3) (c) 1. 1st Human trafficking for labor and
services of an unauthorized
alien child.

336

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

337

787.06 (3) (f) 1. 1st, PBL Human trafficking for
commercial sexual activity by
the transfer or transport of
any child from outside Florida
to within the state.

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338

790.161 1st Attempted capital destructive
device offense.

339

790.166 (2) 1st, PBL Possessing, selling, using, or
attempting to use a weapon of
mass destruction.

340

794.011 (2) 1st Attempted sexual battery;
victim less than 12 years of
age.

341

794.011 (2) Life Sexual battery; offender
younger than 18 years and
commits sexual battery on a
person less than 12 years.

342

794.011 (4) (a) 1st, PBL Sexual battery, certain
circumstances; victim 12 years
of age or older but younger
than 18 years; offender 18
years or older.

343

794.011 (4) (b) 1st Sexual battery, certain
circumstances; victim and
offender 18 years of age or

older.

344

794.011(4)(c) 1st Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.

345

794.011(4)(d) 1st, PBL Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.

346

794.011(8)(b) 1st, PBL Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.

347

794.08(2) 1st Female genital mutilation; victim younger than 18 years of age.

348

800.04(5)(b) Life Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.

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350	812.13(2)(a)	1st, PBL	Robbery with firearm or other deadly weapon.
351	812.133(2)(a)	1st, PBL	Carjacking; firearm or other deadly weapon.
352	812.135(2)(b)	1st	Home-invasion robbery with weapon.
353	817.535(3)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
354	817.535(4)(a)2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
	817.535(5)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.

355	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
356	827.03 (2) (a)	1st	Aggravated child abuse.
357	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
358	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
359	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
360			

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361	893.135	1st	Attempted capital trafficking offense.
362	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
363	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
364	893.135 (1) (c) 1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
365	893.135 (1) (c) 2.d.	1st	Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms.
366	893.135 (1) (c) 3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
367	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
	893.135	1st	Trafficking in methaqualone,

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368	(1) (e) 1.c.		more than 25 kilograms.
369	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
370	893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
371	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
372	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
373	<u>893.135</u> <u>(1) (l) 1.c.</u>	<u>1st</u>	<u>Trafficking in LSD, 7 grams or</u> <u>more.</u>
374	<u>893.135</u> <u>(1) (m) 1.d.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs,</u> <u>30 kilograms or more.</u>
375	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
	896.104 (4) (a) 3.	1st	Structuring transactions to

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evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$100,000.

376

377

Section 4. This act shall take effect October 1, 2016.