

1 A bill to be entitled
 2 An act relating to cannabis; amending s. 893.03, F.S.;
 3 removing cannabis from the schedule of controlled
 4 substances; amending ss. 456.0635, 772.12, 856.015,
 5 893.02, 893.055, 893.0551, 893.13, 893.135, 893.1351,
 6 893.145, 893.147, 893.15, 921.0022, 944.47, 948.20,
 7 951.22, 985.711, and 1003.57, F.S.; conforming
 8 provisions to changes made by the act; providing an
 9 effective date.

10

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

12

13 Section 1. Paragraph (c) of subsection (1) of section
 14 893.03, Florida Statutes, is amended to read:

15 893.03 Standards and schedules.—The substances enumerated
 16 in this section are controlled by this chapter. The controlled
 17 substances listed or to be listed in Schedules I, II, III, IV,
 18 and V are included by whatever official, common, usual,
 19 chemical, or trade name designated. The provisions of this
 20 section shall not be construed to include within any of the
 21 schedules contained in this section any excluded drugs listed
 22 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
 23 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
 24 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
 25 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
 26 Anabolic Steroid Products."

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

32 (c) Unless specifically excepted or unless listed in
 33 another schedule, any material, compound, mixture, or
 34 preparation that contains any quantity of the following
 35 hallucinogenic substances or that contains any of their salts,
 36 isomers, including optical, positional, or geometric isomers,
 37 and salts of isomers, if the existence of such salts, isomers,
 38 and salts of isomers is possible within the specific chemical
 39 designation:

- 40 1. Alpha-ethyltryptamine.
- 41 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
- 42 methylaminorex).
- 43 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 44 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 45 5. 4-Bromo-2,5-dimethoxyphenethylamine.
- 46 6. Bufotenine.
- 47 ~~7. Cannabis.~~
- 48 7.8. Cathinone.
- 49 8.9. Diethyltryptamine.
- 50 9.10. 2,5-Dimethoxyamphetamine.
- 51 10.11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 52 11.12. Dimethyltryptamine.

- 53 ~~12.13.~~ N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine
- 54 analog of phencyclidine).
- 55 ~~13.14.~~ N-Ethyl-3-piperidyl benzilate.
- 56 ~~14.15.~~ N-ethylamphetamine.
- 57 ~~15.16.~~ Fenethylamine.
- 58 ~~16.17.~~ N-Hydroxy-3,4-methylenedioxyamphetamine.
- 59 ~~17.18.~~ Ibogaine.
- 60 ~~18.19.~~ Lysergic acid diethylamide (LSD).
- 61 ~~19.20.~~ Mescaline.
- 62 ~~20.21.~~ Methcathinone.
- 63 ~~21.22.~~ 5-Methoxy-3,4-methylenedioxyamphetamine.
- 64 ~~22.23.~~ 4-methoxyamphetamine.
- 65 ~~23.24.~~ 4-methoxymethamphetamine.
- 66 ~~24.25.~~ 4-Methyl-2,5-dimethoxyamphetamine.
- 67 ~~25.26.~~ 3,4-Methylenedioxy-N-ethylamphetamine.
- 68 ~~26.27.~~ 3,4-Methylenedioxyamphetamine.
- 69 ~~27.28.~~ N-Methyl-3-piperidyl benzilate.
- 70 ~~28.29.~~ N,N-dimethylamphetamine.
- 71 ~~29.30.~~ Parahexyl.
- 72 ~~30.31.~~ Peyote.
- 73 ~~31.32.~~ N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY)
- 74 (Pyrrolidine analog of phencyclidine).
- 75 ~~32.33.~~ Psilocybin.
- 76 ~~33.34.~~ Psilocyn.
- 77 ~~34.35.~~ Salvia divinorum, except for any drug product
- 78 approved by the United States Food and Drug Administration which

79 contains Salvia divinorum or its isomers, esters, ethers, salts,
80 and salts of isomers, esters, and ethers, if the existence of
81 such isomers, esters, ethers, and salts is possible within the
82 specific chemical designation.

83 ~~35.36.~~ 35.36. Salvinorin A, except for any drug product approved
84 by the United States Food and Drug Administration which contains
85 Salvinorin A or its isomers, esters, ethers, salts, and salts of
86 isomers, esters, and ethers, if the existence of such isomers,
87 esters, ethers, and salts is possible within the specific
88 chemical designation.

89 ~~36.37.~~ 36.37. Tetrahydrocannabinols.

90 ~~37.38.~~ 37.38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
91 (Thiophene analog of phencyclidine).

92 ~~38.39.~~ 38.39. 3,4,5-Trimethoxyamphetamine.

93 ~~39.40.~~ 39.40. 3,4-Methylenedioxymethcathinone.

94 ~~40.41.~~ 40.41. 3,4-Methylenedioxypyrovalerone (MDPV).

95 ~~41.42.~~ 41.42. Methylmethcathinone.

96 ~~42.43.~~ 42.43. Methoxymethcathinone.

97 ~~43.44.~~ 43.44. Fluoromethcathinone.

98 ~~44.45.~~ 44.45. Methylethcathinone.

99 ~~45.46.~~ 45.46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
100 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
101 homologue.

102 ~~46.47.~~ 46.47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
103 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
104 also known as HU-210.

- 105 | ~~47.48.~~ 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-
- 106 | 018.
- 107 | ~~48.49.~~ 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-
- 108 | 073.
- 109 | ~~49.50.~~ 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole,
- 110 | also known as JWH-200.
- 111 | ~~50.51.~~ BZP (Benzylpiperazine).
- 112 | ~~51.52.~~ Fluorophenylpiperazine.
- 113 | ~~52.53.~~ Methylphenylpiperazine.
- 114 | ~~53.54.~~ Chlorophenylpiperazine.
- 115 | ~~54.55.~~ Methoxyphenylpiperazine.
- 116 | ~~55.56.~~ DBZP (1,4-dibenzylpiperazine).
- 117 | ~~56.57.~~ TFMPP (3-Trifluoromethylphenylpiperazine).
- 118 | ~~57.58.~~ MBDB (Methylbenzodioxolylbutanamine).
- 119 | ~~58.59.~~ 5-Hydroxy-alpha-methyltryptamine.
- 120 | ~~59.60.~~ 5-Hydroxy-N-methyltryptamine.
- 121 | ~~60.61.~~ 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 122 | ~~61.62.~~ 5-Methoxy-alpha-methyltryptamine.
- 123 | ~~62.63.~~ Methyltryptamine.
- 124 | ~~63.64.~~ 5-Methoxy-N,N-dimethyltryptamine.
- 125 | ~~64.65.~~ 5-Methyl-N,N-dimethyltryptamine.
- 126 | ~~65.66.~~ Tyramine (4-Hydroxyphenethylamine).
- 127 | ~~66.67.~~ 5-Methoxy-N,N-Diisopropyltryptamine.
- 128 | ~~67.68.~~ DiPT (N,N-Diisopropyltryptamine).
- 129 | ~~68.69.~~ DPT (N,N-Dipropyltryptamine).
- 130 | ~~69.70.~~ 4-Hydroxy-N,N-diisopropyltryptamine.

- 131 ~~70.71.~~ N,N-Diallyl-5-Methoxytryptamine.
- 132 ~~71.72.~~ DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 133 ~~72.73.~~ DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 134 ~~73.74.~~ 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 135 ~~74.75.~~ 2C-T-4 (2,5-Dimethoxy-4-
- 136 isopropylthiophenethylamine).
- 137 ~~75.76.~~ 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 138 ~~76.77.~~ 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
- 139 ~~77.78.~~ 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
- 140 ~~78.79.~~ 2C-T-7 (2,5-Dimethoxy-4-(n)-
- 141 propylthiophenethylamine).
- 142 ~~79.80.~~ 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 143 ~~80.81.~~ Butylone (beta-keto-N-
- 144 methylbenzodioxolylpropylamine).
- 145 ~~81.82.~~ Ethcathinone.
- 146 ~~82.83.~~ Ethylone (3,4-methylenedioxy-N-ethylcathinone).
- 147 ~~83.84.~~ Naphyrone (naphthylpyrovalerone).
- 148 ~~84.85.~~ N-N-Dimethyl-3,4-methylenedioxycathinone.
- 149 ~~85.86.~~ N-N-Diethyl-3,4-methylenedioxycathinone.
- 150 ~~86.87.~~ 3,4-methylenedioxy-propiofenone.
- 151 ~~87.88.~~ 2-Bromo-3,4-Methylenedioxypropiofenone.
- 152 ~~88.89.~~ 3,4-methylenedioxy-propiofenone-2-oxime.
- 153 ~~89.90.~~ N-Acetyl-3,4-methylenedioxycathinone.
- 154 ~~90.91.~~ N-Acetyl-N-Methyl-3,4-Methylenedioxycathinone.
- 155 ~~91.92.~~ N-Acetyl-N-Ethyl-3,4-Methylenedioxycathinone.
- 156 ~~92.93.~~ Bromomethcathinone.

- 157 | ~~93.94.~~ Buphedrone (alpha-methylamino-butyrophenone).
- 158 | ~~94.95.~~ Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 159 | ~~95.96.~~ Dimethylcathinone.
- 160 | ~~96.97.~~ Dimethylmethcathinone.
- 161 | ~~97.98.~~ Pentylone (beta-Keto-
- 162 | Methylbenzodioxolylpentanamine).
- 163 | ~~98.99.~~ (MDPPP) 3,4-Methylenedioxy-alpha-
- 164 | pyrrolidinopropiophenone.
- 165 | ~~99.100.~~ (MDPBP) 3,4-Methylenedioxy-alpha-
- 166 | pyrrolidinobutiophenone.
- 167 | ~~100.101.~~ Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).
- 168 | ~~101.102.~~ Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 169 | ~~102.103.~~ Benocyclidine (BCP) or
- 170 | benzothiophenylcyclohexylpiperidine (BTCP).
- 171 | ~~103.104.~~ Fluoromethylaminobutyrophenone (F-MABP).
- 172 | ~~104.105.~~ Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 173 | ~~105.106.~~ Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 174 | ~~106.107.~~ 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-
- 175 | MCAT).
- 176 | ~~107.108.~~ Methylethylaminobutyrophenone (Me-EABP).
- 177 | ~~108.109.~~ Methylamino-butyrophenone (MABP).
- 178 | ~~109.110.~~ Pyrrolidinopropiophenone (PPP).
- 179 | ~~110.111.~~ Pyrrolidinobutiophenone (PBP).
- 180 | ~~111.112.~~ Pyrrolidinovalerophenone (PVP).
- 181 | ~~112.113.~~ Methyl-alpha-pyrrolidinopropiophenone (MPPP).
- 182 | ~~113.114.~~ JWH-007 (1-pentyl-2-methyl-3-(1-

183 naphthoyl) indole) .
 184 ~~114.115.~~ JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
 185 naphthalenylmethanone) .
 186 ~~115.116.~~ JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
 187 yl)methanone) .
 188 ~~116.117.~~ JWH-020 (1-heptyl-3-(1-naphthoyl) indole) .
 189 ~~117.118.~~ JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
 190 yl)methanone) .
 191 ~~118.119.~~ JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-
 192 3-yl)methanone) .
 193 ~~119.120.~~ JWH-122 (1-pentyl-3-(4-methyl-1-
 194 naphthoyl) indole) .
 195 ~~120.121.~~ JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-
 196 6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran) .
 197 ~~121.122.~~ JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
 198 indole) .
 199 ~~122.123.~~ JWH-201 (1-pentyl-3-(4-
 200 methoxyphenylacetyl) indole) .
 201 ~~123.124.~~ JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-
 202 yl)ethanone) .
 203 ~~124.125.~~ JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
 204 yl)methanone) .
 205 ~~125.126.~~ JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
 206 yl)ethanone) .
 207 ~~126.127.~~ JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-
 208 3-yl)ethanone) .

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- 209 ~~127.128.~~ JWH-302 (1-pentyl-3-(3-
 210 methoxyphenylacetyl)indole) .
- 211 ~~128.129.~~ JWH-398 (1-pentyl-3-(4-chloro-1-
 212 naphthoyl)indole) .
- 213 ~~129.130.~~ HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-
 214 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
 215 tetrahydrobenzo[c]chromen-1-ol) .
- 216 ~~130.131.~~ HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-
 217 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
 218 enyl] methanol) .
- 219 ~~131.132.~~ HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
 220 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
 221 1,4-dione) .
- 222 ~~132.133.~~ CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
 223 yl)methanone) .
- 224 ~~133.134.~~ CB-25 (N-cyclopropyl-11-(3-hydroxy-5-
 225 pentylphenoxy)-undecanamide) .
- 226 ~~134.135.~~ CB-52 (N-cyclopropyl-11-(2-hexyl-5-
 227 hydroxyphenoxy)-undecanamide) .
- 228 ~~135.136.~~ CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
 229 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol) .
- 230 ~~136.137.~~ AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-2-
 231 iodophenyl)methanone) .
- 232 ~~137.138.~~ AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
 233 (naphthalen-1-yl)methanone) .
- 234 ~~138.139.~~ RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-

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235 yl)methanone).

236 ~~139.140.~~ RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-

237 (2-methoxyphenylethano).

238 ~~140.141.~~ WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-

239 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-

240 naphthalenylmethano).

241 ~~141.142.~~ WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-

242 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-

243 naphthalenylmethano).

244 ~~142.143.~~ Pentedrone (2-(methylamino)-1-phenyl-1-

245 pentano).

246 ~~143.144.~~ Fluoroamphetamine.

247 ~~144.145.~~ Fluoromethamphetamine.

248 ~~145.146.~~ Methoxetamine.

249 ~~146.147.~~ Methiopropamine.

250 ~~147.148.~~ 4-Methylbuphedrone (2-Methylamino-1-(4-

251 methylphenyl)butan-1-one).

252 ~~148.149.~~ APB ((2-aminopropyl)benzofuran).

253 ~~149.150.~~ APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).

254 ~~150.151.~~ UR-144 ((1-pentyl-1H-indol-3-yl)(2,2,3,3-

255 tetramethylcyclopropyl)methano).

256 ~~151.152.~~ XLR11 ((1-(5-fluoropentyl)-1H-indol-3-

257 yl)(2,2,3,3-tetramethylcyclopropyl)methano).

258 ~~152.153.~~ (1-(5-chloropentyl)-1H-indol-3-yl)(2,2,3,3-

259 tetramethylcyclopropyl)methano.

260 ~~153.154.~~ AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-

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261 1H-indazole-3-carboxamide) .
262 ~~154.155.~~ AM-2233 ((2-iodophenyl) [1-[(1-methyl-2-
263 piperidinyl)methyl]-1H-indol-3-yl]-methanone) .
264 ~~155.156.~~ STS-135 (1-(5-fluoropentyl)-N-
265 tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indole-3-carboxamide) .
266 ~~156.157.~~ URB-597 ((3'-(aminocarbonyl) [1,1'-biphenyl]-3-
267 yl)-cyclohexylcarbamate) .
268 ~~157.158.~~ URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
269 cyclohexyl ester) .
270 ~~158.159.~~ URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-
271 benzoxazin-4-one) .
272 ~~159.160.~~ 2C-D (2-(2,5-Dimethoxy-4-
273 methylphenyl)ethanamine) .
274 ~~160.161.~~ 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine) .
275 ~~161.162.~~ 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine) .
276 ~~162.163.~~ 2C-P (2-(2,5-Dimethoxy-4-(n)-
277 propylphenyl)ethanamine) .
278 ~~163.164.~~ 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-
279 methoxyphenyl)methyl]-benzeneethanamine) .
280 ~~164.165.~~ 3,4-Methylenedioxymethamphetamine (MDMA) .
281 ~~165.166.~~ PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-
282 carboxylic acid) .
283 ~~166.167.~~ 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-
284 fluoropentyl)-1H-indole-3-carboxylic acid) .
285 ~~167.168.~~ BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-
286 1H-indole-3-carboxylic acid) .

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287 ~~168.169.~~ 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-
288 (5-fluoropentyl)-1H-indazole-3-carboxamide).

289 ~~169.170.~~ AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
290 1-pentyl-1H-indazole-3-carboxamide).

291 ~~170.171.~~ AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
292 yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).

293 ~~171.172.~~ ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
294 yl)-1-pentyl-1H-indazole-3-carboxamide).

295 ~~172.173.~~ Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-
296 oxobutan-2-yl)-1-(fluoropentyl)-1H-indole-3-carboxamide).

297 ~~173.174.~~ 25B-NBOMe (4-bromo-2,5-dimethoxy-N-[(2-
298 methoxyphenyl)methyl]-benzeneethanamine).

299 ~~174.175.~~ 2C-C-NBOMe (4-chloro-2,5-dimethoxy-N-[(2-
300 methoxyphenyl)methyl]-benzeneethanamine).

301 ~~175.176.~~ AB-CHMINACA: N-[1-(aminocarbonyl)-2-
302 methylpropyl]-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.

303 ~~176.177.~~ FUB-PB-22: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-
304 indole-3-carboxylate.

305 ~~177.178.~~ Fluoro-NNEI: 1-(Fluoropentyl)-N-(naphthalen-1-
306 yl)-1H-indole-3-carboxamide.

307 ~~178.179.~~ Fluoro-AMB: Methyl 2-(1-(fluoropentyl)-1H-
308 indazole-3-carboxamido)-3-methylbutanoate.

309 ~~179.180.~~ THJ-2201: [1-(5-Fluoropentyl)-1H-indazol-3-
310 yl](naphthalen-1-yl)methanone.

311 Section 2. Paragraph (a) of subsection (2) and paragraph
312 (a) of subsection (3) of section 456.0635, Florida Statutes, are

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313 amended to read:

314 456.0635 Health care fraud; disqualification for license,
315 certificate, or registration.—

316 (2) Each board within the jurisdiction of the department,
317 or the department if there is no board, shall refuse to admit a
318 candidate to any examination and refuse to issue a license,
319 certificate, or registration to any applicant if the candidate
320 or applicant or any principal, officer, agent, managing
321 employee, or affiliated person of the applicant:

322 (a) Has been convicted of, or entered a plea of guilty or
323 nolo contendere to, regardless of adjudication, a felony under
324 chapter 409, chapter 817, or chapter 893, or a similar felony
325 offense committed in another state or jurisdiction, unless the
326 candidate or applicant has successfully completed a drug court
327 program for that felony and provides proof that the plea has
328 been withdrawn or the charges have been dismissed. Any such
329 conviction or plea shall exclude the applicant or candidate from
330 licensure, examination, certification, or registration unless
331 the sentence and any subsequent period of probation for such
332 conviction or plea ended:

333 1. For felonies of the first or second degree, more than
334 15 years before the date of application.

335 2. For felonies of the third degree, more than 10 years
336 before the date of application, except for felonies of the third
337 degree under s. 893.13(5)(a) ~~893.13(6)(a)~~.

338 3. For felonies of the third degree under s. 893.13(5)(a)

339 ~~893.13(6)(a)~~, more than 5 years before the date of application;

340
 341 This subsection does not apply to candidates or applicants for
 342 initial licensure or certification who were enrolled in an
 343 educational or training program on or before July 1, 2009, which
 344 was recognized by a board or, if there is no board, recognized
 345 by the department, and who applied for licensure after July 1,
 346 2012.

347 (3) The department shall refuse to renew a license,
 348 certificate, or registration of any applicant if the applicant
 349 or any principal, officer, agent, managing employee, or
 350 affiliated person of the applicant:

351 (a) Has been convicted of, or entered a plea of guilty or
 352 nolo contendere to, regardless of adjudication, a felony under
 353 chapter 409, chapter 817, or chapter 893, or a similar felony
 354 offense committed in another state or jurisdiction, unless the
 355 applicant is currently enrolled in a drug court program that
 356 allows the withdrawal of the plea for that felony upon
 357 successful completion of that program. Any such conviction or
 358 plea excludes the applicant from licensure renewal unless the
 359 sentence and any subsequent period of probation for such
 360 conviction or plea ended:

361 1. For felonies of the first or second degree, more than
 362 15 years before the date of application.

363 2. For felonies of the third degree, more than 10 years
 364 before the date of application, except for felonies of the third

365 degree under s. 893.13(5)(a) ~~893.13(6)(a)~~.

366 3. For felonies of the third degree under s. 893.13(5)(a)
 367 ~~893.13(6)(a)~~, more than 5 years before the date of application.

368 Section 3. Paragraph (a) of subsection (2) of section
 369 772.12, Florida Statutes, is amended to read:

370 772.12 Drug Dealer Liability Act.—

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

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

379 1. A violation of s. 893.13, except for a violation of s.
 380 893.13(2)(a) or (b), (4) ~~(3)~~, (5), or (6) ~~(6)(a), (b), or (c),~~
 381 ~~(7)~~; or

382 2. A violation of s. 893.135; and

383 Section 4. Paragraph (c) of subsection (1) of section
 384 856.015, Florida Statutes, is amended to read:

385 856.015 Open house parties.—

386 (1) Definitions.—As used in this section:

387 (c) "Drug" means a controlled substance, as that term is
 388 defined in ss. 893.02(3) ~~893.02(4)~~ and 893.03.

389 Section 5. Subsection (3) of section 893.02, Florida
 390 Statutes, is amended to read:

391 893.02 Definitions.—The following words and phrases as
 392 used in this chapter shall have the following meanings, unless
 393 the context otherwise requires:

394 ~~(3) "Cannabis" means all parts of any plant of the genus~~
 395 ~~Cannabis, whether growing or not; the seeds thereof; the resin~~
 396 ~~extracted from any part of the plant; and every compound,~~
 397 ~~manufacture, salt, derivative, mixture, or preparation of the~~
 398 ~~plant or its seeds or resin. The term does not include "low-THC~~
 399 ~~cannabis," as defined in s. 381.986, if manufactured, possessed,~~
 400 ~~sold, purchased, delivered, distributed, or dispensed, in~~
 401 ~~conformance with s. 381.986.~~

402 Section 6. Paragraph (a) of subsection (1), paragraph (b)
 403 of subsection (2), and paragraph (f) of subsection (7) of
 404 section 893.055, Florida Statutes, are amended to read:

405 893.055 Prescription drug monitoring program.—

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

407 (a) "Patient advisory report" or "advisory report" means
 408 information provided by the department in writing, or as
 409 determined by the department, to a prescriber, dispenser,
 410 pharmacy, or patient concerning the dispensing of controlled
 411 substances. All advisory reports are for informational purposes
 412 only and impose no obligations of any nature or any legal duty
 413 on a prescriber, dispenser, pharmacy, or patient. The patient
 414 advisory report shall be provided in accordance with s.
 415 893.13(6)(a)8. ~~893.13(7)(a)8.~~ The advisory reports issued by the
 416 department are not subject to discovery or introduction into

417 evidence in any civil or administrative action against a
418 prescriber, dispenser, pharmacy, or patient arising out of
419 matters that are the subject of the report; and a person who
420 participates in preparing, reviewing, issuing, or any other
421 activity related to an advisory report may not be permitted or
422 required to testify in any such civil action as to any findings,
423 recommendations, evaluations, opinions, or other actions taken
424 in connection with preparing, reviewing, or issuing such a
425 report.

426 (2)

427 (b) The department, when the direct support organization
428 receives at least \$20,000 in nonstate moneys or the state
429 receives at least \$20,000 in federal grants for the prescription
430 drug monitoring program, shall adopt rules as necessary
431 concerning the reporting, accessing the database, evaluation,
432 management, development, implementation, operation, security,
433 and storage of information within the system, including rules
434 for when patient advisory reports are provided to pharmacies and
435 prescribers. The patient advisory report shall be provided in
436 accordance with s. 893.13(6)(a)8. ~~893.13(7)(a)8.~~ The department
437 shall work with the professional health care licensure boards,
438 such as the Board of Medicine, the Board of Osteopathic
439 Medicine, and the Board of Pharmacy; other appropriate
440 organizations, such as the Florida Pharmacy Association, the
441 Florida Medical Association, the Florida Retail Federation, and
442 the Florida Osteopathic Medical Association, including those

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443 relating to pain management; and the Attorney General, the
444 Department of Law Enforcement, and the Agency for Health Care
445 Administration to develop rules appropriate for the prescription
446 drug monitoring program.

447 (7)

448 (f) The program manager, upon determining a pattern
449 consistent with the rules established under paragraph (2) (d) and
450 having cause to believe a violation of s. 893.13(6)(a)8.,
451 (7)(a), or (7)(b) ~~893.13(7)(a)8., (8)(a), or (8)(b)~~ has
452 occurred, may provide relevant information to the applicable law
453 enforcement agency.

454 Section 7. Subsection (4) of section 893.0551, Florida
455 Statutes, is amended to read:

456 893.0551 Public records exemption for the prescription
457 drug monitoring program.—

458 (4) If the department determines consistent with its rules
459 that a pattern of controlled substance abuse exists, the
460 department may disclose such confidential and exempt information
461 to the applicable law enforcement agency in accordance with s.
462 893.055. The law enforcement agency may disclose to a criminal
463 justice agency, as defined in s. 119.011, only confidential and
464 exempt information received from the department that is relevant
465 to an identified active investigation that is specific to a
466 violation of s. 893.13(6)(a)8. ~~893.13(7)(a)8.~~, s. 893.13(7)(a)
467 ~~893.13(8)(a),~~ or s. 893.13(8)(a) ~~893.13(8)(b).~~

468 Section 8. Subsections (3) and (6), paragraph (a) of

469 subsection (8), and subsection (9) of section 893.13, Florida
 470 Statutes, are amended to read:

471 893.13 Prohibited acts; penalties.—

472 ~~(3) A person who delivers, without consideration, 20 grams~~
 473 ~~or less of cannabis, as defined in this chapter, commits a~~
 474 ~~misdemeanor of the first degree, punishable as provided in s.~~
 475 ~~775.082 or s. 775.083. As used in this paragraph, the term~~
 476 ~~"cannabis" does not include the resin extracted from the plants~~
 477 ~~of the genus Cannabis or any compound manufacture, salt,~~
 478 ~~derivative, mixture, or preparation of such resin.~~

479 (5)~~(6)~~(a) A person may not be in actual or constructive
 480 possession of a controlled substance unless such controlled
 481 substance was lawfully obtained from a practitioner or pursuant
 482 to a valid prescription or order of a practitioner while acting
 483 in the course of his or her professional practice or to be in
 484 actual or constructive possession of a controlled substance
 485 except as otherwise authorized by this chapter. A person who
 486 violates this provision commits a felony of the third degree,
 487 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

488 ~~(b) If the offense is the possession of 20 grams or less~~
 489 ~~of cannabis, as defined in this chapter, or 3 grams or less of a~~
 490 ~~controlled substance described in s. 893.03(1)(c) 46.-50., 114.-~~
 491 ~~142., 151. 159., or 166. 173., the person commits a misdemeanor~~
 492 ~~of the first degree, punishable as provided in s. 775.082 or s.~~
 493 ~~775.083. As used in this subsection, the term "cannabis" does~~
 494 ~~not include the resin extracted from the plants of the genus~~

495 ~~Cannabis, or any compound manufacture, salt, derivative,~~
 496 ~~mixture, or preparation of such resin, and a controlled~~
 497 ~~substance described in s. 893.03(1)(c) 46., 50., 114., 142., 151.,~~
 498 ~~159., or 166.-173. does not include the substance in a powdered~~
 499 ~~form.~~

500 (b) ~~(e)~~ Except as provided in this chapter, a person may
 501 not possess more than 10 grams of any substance named or
 502 described in s. 893.03(1)(a) or (1)(b), or any combination
 503 thereof, or any mixture containing any such substance. A person
 504 who violates this paragraph commits a felony of the first
 505 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 506 775.084.

507 ~~(d) Notwithstanding any provision to the contrary of the~~
 508 ~~laws of this state relating to arrest, a law enforcement officer~~
 509 ~~may arrest without warrant any person who the officer has~~
 510 ~~probable cause to believe is violating the provisions of this~~
 511 ~~chapter relating to possession of cannabis.~~

512 (7) ~~(8)~~ (a) Notwithstanding subsection (8) ~~(9)~~, a
 513 prescribing practitioner may not:

514 1. Knowingly assist a patient, other person, or the owner
 515 of an animal in obtaining a controlled substance through
 516 deceptive, untrue, or fraudulent representations in or related
 517 to the practice of the prescribing practitioner's professional
 518 practice;

519 2. Employ a trick or scheme in the practice of the
 520 prescribing practitioner's professional practice to assist a

521 patient, other person, or the owner of an animal in obtaining a
 522 controlled substance;

523 3. Knowingly write a prescription for a controlled
 524 substance for a fictitious person; or

525 4. Write a prescription for a controlled substance for a
 526 patient, other person, or an animal if the sole purpose of
 527 writing such prescription is to provide a monetary benefit to,
 528 or obtain a monetary benefit for, the prescribing practitioner.

529 (8)~~(9)~~ The provisions of subsections (1)-(7) ~~(1)-(8)~~ are
 530 not applicable to the delivery to, or actual or constructive
 531 possession for medical or scientific use or purpose only of
 532 controlled substances by, persons included in any of the
 533 following classes, or the agents or employees of such persons,
 534 for use in the usual course of their business or profession or
 535 in the performance of their official duties:

536 (a) Pharmacists.

537 (b) Practitioners.

538 (c) Persons who procure controlled substances in good
 539 faith and in the course of professional practice only, by or
 540 under the supervision of pharmacists or practitioners employed
 541 by them, or for the purpose of lawful research, teaching, or
 542 testing, and not for resale.

543 (d) Hospitals that procure controlled substances for
 544 lawful administration by practitioners, but only for use by or
 545 in the particular hospital.

546 (e) Officers or employees of state, federal, or local

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547 governments acting in their official capacity only, or informers
548 acting under their jurisdiction.

549 (f) Common carriers.

550 (g) Manufacturers, wholesalers, and distributors.

551 (h) Law enforcement officers for bona fide law enforcement
552 purposes in the course of an active criminal investigation.

553 Section 9. Paragraph (a) of subsection (1) of section
554 893.135, Florida Statutes, is amended to read:

555 893.135 Trafficking; mandatory sentences; suspension or
556 reduction of sentences; conspiracy to engage in trafficking.—

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

559 ~~(a) Any person who knowingly sells, purchases,~~
560 ~~manufactures, delivers, or brings into this state, or who is~~
561 ~~knowingly in actual or constructive possession of, in excess of~~
562 ~~25 pounds of cannabis, or 300 or more cannabis plants, commits a~~
563 ~~felony of the first degree, which felony shall be known as~~
564 ~~"trafficking in cannabis," punishable as provided in s. 775.082,~~
565 ~~s. 775.083, or s. 775.084. If the quantity of cannabis involved:~~

566 ~~1. Is in excess of 25 pounds, but less than 2,000 pounds,~~
567 ~~or is 300 or more cannabis plants, but not more than 2,000~~
568 ~~cannabis plants, such person shall be sentenced to a mandatory~~
569 ~~minimum term of imprisonment of 3 years, and the defendant shall~~
570 ~~be ordered to pay a fine of \$25,000.~~

571 ~~2. Is 2,000 pounds or more, but less than 10,000 pounds,~~
572 ~~or is 2,000 or more cannabis plants, but not more than 10,000~~

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573 ~~cannabis plants, such person shall be sentenced to a mandatory~~
574 ~~minimum term of imprisonment of 7 years, and the defendant shall~~
575 ~~be ordered to pay a fine of \$50,000.~~

576 ~~3. Is 10,000 pounds or more, or is 10,000 or more cannabis~~
577 ~~plants, such person shall be sentenced to a mandatory minimum~~
578 ~~term of imprisonment of 15 calendar years and pay a fine of~~
579 ~~\$200,000.~~

580
581 ~~For the purpose of this paragraph, a plant, including, but not~~
582 ~~limited to, a seedling or cutting, is a "cannabis plant" if it~~
583 ~~has some readily observable evidence of root formation, such as~~
584 ~~root hairs. To determine if a piece or part of a cannabis plant~~
585 ~~severed from the cannabis plant is itself a cannabis plant, the~~
586 ~~severed piece or part must have some readily observable evidence~~
587 ~~of root formation, such as root hairs. Callous tissue is not~~
588 ~~readily observable evidence of root formation. The viability and~~
589 ~~sex of a plant and the fact that the plant may or may not be a~~
590 ~~dead harvested plant are not relevant in determining if the~~
591 ~~plant is a "cannabis plant" or in the charging of an offense~~
592 ~~under this paragraph. Upon conviction, the court shall impose~~
593 ~~the longest term of imprisonment provided for in this paragraph.~~

594 Section 10. Subsection (4) of section 893.1351, Florida
595 Statutes, is amended to read:

596 893.1351 Ownership, lease, rental, or possession for
597 trafficking in or manufacturing a controlled substance.—

598 ~~(4) For the purposes of this section, proof of the~~

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599 ~~possession of 25 or more cannabis plants constitutes prima facie~~
 600 ~~evidence that the cannabis is intended for sale or distribution.~~

601 Section 11. Subsections (7) and (12) of section 893.145,
 602 Florida Statutes, are amended to read:

603 893.145 "Drug paraphernalia" defined.—The term "drug
 604 paraphernalia" means all equipment, products, and materials of
 605 any kind which are used, intended for use, or designed for use
 606 in planting, propagating, cultivating, growing, harvesting,
 607 manufacturing, compounding, converting, producing, processing,
 608 preparing, testing, analyzing, packaging, repackaging, storing,
 609 containing, concealing, transporting, injecting, ingesting,
 610 inhaling, or otherwise introducing into the human body a
 611 controlled substance in violation of this chapter or s. 877.111.
 612 Drug paraphernalia is deemed to be contraband which shall be
 613 subject to civil forfeiture. The term includes, but is not
 614 limited to:

615 ~~(7) Separation gins and sifters used, intended for use, or~~
 616 ~~designed for use in removing twigs and seeds from, or in~~
 617 ~~otherwise cleaning or refining, cannabis.~~

618 (11) ~~(12)~~ Objects used, intended for use, or designed for
 619 use in ingesting, inhaling, or otherwise introducing ~~cannabis,~~
 620 cocaine, hashish, hashish oil, or nitrous oxide into the human
 621 body, such as:

622 (a) Metal, wooden, acrylic, glass, stone, plastic, or
 623 ceramic pipes, with or without screens, permanent screens,
 624 hashish heads, or punctured metal bowls.

- 625 (b) Water pipes.
- 626 (c) Carburetion tubes and devices.
- 627 (d) Smoking and carburetion masks.
- 628 (e) Roach clips: meaning objects used to hold burning
- 629 material, ~~such as a cannabis cigarette,~~ that has become too
- 630 small or too short to be held in the hand.
- 631 (f) Miniature cocaine spoons, and cocaine vials.
- 632 (g) Chamber pipes.
- 633 (h) Carburetor pipes.
- 634 (i) Electric pipes.
- 635 (j) Air-driven pipes.
- 636 (k) Chillums.
- 637 (l) Bonges.
- 638 (m) Ice pipes or chillers.
- 639 (n) A cartridge or canister, which means a small metal
- 640 device used to contain nitrous oxide.
- 641 (o) A charger, sometimes referred to as a "cracker," which
- 642 means a small metal or plastic device that contains an interior
- 643 pin that may be used to expel nitrous oxide from a cartridge or
- 644 container.
- 645 (p) A charging bottle, which means a device that may be
- 646 used to expel nitrous oxide from a cartridge or canister.
- 647 (q) A whip-it, which means a device that may be used to
- 648 expel nitrous oxide.
- 649 (r) A tank.
- 650 (s) A balloon.

651 (t) A hose or tube.

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

653 (v) Duct tape.

654 Section 12. Paragraph (a) of subsection (6) of section
655 893.147, Florida Statutes, is amended to read:

656 893.147 Use, possession, manufacture, delivery,
657 transportation, advertisement, or retail sale of drug
658 paraphernalia.—

659 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

660 (a) It is unlawful for a person to knowingly and willfully
661 sell or offer for sale at retail any drug paraphernalia
662 described in s. 893.145(11)(a)-(c) or (g)-(m) ~~893.145(12)(a)-(c)~~
663 ~~or (g)-(m)~~, other than a pipe that is primarily made of briar,
664 meerschaum, clay, or corn cob.

665 Section 13. Section 893.15, Florida Statutes, is amended
666 to read:

667 893.15 Rehabilitation.—Any person who violates s.
668 893.13(5)(a) or (b) ~~893.13(6)(a) or (b)~~ relating to possession
669 may, in the discretion of the trial judge, be required to
670 participate in a substance abuse services program approved or
671 regulated by the Department of Children and Families pursuant to
672 the provisions of chapter 397, provided the director of such
673 program approves the placement of the defendant in such program.
674 Such required participation shall be imposed in addition to any
675 penalty or probation otherwise prescribed by law. However, the
676 total time of such penalty, probation, and program participation

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677 shall not exceed the maximum length of sentence possible for the
678 offense.

679 Section 14. Paragraphs (a), (b), (c), (e), (g), (h), and
680 (i) of subsection (3) of section 921.0022, Florida Statutes, are
681 amended to read:

682 921.0022 Criminal Punishment Code; offense severity
683 ranking chart.—

684 (3) OFFENSE SEVERITY RANKING CHART

685 (a) LEVEL 1

686

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.

689

690

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691	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
692	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
693	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
694	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
695	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
696	322.212 (5) (a)	3rd	False application for driver license or identification card.
697	414.39 (2)	3rd	Unauthorized use, possession,

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698			forgery, or alteration of food assistance program, Medicaid ID, value greater than \$200.
	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
699			
	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
700			
	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value greater than \$300.
701			
	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
702			
	562.27 (1)	3rd	Possess still or still apparatus.
703			
	713.69	3rd	Tenant removes property upon

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which lien has accrued, value more than \$50.

704

812.014(3)(c) 3rd Petit theft (3rd conviction); theft of any property not specified in subsection (2).

705

812.081(2) 3rd Unlawfully makes or causes to be made a reproduction of a trade secret.

706

815.04(5)(a) 3rd Offense against intellectual property (i.e., computer programs, data).

707

817.52(2) 3rd Hiring with intent to defraud, motor vehicle services.

708

817.569(2) 3rd Use of public record or public records information or providing false information to facilitate commission of a felony.

709

826.01 3rd Bigamy.

710

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711	828.122 (3)	3rd	Fighting or baiting animals.
712	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
713	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
714	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
715	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
716	838.15 (2)	3rd	Commercial bribe receiving.
717	838.16	3rd	Commercial bribery.
	843.18	3rd	Fleeing by boat to elude a law

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enforcement officer.

718

847.011(1)(a) 3rd Sell, distribute, etc.,
obscene, lewd, etc., material
(2nd conviction).

719

849.01 3rd Keeping gambling house.

720

849.09(1)(a)-(d) 3rd Lottery; set up, promote, etc.,
or assist therein, conduct or
advertise drawing for prizes,
or dispose of property or money
by means of lottery.

721

849.23 3rd Gambling-related machines;
"common offender" as to
property rights.

722

849.25(2) 3rd Engaging in bookmaking.

723

860.08 3rd Interfere with a railroad
signal.

724

860.13(1)(a) 3rd Operate aircraft while under
the influence.

725

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726	893.13(2)(a)2.	3rd	Purchase of cannabis.
727	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
728	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
729	(b) LEVEL 2		
730	Florida Statute	Felony Degree	Description
731	379.2431 (1)(e)3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
732	379.2431 (1)(e)4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
733	403.413(6)(c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic

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feet in volume or any quantity
for commercial purposes, or
hazardous waste.

734

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

735

590.28(1) 3rd Intentional burning of lands.

736

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

737

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

738

806.13(1)(b)3. 3rd Criminal mischief; damage
\$1,000 or more to public
communication or any other
public service.

739

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

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burglary.

740

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

741

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

742

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

743

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

744

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

745

817.481(3)(a) 3rd Obtain credit or purchase with
false, expired, counterfeit,
etc., credit card, value over
\$300.

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746	817.52 (3)	3rd	Failure to redeliver hired vehicle.
747	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
748	817.60 (5)	3rd	Dealing in credit cards of another.
749	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
750	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
751	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
752	831.01	3rd	Forgery.
753	831.02	3rd	Uttering forged instrument; utters or publishes alteration

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with intent to defraud.

754

831.07 3rd Forging bank bills, checks, drafts, or promissory notes.

755

831.08 3rd Possessing 10 or more forged notes, bills, checks, or drafts.

756

831.09 3rd Uttering forged notes, bills, checks, drafts, or promissory notes.

757

831.11 3rd Bringing into the state forged bank bills, checks, drafts, or notes.

758

832.05 (3) (a) 3rd Cashing or depositing item with intent to defraud.

759

843.08 3rd False personation.

760

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.,

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(2) (c) 9., (3), or (4) drugs
~~other than cannabis.~~

761 893.147 (2) 3rd Manufacture or delivery of drug
 paraphernalia.

762
 763 (c) LEVEL 3

764 Florida Felony
 Statute Degree Description

765 119.10 (2) (b) 3rd Unlawful use of confidential
 information from police
 reports.

766 316.066 3rd Unlawfully obtaining or using
 (3) (b) - (d) confidential crash reports.

767 316.193 (2) (b) 3rd Felony DUI, 3rd conviction.

768 316.1935 (2) 3rd Fleeing or attempting to elude
 law enforcement officer in
 patrol vehicle with siren and
 lights activated.

769 319.30 (4) 3rd Possession by junkyard of motor

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vehicle with identification
number plate removed.

770

319.33(1)(a) 3rd Alter or forge any certificate
of title to a motor vehicle or
mobile home.

771

319.33(1)(c) 3rd Procure or pass title on stolen
vehicle.

772

319.33(4) 3rd With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

773

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

774

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

775

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

776

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777	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
778	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.
779	379.2431 (1) (e) 6.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
780	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to

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report information.

781

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

782

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

783

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

784

624.401 (4) (b) 1. 3rd Transacting insurance without a certificate of authority; premium collected less than \$20,000.

785

626.902 (1) (a) & (b) 3rd Representing an unauthorized insurer.

786

697.08 3rd Equity skimming.

787

790.15 (3) 3rd Person directs another to

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discharge firearm from a
vehicle.

788

806.10 (1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

789

806.10 (2) 3rd Interferes with or assaults
firefighter in performance of
duty.

790

810.09 (2) (c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

791

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

792

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

793

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

794

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795	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
796	817.233	3rd	Burning to defraud insurer.
797	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
798	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
799	817.236	3rd	Filing a false motor vehicle insurance application.
800	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
801	817.413 (2)	3rd	Sale of used goods as new.
802	817.505 (4)	3rd	Patient brokering.

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803	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
804	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
805	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
806	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
807	843.19	3rd	Injure, disable, or kill police dog or horse.
808	860.15 (3)	3rd	Overcharging for repairs and parts.
809	870.01 (2)	3rd	Riot; inciting or encouraging.
	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~~.~~

810

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.

811

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

812

893.13(5)(a) 3rd Possession of any controlled
~~893.13(6)(a)~~ substance ~~other than felony~~
~~possession of cannabis.~~

813

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814	<p><u>893.13(6)(a)8.</u> 893.13(7)(a)8.</p>	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
815	<p><u>893.13(6)(a)9.</u> 893.13(7)(a)9.</p>	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
816	<p><u>893.13(6)(a)10.</u> 893.13(7)(a)10.</p>	3rd	Affix false or forged label to package of controlled substance.
817	<p><u>893.13(6)(a)11.</u> 893.13(7)(a)11.</p>	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
817	<p><u>893.13(7)(a)1.</u> 893.13(8)(a)1.</p>	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.

818

893.13(7)(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.

~~893.13(8)(a)2.~~

819

893.13(7)(a)3.

3rd

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

~~893.13(8)(a)3.~~

820

893.13(7)(a)4.

3rd

Write a prescription for a 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.

~~893.13(8)(a)4.~~

821

918.13(1)(a)

3rd

Alter, destroy, or conceal investigation evidence.

822

944.47

3rd

Introduce contraband to correctional facility.

(1)(a)1. & 2.

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823

944.47(1)(c) 2nd Possess contraband while upon
the grounds of a correctional
institution.

824

985.721 3rd Escapes from a juvenile
facility (secure detention or
residential commitment
facility).

825

826 (e) LEVEL 5

827

Florida	Felony	
Statute	Degree	Description

828

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

829

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

830

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

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831	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
832	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
833	379.3671 (2) (c) 3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.
834	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
835	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
836	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
837	440.381 (2)	2nd	Submission of false, misleading, or incomplete

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information with the purpose of
avoiding or reducing workers'
compensation premiums.

838

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

839

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

840

790.01 (2) 3rd Carrying a concealed firearm.

841

790.162 2nd Threat to throw or discharge
destructive device.

842

790.163 (1) 2nd False report of deadly
explosive or weapon of mass
destruction.

843

790.221 (1) 2nd Possession of short-barreled
shotgun or machine gun.

844

790.23 2nd Felons in possession of
firearms, ammunition, or

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electronic weapons or devices.

845

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

846

800.04 (6) (c) 3rd Lewd or lascivious conduct; offender less than 18 years of age.

847

800.04 (7) (b) 2nd Lewd or lascivious exhibition; offender 18 years of age or older.

848

806.111 (1) 3rd Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

849

812.0145 (2) (b) 2nd Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

850

812.015 (8) 3rd Retail theft; property stolen is valued at \$300 or more and one or more specified acts.

851

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852	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
853	812.131 (2) (b)	3rd	Robbery by sudden snatching.
854	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
855	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
856	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
857	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or

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amount of injury or fraud,
\$5,000 or more or use of
personal identification
information of 10 or more
persons.

858

817.625 (2) (b) 2nd Second or subsequent fraudulent
use of scanning device or
reencoder.

859

825.1025 (4) 3rd Lewd or lascivious exhibition
in the presence of an elderly
person or disabled adult.

860

827.071 (4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes sexual conduct by a
child.

861

827.071 (5) 3rd Possess, control, or
intentionally view any
photographic material, motion
picture, etc., which includes
sexual conduct by a child.

862

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863	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
864	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
865	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
866	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
867	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
868	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

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869 874.05 (2) (a) 2nd Encouraging or recruiting
person under 13 years of age to
join a criminal gang.

870 893.13 (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).

871 893.13 (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.

871 893.13 (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.

872

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.

873

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.

874

893.13 (3) (b) 2nd Deliver to minor ~~cannabis~~ (or
~~893.13 (4) (b)~~ ~~other~~ s. 893.03 (1) (c),
 (2) (c) 1., (2) (c) 2., (2) (c) 3.,
 (2) (c) 5., (2) (c) 6., (2) (c) 7.,

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(2) (c) 8., (2) (c) 9., (3), or (4) drugs.

875

893.1351(1) 3rd Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

876

877 (g) LEVEL 7

878

Florida	Felony	
Statute	Degree	Description

879

316.027(2)(c) 1st Accident involving death, failure to stop; leaving scene.

880

316.193(3)(c)2. 3rd DUI resulting in serious bodily injury.

881

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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882	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
883	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
884	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
885	409.920 (2) (b) 1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
886	456.065 (2)	3rd	Practicing a health care profession without a license.
887	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
888	458.327 (1)	3rd	Practicing medicine without a

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license.

889

459.013 (1) 3rd Practicing osteopathic medicine
without a license.

890

460.411 (1) 3rd Practicing chiropractic
medicine without a license.

891

461.012 (1) 3rd Practicing podiatric medicine
without a license.

892

462.17 3rd Practicing naturopathy without
a license.

893

463.015 (1) 3rd Practicing optometry without a
license.

894

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

895

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

896

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

897

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898	467.201	3rd	Practicing midwifery without a license.
899	468.366	3rd	Delivering respiratory care services without a license.
900	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
901	483.901 (9)	3rd	Practicing medical physics without a license.
902	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
903	484.053	3rd	Dispensing hearing aids without a license.
904	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.

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905	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.
906	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
907	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
908	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
909	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
	775.21 (10) (g)	3rd	Failure to report or providing

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910	782.051(3)	2nd	false information about a sexual predator; harbor or conceal a sexual predator.
911	782.07(1)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
912	782.071	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
913	782.072	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
914			Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

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915	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
916	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
917	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
918	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
919	784.048 (7)	3rd	Aggravated stalking; violation of court order.
920	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
921	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
922	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.

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923	784.081(1)	1st	Aggravated battery on specified official or employee.
924	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
925	784.083(1)	1st	Aggravated battery on code inspector.
926	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
927	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.
928	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
	790.16(1)	1st	Discharge of a machine gun

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under specified circumstances.

929

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

930

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

931

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

932

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

933

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

934

794.08 (4) 3rd Female genital mutilation;

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

935

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

936

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

937

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

938

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.

939

800.04 (5) (e) 1st Lewd or lascivious molestation;
victim 12 years of age or older
but younger than 16 years;

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offender 18 years or older;
 prior conviction for specified
 sex offense.

940 806.01 (2) 2nd Maliciously damage structure by
 fire or explosive.

941 810.02 (3) (a) 2nd Burglary of occupied dwelling;
 unarmed; no assault or battery.

942 810.02 (3) (b) 2nd Burglary of unoccupied
 dwelling; unarmed; no assault
 or battery.

943 810.02 (3) (d) 2nd Burglary of occupied
 conveyance; unarmed; no assault
 or battery.

944 810.02 (3) (e) 2nd Burglary of authorized
 emergency vehicle.

945 812.014 (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

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property damage; 1st degree
grand theft.

946

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

947

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

948

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

949

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

950

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

951

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

952

812.133 (2) (b) 1st Carjacking; no firearm, deadly

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weapon, or other weapon.

953

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

954

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

955

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

956

817.234 (11) (c) 1st Insurance fraud; property value \$100,000 or more.

957

817.2341 1st Making false entries of
(2) (b) & material fact or false
(3) (b) statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

958

817.535 (2) (a) 3rd Filing false lien or other unauthorized document.

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959	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
960	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.
961	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
962	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
963	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
964	838.015	2nd	Bribery.
965	838.016	2nd	Unlawful compensation or reward

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for official behavior.

966

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

967

838.22 2nd Bid tampering.

968

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

969

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

970

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

971

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

972

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

973

872.06 2nd Abuse of a dead human body.

974

874.05 (2) (b) 1st Encouraging or recruiting

975	874.10	1st, PBL	<p>person under 13 to join a criminal gang; second or subsequent offense.</p> <p>Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.</p>
976	893.13(1)(c)1.	1st	<p>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.</p>
977	893.13(1)(e)1.	1st	<p>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.,</p>

within 1,000 feet of property used for religious services or a specified business site.

978

893.13(3)(a) 1st Deliver to minor cocaine (or
~~893.13(4)(a)~~ other s. 893.03(1)(a), (1)(b),
 (1)(d), (2)(a), (2)(b), or
 (2)(c)4. drugs).

979

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

980

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

981

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

982

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

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983	(1)(c)2.a. <u>893.135</u> <u>(1)(b)2.b.</u> 893.135	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
984	(1)(c)2.b. <u>893.135</u> <u>(1)(b)3.a.</u> 893.135	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
985	(1)(c)3.a. <u>893.135</u> <u>(1)(b)3.b.</u> 893.135	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
986	(1)(c)3.b. <u>893.135(1)(c)1.</u> 893.135(1)(d)1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
987	<u>893.135(1)(d)1.</u> 893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
988	<u>893.135(1)(e)1.</u>	1st	Trafficking in amphetamine,

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989	893.135(1)(f)1.		more than 14 grams, less than 28 grams.
990	<u>893.135</u> <u>(1)(f)1.a.</u> 893.135 (1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
991	<u>893.135</u> <u>(1)(g)1.a.</u> 893.135 (1)(h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
992	<u>893.135</u> <u>(1)(i)1.a.</u> 893.135 (1)(j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
993	<u>893.135</u> <u>(1)(j)2.a.</u> 893.135 (1)(k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
993	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.

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994	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
995	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
996	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
997	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
998	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
999	943.0435 (13)	3rd	Failure to report or providing

			false information about a sexual offender; harbor or conceal a sexual offender.
1000	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1001	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1002	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1003	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1004	944.607 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address

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1005			verification; providing false registration information.
1006	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1007	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1008	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1009	(h) LEVEL 8		
1010	Florida Statute	Felony Degree	Description
1011	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
1012			

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1013	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
1014	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
1015	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
1016	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
1017	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.
1018	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.
	655.50 (10) (b) 2.	2nd	Failure to report financial

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1019	777.03(2)(a)	1st	<p>transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.</p> <p>Accessory after the fact, capital felony.</p>
1020	782.04(4)	2nd	<p>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.</p>
1021	782.051(2)	1st	<p>Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).</p>
1022	782.071(1)(b)	1st	<p>Committing vehicular homicide and failing to render aid or give information.</p>

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1023	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
1024	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
1025	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
1026	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
1027	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.
1028	787.06 (3) (f) 2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from

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1029	790.161 (3)	1st	outside Florida to within the state.
1030	794.011 (5) (a)	1st	Discharging a destructive device which results in bodily harm or property damage.
1031	794.011 (5) (b)	2nd	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.
1032	794.011 (5) (c)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
1033			Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.

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1034	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.
1035	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
1036	800.04 (4) (b)	2nd	Lewd or lascivious battery.
1037	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
1038	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
1039	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.

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1040	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
1041	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
1042	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
1043	812.13 (2) (b)	1st	Robbery with a weapon.
1044	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
1045	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.

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1046	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
1047	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.
1048	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
1049	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
1050	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
1051	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is

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1052			valued at \$50,000 or more.
	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
1053			
	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
1054			
	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
1055			
	860.16	1st	Aircraft piracy.
1056			
	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) .
1057			
	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b) .

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1058	<u>893.13(5)(c)</u>	1st	Possess in excess of 10 grams
	893.13(6)(e)		of any substance specified in
			s. 893.03(1)(a) or (b).
1059	893.135(1)(a)2.	1st	Trafficking in cannabis, more
			than 2,000 lbs., less than
			10,000 lbs.
1060	<u>893.135</u>	1st	Trafficking in cocaine, more
	<u>(1)(a)1.b.</u>		than 200 grams, less than 400
	893.135		grams.
	(1)(b)1.b.		
1061	<u>893.135</u>	1st	Trafficking in illegal drugs,
	<u>(1)(b)1.b.</u>		more than 14 grams, less than
	893.135		28 grams.
	(1)(c)1.b.		
1062	<u>893.135</u>	1st	Trafficking in hydrocodone, 50
	<u>(1)(b)2.c.</u>		grams or more, less than 200
	893.135		grams.
	(1)(c)2.c.		
1063	<u>893.135</u>	1st	Trafficking in oxycodone, 25
	<u>(1)(b)3.c.</u>		grams or more, less than 100

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1064	<p>893.135 (1)(e)3.c.</p> <p><u>893.135</u> <u>(1)(c)1.b.</u></p> <p>893.135 (1)(d)1.b.</p>	<p>grams.</p> <p>1st Trafficking in phencyclidine, more than 200 grams, less than 400 grams.</p>
1065	<p><u>893.135</u> <u>(1)(d)1.b.</u></p> <p>893.135 (1)(e)1.b.</p>	<p>1st Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.</p>
1066	<p><u>893.135</u> <u>(1)(e)1.b.</u></p> <p>893.135 (1)(f)1.b.</p>	<p>1st Trafficking in amphetamine, more than 28 grams, less than 200 grams.</p>
1067	<p><u>893.135</u> <u>(1)(f)1.b.</u></p> <p>893.135 (1)(g)1.b.</p>	<p>1st Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.</p>
1068	<p><u>893.135</u> <u>(1)(g)1.b.</u></p> <p>893.135</p>	<p>1st Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10</p>

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1069	(1) (h) 1.b.		kilograms.
	893.135	1st	Trafficking in 1,4-Butanediol,
	(1) (j) 1.b.		5 kilograms or more, less than 10 kilograms.
1070			
	893.135	1st	Trafficking in Phenethylamines,
	(1) (k) 2.b.		200 grams or more, less than 400 grams.
1071			
	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
1072			
	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
1073			
	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
1074			
	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of

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1075			racketeering activity.
	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
1076			
	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.
1077			
1078	(i)	LEVEL 9	
1079			
	Florida	Felony	
	Statute	Degree	Description
1080			
	316.193	1st	DUI manslaughter; failing to render aid or give information.
	(3) (c) 3.b.		
1081			
	327.35	1st	BUI manslaughter; failing to render aid or give information.
	(3) (c) 3.b.		
1082			
	409.920	1st	Medicaid provider fraud;

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1083	(2) (b) 1.c.		\$50,000 or more.
	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1084			
	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1085			
	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
1086			
	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1087			
	775.0844	1st	Aggravated white collar crime.
1088			
	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1089			

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1090	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.
1091	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1092	782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
1093	787.01(1)(a)1.	1st,PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1094	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

1095	787.02 (3) (a)	1st, PBL	interfere with performance of any governmental or political function.
1096	787.06 (3) (c) 1.	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1097	787.06 (3) (d)	1st	Human trafficking for labor and services of an unauthorized alien child.
1098	787.06 (3) (f) 1.	1st, PBL	Human trafficking using coercion for commercial sexual activity of an unauthorized adult alien.
			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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1099	790.161	1st	Attempted capital destructive device offense.
1100	790.166 (2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1101	794.011 (2)	1st	Attempted sexual battery; victim less than 12 years of age.
1102	794.011 (2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
1103	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.
1104	794.011 (4) (b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or

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1105			older.
	794.011 (4) (c)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.
1106			
	794.011 (4) (d)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
1107			
	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.
1108			
	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1109			
	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1110			

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1111	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1112	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1113	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1114	817.535 (3) (b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
1115	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.

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1116

817.568 (7) 2nd, Fraudulent use of personal
 PBL identification information of
 an individual under the age of
 18 by his or her parent, legal
 guardian, or person exercising
 custodial authority.

1117

827.03 (2) (a) 1st Aggravated child abuse.

1118

847.0145 (1) 1st Selling, or otherwise
 transferring custody or
 control, of a minor.

1119

847.0145 (2) 1st Purchasing, or otherwise
 obtaining custody or control,
 of a minor.

1120

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.

1121

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1122	893.135	1st	Attempted capital trafficking offense.
1123	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1124	893.135 (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1125	893.135 (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1126	893.135 (1)(c)2.d.	1st	Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms.
1127	893.135 (1)(c)3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
1128	893.135 (1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
	893.135	1st	Trafficking in methaqualone,

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1129	(1) (e) 1.c.		more than 25 kilograms.
1130	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1131	893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
1132	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
1133	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
1134	896.101 (5) (c)	1st	Money laundering, financial instruments totaling or exceeding \$100,000.
1135	896.104 (4) (a) 3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.
1136	Section 15. Paragraph (a) of subsection (1) of section		

1137 944.47, Florida Statutes, is amended to read:

1138 944.47 Introduction, removal, or possession of certain
 1139 articles unlawful; penalty.—

1140 (1) (a) Except through regular channels as authorized by
 1141 the officer in charge of the correctional institution, it is
 1142 unlawful to introduce into or upon the grounds of any state
 1143 correctional institution, or to take or attempt to take or send
 1144 or attempt to send therefrom, any of the following articles
 1145 which are hereby declared to be contraband for the purposes of
 1146 this section, to wit:

1147 1. Any written or recorded communication or any currency
 1148 or coin given or transmitted, or intended to be given or
 1149 transmitted, to any inmate of any state correctional
 1150 institution.

1151 2. Any article of food or clothing given or transmitted,
 1152 or intended to be given or transmitted, to any inmate of any
 1153 state correctional institution.

1154 3. Any intoxicating beverage or beverage which causes or
 1155 may cause an intoxicating effect.

1156 4. Any controlled substance as defined in s. 893.02(3)
 1157 ~~893.02(4)~~ or any prescription or nonprescription drug having a
 1158 hypnotic, stimulating, or depressing effect.

1159 5. Any firearm or weapon of any kind or any explosive
 1160 substance.

1161 6. Any cellular telephone or other portable communication
 1162 device intentionally and unlawfully introduced inside the secure

1163 perimeter of any state correctional institution without prior
1164 authorization or consent from the officer in charge of such
1165 correctional institution. As used in this subparagraph, the term
1166 "portable communication device" means any device carried, worn,
1167 or stored which is designed or intended to receive or transmit
1168 verbal or written messages, access or store data, or connect
1169 electronically to the Internet or any other electronic device
1170 and which allows communications in any form. Such devices
1171 include, but are not limited to, portable two-way pagers, hand-
1172 held radios, cellular telephones, Blackberry-type devices,
1173 personal digital assistants or PDA's, laptop computers, or any
1174 components of these devices which are intended to be used to
1175 assemble such devices. The term also includes any new technology
1176 that is developed for similar purposes. Excluded from this
1177 definition is any device having communication capabilities which
1178 has been approved or issued by the department for investigative
1179 or institutional security purposes or for conducting other state
1180 business.

1181 Section 16. Subsection (1) of section 948.20, Florida
1182 Statutes, is amended to read:

1183 948.20 Drug offender probation.—

1184 (1) If it appears to the court upon a hearing that the
1185 defendant is a chronic substance abuser whose criminal conduct
1186 is a violation of s. 893.13(2)(a) or (5)(a) ~~(6)(a)~~, or other
1187 nonviolent felony if such nonviolent felony is committed on or
1188 after July 1, 2009, and notwithstanding s. 921.0024 the

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1189 defendant's Criminal Punishment Code scoresheet total sentence
1190 points are 60 points or fewer, the court may either adjudge the
1191 defendant guilty or stay and withhold the adjudication of guilt.
1192 In either case, the court may also stay and withhold the
1193 imposition of sentence and place the defendant on drug offender
1194 probation or into a postadjudicatory treatment-based drug court
1195 program if the defendant otherwise qualifies. As used in this
1196 section, the term "nonviolent felony" means a third degree
1197 felony violation under chapter 810 or any other felony offense
1198 that is not a forcible felony as defined in s. 776.08.

1199 Section 17. Subsection (1) of section 951.22, Florida
1200 Statutes, is amended to read:

1201 951.22 County detention facilities; contraband articles.—

1202 (1) It is unlawful, except through regular channels as
1203 duly authorized by the sheriff or officer in charge, to
1204 introduce into or possess upon the grounds of any county
1205 detention facility as defined in s. 951.23 or to give to or
1206 receive from any inmate of any such facility wherever said
1207 inmate is located at the time or to take or to attempt to take
1208 or send therefrom any of the following articles which are hereby
1209 declared to be contraband for the purposes of this act, to wit:
1210 Any written or recorded communication; any currency or coin; any
1211 article of food or clothing; any tobacco products as defined in
1212 s. 210.25(11); any cigarette as defined in s. 210.01(1); any
1213 cigar; any intoxicating beverage or beverage which causes or may
1214 cause an intoxicating effect; any narcotic, hypnotic, or

1215 | excitative drug or drug of any kind or nature, including nasal
 1216 | inhalators, sleeping pills, barbiturates, and controlled
 1217 | substances as defined in s. 893.02(3) ~~893.02(4)~~; any firearm or
 1218 | any instrumentality customarily used or which is intended to be
 1219 | used as a dangerous weapon; and any instrumentality of any
 1220 | nature that may be or is intended to be used as an aid in
 1221 | effecting or attempting to effect an escape from a county
 1222 | facility.

1223 | Section 18. Paragraph (a) of subsection (1) of section
 1224 | 985.711, Florida Statutes, is amended to read:

1225 | 985.711 Introduction, removal, or possession of certain
 1226 | articles unlawful; penalty.—

1227 | (1) (a) Except as authorized through program policy or
 1228 | operating procedure or as authorized by the facility
 1229 | superintendent, program director, or manager, a person may not
 1230 | introduce into or upon the grounds of a juvenile detention
 1231 | facility or commitment program, or take or send, or attempt to
 1232 | take or send, from a juvenile detention facility or commitment
 1233 | program, any of the following articles, which are declared to be
 1234 | contraband under this section:

- 1235 | 1. Any unauthorized article of food or clothing.
- 1236 | 2. Any intoxicating beverage or any beverage that causes
 1237 | or may cause an intoxicating effect.
- 1238 | 3. Any controlled substance, as defined in s. 893.02(3)
 1239 | ~~893.02(4)~~, or any prescription or nonprescription drug that has
 1240 | a hypnotic, stimulating, or depressing effect.

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1241 4. Any firearm or weapon of any kind or any explosive
 1242 substance.

1243 Section 19. Paragraph (i) of subsection (1) of section
 1244 1003.57, Florida Statutes, is amended to read:

1245 1003.57 Exceptional students instruction.-

1246 (1)

1247 (i) For purposes of paragraph (h), the term:

1248 1. "Controlled substance" means a drug or other substance
 1249 identified under Schedule I, Schedule II, Schedule III, Schedule
 1250 IV, or Schedule V of the Controlled Substances Act, 21 U.S.C. s.
 1251 812(c) and s. 893.02(3) ~~893.02(4)~~.

1252 2. "Weapon" means a device, instrument, material, or
 1253 substance, animate or inanimate, which is used for, or is
 1254 readily capable of, causing death or serious bodily injury;
 1255 however, this definition does not include a pocketknife having a
 1256 blade that is less than 2 1/2 inches in length.

1257 Section 20. This act shall take effect July 1, 2016.