

By Senator Bullard

39-00756-16

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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

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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.

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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.~~ 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

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88 chemical designation.

89 ~~36.37.~~ Tetrahydrocannabinols.

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

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

93 ~~39.40.~~ 3,4-Methylenedioxy methcathinone.

94 ~~40.41.~~ 3,4-Methylenedioxy pyrovalerone (MDPV).

95 ~~41.42.~~ Methylmethcathinone.

96 ~~42.43.~~ Methoxymethcathinone.

97 ~~43.44.~~ Fluoromethcathinone.

98 ~~44.45.~~ Methylethcathinone.

99 ~~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.~~ (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).

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117 56.57. FMPP (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.

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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.~~ Etylone (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 pyrrolidinopropiofenone.
 165 ~~99.100.~~ (MDPBP) 3,4-Methylenedioxy-alpha-
 166 pyrrolidinobutiophenone.
 167 ~~100.101.~~ Methoxy-alpha-pyrrolidinopropiofenone (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-MCAT).

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175 ~~107.108.~~ 107.108. Methylethylaminobutyrophenone (Me-EABP).
176 ~~108.109.~~ 108.109. Methylamino-butyrophenone (MABP).
177 ~~109.110.~~ 109.110. Pyrrolidinopropiophenone (PPP).
178 ~~110.111.~~ 110.111. Pyrrolidinobutiophenone (PBP).
179 ~~111.112.~~ 111.112. Pyrrolidinovalerophenone (PVP).
180 ~~112.113.~~ 112.113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
181 ~~113.114.~~ 113.114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
182 ~~114.115.~~ 114.115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
183 naphthalenylmethanone).
184 ~~115.116.~~ 115.116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
185 yl)methanone).
186 ~~116.117.~~ 116.117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
187 ~~117.118.~~ 117.118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
188 yl)methanone).
189 ~~118.119.~~ 118.119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-
190 3-yl)methanone).
191 ~~119.120.~~ 119.120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
192 ~~120.121.~~ 120.121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-
193 6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
194 ~~121.122.~~ 121.122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
195 indole).
196 ~~122.123.~~ 122.123. JWH-201 (1-pentyl-3-(4-
197 methoxyphenylacetyl)indole).
198 ~~123.124.~~ 123.124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-
199 yl)ethanone).
200 ~~124.125.~~ 124.125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
201 yl)methanone).
202 ~~125.126.~~ 125.126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
203 yl)ethanone).

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204 ~~126.127.~~ JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-
205 3-yl)ethanone) .

206 ~~127.128.~~ JWH-302 (1-pentyl-3-(3-
207 methoxyphenylacetyl)indole) .

208 ~~128.129.~~ JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole) .

209 ~~129.130.~~ HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-
210 3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
211 ol) .

212 ~~130.131.~~ HU-308 ([(1R,2R,5R) -2-[2,6-dimethoxy-4-(2-
213 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
214 enyl] methanol) .

215 ~~131.132.~~ HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
216 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
217 1,4-dione) .

218 ~~132.133.~~ CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
219 yl)methanone) .

220 ~~133.134.~~ CB-25 (N-cyclopropyl-11-(3-hydroxy-5-
221 pentylphenoxy)-undecanamide) .

222 ~~134.135.~~ CB-52 (N-cyclopropyl-11-(2-hexyl-5-
223 hydroxyphenoxy)-undecanamide) .

224 ~~135.136.~~ CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
225 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol) .

226 ~~136.137.~~ AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]- (2-
227 iodophenyl)methanone) .

228 ~~137.138.~~ AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
229 (naphthalen-1-yl)methanone) .

230 ~~138.139.~~ RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-
231 yl)methanone) .

232 ~~139.140.~~ RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-

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233 (2-methoxyphenylethanone) .

234 ~~140.141.~~ WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-

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

236 naphthalenylmethanone) .

237 ~~141.142.~~ WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-

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

239 naphthalenylmethanone) .

240 ~~142.143.~~ Pentedrone (2-(methylamino)-1-phenyl-1-pentanone) .

241 ~~143.144.~~ Fluoroamphetamine .

242 ~~144.145.~~ Fluoromethamphetamine .

243 ~~145.146.~~ Methoxetamine .

244 ~~146.147.~~ Methiopropamine .

245 ~~147.148.~~ 4-Methylbuphedrone (2-Methylamino-1-(4-

246 methylphenyl)butan-1-one) .

247 ~~148.149.~~ APB ((2-aminopropyl)benzofuran) .

248 ~~149.150.~~ APDB ((2-aminopropyl)-2,3-dihydrobenzofuran) .

249 ~~150.151.~~ UR-144 ((1-pentyl-1H-indol-3-yl) (2,2,3,3-

250 tetramethylcyclopropyl)methanone) .

251 ~~151.152.~~ XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl) (2,2,3,3-

252 tetramethylcyclopropyl)methanone) .

253 ~~152.153.~~ (1-(5-chloropentyl)-1H-indol-3-yl) (2,2,3,3-

254 tetramethylcyclopropyl)methanone .

255 ~~153.154.~~ AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-

256 indazole-3-carboxamide) .

257 ~~154.155.~~ AM-2233((2-iodophenyl) [1-[(1-methyl-2-

258 piperidinyl)methyl]-1H-indol-3-yl]-methanone) .

259 ~~155.156.~~ STS-135 (1-(5-fluoropentyl)-N-

260 tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indole-3-carboxamide) .

261 ~~156.157.~~ URB-597 ((3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-

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262 cyclohexylcarbamate).

263 ~~157.158.~~ URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
264 cyclohexyl ester).

265 ~~158.159.~~ URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-
266 benzoxazin-4-one).

267 ~~159.160.~~ 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).

268 ~~160.161.~~ 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).

269 ~~161.162.~~ 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).

270 ~~162.163.~~ 2C-P (2-(2,5-Dimethoxy-4-(n)-
271 propylphenyl)ethanamine).

272 ~~163.164.~~ 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-
273 methoxyphenyl)methyl]-benzeneethanamine).

274 ~~164.165.~~ 3,4-Methylenedioxymethamphetamine (MDMA).

275 ~~165.166.~~ PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-
276 carboxylic acid).

277 ~~166.167.~~ 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-
278 fluoropentyl)-1H-indole-3-carboxylic acid).

279 ~~167.168.~~ BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-1H-
280 indole-3-carboxylic acid).

281 ~~168.169.~~ 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-
282 (5-fluoropentyl)-1H-indazole-3-carboxamide).

283 ~~169.170.~~ AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
284 pentyl-1H-indazole-3-carboxamide).

285 ~~170.171.~~ AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
286 1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).

287 ~~171.172.~~ ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
288 yl)-1-pentyl-1H-indazole-3-carboxamide).

289 ~~172.173.~~ Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-
290 2-yl)-1-(fluoropentyl)-1H-indole-3-carboxamide).

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291 ~~173.174.~~ 25B-NBOMe (4-bromo-2,5-dimethoxy-N-[(2-
 292 methoxyphenyl)methyl]-benzeneethanamine).
 293 ~~174.175.~~ 2C-C-NBOMe (4-chloro-2,5-dimethoxy-N-[(2-
 294 methoxyphenyl)methyl]-benzeneethanamine).
 295 ~~175.176.~~ AB-CHMINACA: N-[1-(aminocarbonyl)-2-methylpropyl]-
 296 1-(cyclohexylmethyl)-1H-indazole-3-carboxamide.
 297 ~~176.177.~~ FUB-PB-22: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-
 298 indole-3-carboxylate.
 299 ~~177.178.~~ Fluoro-NNEI: 1-(Fluoropentyl)-N-(naphthalen-1-yl)-
 300 1H-indole-3-carboxamide.
 301 ~~178.179.~~ Fluoro-AMB: Methyl 2-(1-(fluoropentyl)-1H-
 302 indazole-3-carboxamido)-3-methylbutanoate.
 303 ~~179.180.~~ THJ-2201: [1-(5-Fluoropentyl)-1H-indazol-3-
 304 yl](naphthalen-1-yl)methanone.

305 Section 2. Paragraph (a) of subsection (2) and paragraph
 306 (a) of subsection (3) of section 456.0635, Florida Statutes, are
 307 amended to read:

308 456.0635 Health care fraud; disqualification for license,
 309 certificate, or registration.—

310 (2) Each board within the jurisdiction of the department,
 311 or the department if there is no board, shall refuse to admit a
 312 candidate to any examination and refuse to issue a license,
 313 certificate, or registration to any applicant if the candidate
 314 or applicant or any principal, officer, agent, managing
 315 employee, or affiliated person of the applicant:

316 (a) Has been convicted of, or entered a plea of guilty or
 317 nolo contendere to, regardless of adjudication, a felony under
 318 chapter 409, chapter 817, or chapter 893, or a similar felony
 319 offense committed in another state or jurisdiction, unless the

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320 candidate or applicant has successfully completed a drug court
321 program for that felony and provides proof that the plea has
322 been withdrawn or the charges have been dismissed. Any such
323 conviction or plea shall exclude the applicant or candidate from
324 licensure, examination, certification, or registration unless
325 the sentence and any subsequent period of probation for such
326 conviction or plea ended:

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

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

332 3. For felonies of the third degree under s. 893.13(5)(a)
333 ~~893.13(6)(a)~~, more than 5 years before the date of application;

334

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

341 (3) The department shall refuse to renew a license,
342 certificate, or registration of any applicant if the applicant
343 or any principal, officer, agent, managing employee, or
344 affiliated person of the applicant:

345 (a) Has been convicted of, or entered a plea of guilty or
346 nolo contendere to, regardless of adjudication, a felony under
347 chapter 409, chapter 817, or chapter 893, or a similar felony
348 offense committed in another state or jurisdiction, unless the

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349 applicant is currently enrolled in a drug court program that
 350 allows the withdrawal of the plea for that felony upon
 351 successful completion of that program. Any such conviction or
 352 plea excludes the applicant from licensure renewal unless the
 353 sentence and any subsequent period of probation for such
 354 conviction or plea ended:

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

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

360 3. For felonies of the third degree under s. 893.13(5)(a)
 361 ~~893.13(6)(a)~~, more than 5 years before the date of application.

362 Section 3. Paragraph (a) of subsection (2) of section
 363 772.12, Florida Statutes, is amended to read:

364 772.12 Drug Dealer Liability Act.—

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

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

373 1. A violation of s. 893.13, except for a violation of s.
 374 893.13(2)(a) or (b), (4) ~~(3)~~, (5), or (6) ~~(6)(a), (b), or (c),~~
 375 ~~(7)~~; or

376 2. A violation of s. 893.135; and

377 Section 4. Paragraph (c) of subsection (1) of section

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378 856.015, Florida Statutes, is amended to read:

379 856.015 Open house parties.—

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

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

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

385 893.02 Definitions.—The following words and phrases as used
386 in this chapter shall have the following meanings, unless the
387 context otherwise requires:

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

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

399 893.055 Prescription drug monitoring program.—

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

401 (a) "Patient advisory report" or "advisory report" means
402 information provided by the department in writing, or as
403 determined by the department, to a prescriber, dispenser,
404 pharmacy, or patient concerning the dispensing of controlled
405 substances. All advisory reports are for informational purposes
406 only and impose no obligations of any nature or any legal duty

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407 on a prescriber, dispenser, pharmacy, or patient. The patient
408 advisory report shall be provided in accordance with s.
409 893.13(6)(a)8 ~~893.13(7)(a)8~~. The advisory reports issued by the
410 department are not subject to discovery or introduction into
411 evidence in any civil or administrative action against a
412 prescriber, dispenser, pharmacy, or patient arising out of
413 matters that are the subject of the report; and a person who
414 participates in preparing, reviewing, issuing, or any other
415 activity related to an advisory report may not be permitted or
416 required to testify in any such civil action as to any findings,
417 recommendations, evaluations, opinions, or other actions taken
418 in connection with preparing, reviewing, or issuing such a
419 report.

420 (2)

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

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436 the Florida Osteopathic Medical Association, including those
437 relating to pain management; and the Attorney General, the
438 Department of Law Enforcement, and the Agency for Health Care
439 Administration to develop rules appropriate for the prescription
440 drug monitoring program.

441 (7)

442 (f) The program manager, upon determining a pattern
443 consistent with the rules established under paragraph (2)(d) and
444 having cause to believe a violation of s. 893.13(6)(a)8.,
445 (7)(a), or (7)(b) 893.13(7)(a)8., (8)(a), or (8)(b) has
446 occurred, may provide relevant information to the applicable law
447 enforcement agency.

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

450 893.0551 Public records exemption for the prescription drug
451 monitoring program.—

452 (4) If the department determines consistent with its rules
453 that a pattern of controlled substance abuse exists, the
454 department may disclose such confidential and exempt information
455 to the applicable law enforcement agency in accordance with s.
456 893.055. The law enforcement agency may disclose to a criminal
457 justice agency, as defined in s. 119.011, only confidential and
458 exempt information received from the department that is relevant
459 to an identified active investigation that is specific to a
460 violation of s. 893.13(6)(a)8. ~~893.13(7)(a)8.~~, s. 893.13(7)(a)
461 ~~893.13(8)(a),~~ or s. 893.13(8)(a) ~~893.13(8)(b).~~

462 Section 8. Subsections (3) and (6), paragraph (a) of
463 subsection (8), and subsection (9) of section 893.13, Florida
464 Statutes, are amended to read:

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465 893.13 Prohibited acts; penalties.—

466 ~~(3) A person who delivers, without consideration, 20 grams~~
467 ~~or less of cannabis, as defined in this chapter, commits a~~
468 ~~misdemeanor of the first degree, punishable as provided in s.~~
469 ~~775.082 or s. 775.083. As used in this paragraph, the term~~
470 ~~"cannabis" does not include the resin extracted from the plants~~
471 ~~of the genus *Cannabis* or any compound manufacture, salt,~~
472 ~~derivative, mixture, or preparation of such resin.~~

473 (5)~~(6)~~(a) A person may not be in actual or constructive
474 possession of a controlled substance unless such controlled
475 substance was lawfully obtained from a practitioner or pursuant
476 to a valid prescription or order of a practitioner while acting
477 in the course of his or her professional practice or to be in
478 actual or constructive possession of a controlled substance
479 except as otherwise authorized by this chapter. A person who
480 violates this provision commits a felony of the third degree,
481 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

482 ~~(b) If the offense is the possession of 20 grams or less of~~
483 ~~cannabis, as defined in this chapter, or 3 grams or less of a~~
484 ~~controlled substance described in s. 893.03(1)(c)46., 50., 114.,~~
485 ~~142., 151., 159., or 166.-173., the person commits a misdemeanor~~
486 ~~of the first degree, punishable as provided in s. 775.082 or s.~~
487 ~~775.083. As used in this subsection, the term "cannabis" does~~
488 ~~not include the resin extracted from the plants of the genus~~
489 ~~*Cannabis*, or any compound manufacture, salt, derivative,~~
490 ~~mixture, or preparation of such resin, and a controlled~~
491 ~~substance described in s. 893.03(1)(c)46., 50., 114., 142., 151.,~~
492 ~~159., or 166.-173. does not include the substance in a powdered~~
493 ~~form.~~

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494 (b)~~(e)~~ Except as provided in this chapter, a person may not
 495 possess more than 10 grams of any substance named or described
 496 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any
 497 mixture containing any such substance. A person who violates
 498 this paragraph commits a felony of the first degree, punishable
 499 as provided in s. 775.082, s. 775.083, or s. 775.084.

500 ~~(d) Notwithstanding any provision to the contrary of the~~
 501 ~~laws of this state relating to arrest, a law enforcement officer~~
 502 ~~may arrest without warrant any person who the officer has~~
 503 ~~probable cause to believe is violating the provisions of this~~
 504 ~~chapter relating to possession of cannabis.~~

505 (7)~~(8)~~(a) Notwithstanding subsection (8) ~~(9)~~, a prescribing
 506 practitioner may not:

507 1. Knowingly assist a patient, other person, or the owner
 508 of an animal in obtaining a controlled substance through
 509 deceptive, untrue, or fraudulent representations in or related
 510 to the practice of the prescribing practitioner's professional
 511 practice;

512 2. Employ a trick or scheme in the practice of the
 513 prescribing practitioner's professional practice to assist a
 514 patient, other person, or the owner of an animal in obtaining a
 515 controlled substance;

516 3. Knowingly write a prescription for a controlled
 517 substance for a fictitious person; or

518 4. Write a prescription for a controlled substance for a
 519 patient, other person, or an animal if the sole purpose of
 520 writing such prescription is to provide a monetary benefit to,
 521 or obtain a monetary benefit for, the prescribing practitioner.

522 (8)~~(9)~~ The provisions of subsections (1)-(7) ~~(1)-(8)~~ are

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523 not applicable to the delivery to, or actual or constructive
524 possession for medical or scientific use or purpose only of
525 controlled substances by, persons included in any of the
526 following classes, or the agents or employees of such persons,
527 for use in the usual course of their business or profession or
528 in the performance of their official duties:

529 (a) Pharmacists.

530 (b) Practitioners.

531 (c) Persons who procure controlled substances in good faith
532 and in the course of professional practice only, by or under the
533 supervision of pharmacists or practitioners employed by them, or
534 for the purpose of lawful research, teaching, or testing, and
535 not for resale.

536 (d) Hospitals that procure controlled substances for lawful
537 administration by practitioners, but only for use by or in the
538 particular hospital.

539 (e) Officers or employees of state, federal, or local
540 governments acting in their official capacity only, or informers
541 acting under their jurisdiction.

542 (f) Common carriers.

543 (g) Manufacturers, wholesalers, and distributors.

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

546 Section 9. Paragraph (a) of subsection (1) of section
547 893.135, Florida Statutes, is amended to read:

548 893.135 Trafficking; mandatory sentences; suspension or
549 reduction of sentences; conspiracy to engage in trafficking.—

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

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552 ~~(a) Any person who knowingly sells, purchases,~~
553 ~~manufactures, delivers, or brings into this state, or who is~~
554 ~~knowingly in actual or constructive possession of, in excess of~~
555 ~~25 pounds of cannabis, or 300 or more cannabis plants, commits a~~
556 ~~felony of the first degree, which felony shall be known as~~
557 ~~"trafficking in cannabis," punishable as provided in s. 775.082,~~
558 ~~s. 775.083, or s. 775.084. If the quantity of cannabis involved:~~

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

564 ~~2. Is 2,000 pounds or more, but less than 10,000 pounds, or~~
565 ~~is 2,000 or more cannabis plants, but not more than 10,000~~
566 ~~cannabis plants, such person shall be sentenced to a mandatory~~
567 ~~minimum term of imprisonment of 7 years, and the defendant shall~~
568 ~~be ordered to pay a fine of \$50,000.~~

569 ~~3. Is 10,000 pounds or more, or is 10,000 or more cannabis~~
570 ~~plants, such person shall be sentenced to a mandatory minimum~~
571 ~~term of imprisonment of 15 calendar years and pay a fine of~~
572 ~~\$200,000.~~

573
574 ~~For the purpose of this paragraph, a plant, including, but not~~
575 ~~limited to, a seedling or cutting, is a "cannabis plant" if it~~
576 ~~has some readily observable evidence of root formation, such as~~
577 ~~root hairs. To determine if a piece or part of a cannabis plant~~
578 ~~severed from the cannabis plant is itself a cannabis plant, the~~
579 ~~severed piece or part must have some readily observable evidence~~
580 ~~of root formation, such as root hairs. Callous tissue is not~~

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581 ~~readily observable evidence of root formation. The viability and~~
582 ~~sex of a plant and the fact that the plant may or may not be a~~
583 ~~dead harvested plant are not relevant in determining if the~~
584 ~~plant is a "cannabis plant" or in the charging of an offense~~
585 ~~under this paragraph. Upon conviction, the court shall impose~~
586 ~~the longest term of imprisonment provided for in this paragraph.~~

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

589 893.1351 Ownership, lease, rental, or possession for
590 trafficking in or manufacturing a controlled substance.—

591 ~~(4) For the purposes of this section, proof of the~~
592 ~~possession of 25 or more cannabis plants constitutes prima facie~~
593 ~~evidence that the cannabis is intended for sale or distribution.~~

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

596 893.145 "Drug paraphernalia" defined.—The term "drug
597 paraphernalia" means all equipment, products, and materials of
598 any kind which are used, intended for use, or designed for use
599 in planting, propagating, cultivating, growing, harvesting,
600 manufacturing, compounding, converting, producing, processing,
601 preparing, testing, analyzing, packaging, repackaging, storing,
602 containing, concealing, transporting, injecting, ingesting,
603 inhaling, or otherwise introducing into the human body a
604 controlled substance in violation of this chapter or s. 877.111.
605 Drug paraphernalia is deemed to be contraband which shall be
606 subject to civil forfeiture. The term includes, but is not
607 limited to:

608 ~~(7) Separation gins and sifters used, intended for use, or~~
609 ~~designed for use in removing twigs and seeds from, or in~~

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610 ~~otherwise cleaning or refining, cannabis.~~

611 (11)~~(12)~~ Objects used, intended for use, or designed for
612 use in ingesting, inhaling, or otherwise introducing ~~cannabis,~~
613 cocaine, hashish, hashish oil, or nitrous oxide into the human
614 body, such as:

615 (a) Metal, wooden, acrylic, glass, stone, plastic, or
616 ceramic pipes, with or without screens, permanent screens,
617 hashish heads, or punctured metal bowls.

618 (b) Water pipes.

619 (c) Carburetion tubes and devices.

620 (d) Smoking and carburetion masks.

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

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

625 (g) Chamber pipes.

626 (h) Carburetor pipes.

627 (i) Electric pipes.

628 (j) Air-driven pipes.

629 (k) Chillums.

630 (l) Bongs.

631 (m) Ice pipes or chillers.

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

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

638 (p) A charging bottle, which means a device that may be

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639 used to expel nitrous oxide from a cartridge or canister.

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

642 (r) A tank.

643 (s) A balloon.

644 (t) A hose or tube.

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

646 (v) Duct tape.

647 Section 12. Paragraph (a) of subsection (6) of section
648 893.147, Florida Statutes, is amended to read:

649 893.147 Use, possession, manufacture, delivery,
650 transportation, advertisement, or retail sale of drug
651 paraphernalia.—

652 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

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

658 Section 13. Section 893.15, Florida Statutes, is amended to
659 read:

660 893.15 Rehabilitation.—Any person who violates s.
661 893.13(5)(a) or (b) ~~893.13(6)(a) or (b)~~ relating to possession
662 may, in the discretion of the trial judge, be required to
663 participate in a substance abuse services program approved or
664 regulated by the Department of Children and Families pursuant to
665 the provisions of chapter 397, provided the director of such
666 program approves the placement of the defendant in such program.
667 Such required participation shall be imposed in addition to any

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668 penalty or probation otherwise prescribed by law. However, the
 669 total time of such penalty, probation, and program participation
 670 shall not exceed the maximum length of sentence possible for the
 671 offense.

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

675 921.0022 Criminal Punishment Code; offense severity ranking
 676 chart.—

677 (3) OFFENSE SEVERITY RANKING CHART

678 (a) LEVEL 1

679

680

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.

681

682

683

684

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685

319.30 (5) 3rd Sell, exchange, give away
certificate of title or
identification number plate.

686

319.35 (1) (a) 3rd Tamper, adjust, change, etc.,
an odometer.

687

320.26 (1) (a) 3rd Counterfeit, manufacture, or
sell registration license
plates or validation stickers.

688

322.212 3rd Possession of forged, stolen,
(1) (a) - (c) counterfeit, or unlawfully
issued driver license;
possession of simulated
identification.

689

322.212 (4) 3rd Supply or aid in supplying
unauthorized driver license or
identification card.

690

322.212 (5) (a) 3rd False application for driver
license or identification card.

691

414.39 (2) 3rd Unauthorized use, possession,
forgery, or alteration of food
assistance program, Medicaid
ID, value greater than \$200.

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692

414.39(3)(a) 3rd Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

693

443.071(1) 3rd False statement or representation to obtain or increase reemployment assistance benefits.

694

509.151(1) 3rd Defraud an innkeeper, food or lodging value greater than \$300.

695

517.302(1) 3rd Violation of the Florida Securities and Investor Protection Act.

696

562.27(1) 3rd Possess still or still apparatus.

697

713.69 3rd Tenant removes property upon which lien has accrued, value more than \$50.

698

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

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699

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

700

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

701

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

702

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

703

826.01 3rd Bigamy.

704

828.122(3) 3rd Fighting or baiting animals.

705

831.04(1) 3rd Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.

706

831.31(1)(a) 3rd Sell, deliver, or possess counterfeit controlled

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substances, all but s.
893.03(5) drugs.

707

832.041(1) 3rd Stopping payment with intent to
defraud \$150 or more.

708

832.05(2)(b) & 3rd Knowing, making, issuing
(4)(c) worthless checks \$150 or more
or obtaining property in return
for worthless check \$150 or
more.

709

838.15(2) 3rd Commercial bribe receiving.

710

838.16 3rd Commercial bribery.

711

843.18 3rd Fleeing by boat to elude a law
enforcement officer.

712

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

713

849.01 3rd Keeping gambling house.

714

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

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by means of lottery.

715

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

716

849.25 (2) 3rd Engaging in bookmaking.

717

860.08 3rd Interfere with a railroad
signal.

718

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

719

~~893.13 (2) (a) 2.~~ 3rd ~~Purchase of cannabis.~~

720

~~893.13 (6) (a)~~ 3rd ~~Possession of cannabis (more
than 20 grams).~~

721

934.03 (1) (a) 3rd Intercepts, or procures any
other person to intercept, any
wire or oral communication.

722

(b) LEVEL 2

723

724

725

Florida	Felony	Description
Statute	Degree	

726

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727	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
728	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
729	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
730	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
731	590.28 (1)	3rd	Intentional burning of lands.
732	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.

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733

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

734

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

735

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

736

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

737

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

738

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

739

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

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insurance claim.

740

817.481 (3) (a)

3rd

Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.

741

817.52 (3)

3rd

Failure to redeliver hired vehicle.

742

817.54

3rd

With intent to defraud, obtain mortgage note, etc., by false representation.

743

817.60 (5)

3rd

Dealing in credit cards of another.

744

817.60 (6) (a)

3rd

Forgery; purchase goods, services with false card.

745

817.61

3rd

Fraudulent use of credit cards over \$100 or more within 6 months.

746

826.04

3rd

Knowingly marries or has sexual intercourse with person to whom related.

747

831.01

3rd

Forgery.

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748	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
749	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
750	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
751	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
752	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
753	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
754	843.08	3rd	False personation.
755	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.~~

756

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

757

758 (c) LEVEL 3

759

760

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

761

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

762

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

763

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

764

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

765

319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
-----------	-----	---

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766

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

767

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

768

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

769

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

770

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

771

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

772

376.302(5) 3rd Fraud related to reimbursement
for cleanup expenses under the
Inland Protection Trust Fund.

773

379.2431 3rd Taking, disturbing, mutilating,

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(1) (e) 5.

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.

774

379.2431

3rd

(1) (e) 6.

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

775

400.9935 (4) (a)
or (b)

3rd

Operating a clinic, or offering services requiring licensure, without a license.

776

400.9935 (4) (e)

3rd

Filing a false license application or other required information or failing to report information.

777

440.1051 (3)

3rd

False report of workers' compensation fraud or retaliation for making such a report.

778

501.001 (2) (b)

2nd

Tampers with a consumer product

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or the container using
materially false/misleading
information.

779

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

780

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

781

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

782

697.08 3rd Equity skimming.

783

790.15 (3) 3rd Person directs another to
discharge firearm from a
vehicle.

784

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

785

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

786

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787 810.09(2)(c) 3rd Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.

788 812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but less than \$10,000.

789 812.0145(2)(c) 3rd Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

790 815.04(5)(b) 2nd Computer offense devised to defraud or obtain property.

791 817.034(4)(a)3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

792 817.233 3rd Burning to defraud insurer.

793 817.234 3rd Unlawful solicitation of persons involved in motor vehicle accidents.
(8)(b) & (c)

794 817.234(11)(a) 3rd Insurance fraud; property value less than \$20,000.

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795	817.236	3rd	Filing a false motor vehicle insurance application.
796	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
797	817.413(2)	3rd	Sale of used goods as new.
798	817.505(4)	3rd	Patient brokering.
799	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
800	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
801	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
802	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.

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803

843.19 3rd Injure, disable, or kill police dog or horse.

804

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

805

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

806

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.

807

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

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

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housing facility.

808

893.13(5)(a)

3rd

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

~~893.13(6)(a)~~

809

893.13(6)(a)8.

3rd

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

~~893.13(7)(a)8.~~

810

893.13(6)(a)9.

3rd

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

~~893.13(7)(a)9.~~

811

893.13(6)(a)10.

3rd

Affix false or forged label to package of controlled substance.

~~893.13(7)(a)10.~~

812

893.13(6)(a)11.

3rd

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

~~893.13(7)(a)11.~~

813

893.13(7)(a)1.

3rd

Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through

~~893.13(8)(a)1.~~

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deceptive, untrue, or
 fraudulent representations in
 or related to the
 practitioner's practice.

814

893.13(7)(a)2.
~~893.13(8)(a)2.~~

3rd

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

815

893.13(7)(a)3.
~~893.13(8)(a)3.~~

3rd

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

816

893.13(7)(a)4.
~~893.13(8)(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.

817

918.13(1)(a)

3rd

Alter, destroy, or conceal
 investigation evidence.

818

944.47
 (1)(a)1. & 2.

3rd

Introduce contraband to
 correctional facility.

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819

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

820

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

821

822 (e) LEVEL 5

823

824

Florida	Felony	Description
Statute	Degree	

825

316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
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826

316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
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827

322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
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828

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

829

379.367(4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

830

379.3671
(2)(c)3.

3rd

Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.

831

381.0041(11)(b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

832

440.10(1)(g)

2nd

Failure to obtain workers' compensation coverage.

833

440.105(5)

2nd

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

834

440.381(2)

2nd

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

835

624.401(4)(b)2.

2nd

Transacting insurance without a

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certificate or authority;
 premium collected \$20,000 or
 more but less than \$100,000.

836

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

837

790.01 (2) 3rd Carrying a concealed firearm.

838

790.162 2nd Threat to throw or discharge
 destructive device.

839

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

840

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

841

790.23 2nd Felons in possession of
 firearms, ammunition, or
 electronic weapons or devices.

842

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

843

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

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844
845
846
847
848
849
850
851
852

800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
812.131 (2) (b)	3rd	Robbery by sudden snatching.
812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.

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853 817.234 (11) (b) 2nd Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

854 817.2341 (1), 3rd Filing false financial
(2) (a) & (3) (a) statements, making false
entries of material fact or
false statements regarding
property values relating to the
solvency of an insuring entity.

855 817.568 (2) (b) 2nd Fraudulent use of personal
identification information;
value of benefit, services
received, payment avoided, or
amount of injury or fraud,
\$5,000 or more or use of
personal identification
information of 10 or more
persons.

856 817.625 (2) (b) 2nd Second or subsequent fraudulent
use of scanning device or
reencoder.

857 825.1025 (4) 3rd Lewd or lascivious exhibition
in the presence of an elderly
person or disabled adult.

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858

827.071 (4)

2nd

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

859

827.071 (5)

3rd

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

860

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.

861

843.01

3rd

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

862

847.0135 (5) (b)

2nd

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

863

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

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847.0138 3rd Transmission of material
(2) & (3) harmful to minors to a minor by
electronic device or equipment.

864

874.05(1)(b) 2nd Encouraging or recruiting
another to join a criminal
gang; second or subsequent
offense.

865

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

866

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).

867

893.13(1)(c)2. 2nd Sell, manufacture, or deliver
~~eannabis~~ (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

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recreational facility or
community center.

868

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.

869

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.

870

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.

871

893.13(3)(b) 2nd Deliver to minor ~~cannabis~~ (or

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

872

893.1351(1)

3rd

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

873

874

(g) LEVEL 7

875

876

Florida
Statute

Felony
Degree

Description

877

316.027(2)(c)

1st

Accident involving death,
failure to stop; leaving scene.

878

316.193(3)(c)2.

3rd

DUI resulting in serious bodily
injury.

879

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

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siren and lights activated.

880

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

881

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

882

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

883

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

884

456.065 (2) 3rd Practicing a health care
profession without a license.

885

456.065 (2) 2nd Practicing a health care
profession without a license
which results in serious bodily
injury.

886

458.327 (1) 3rd Practicing medicine without a
license.

887

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888	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
889	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
890	461.012 (1)	3rd	Practicing podiatric medicine without a license.
891	462.17	3rd	Practicing naturopathy without a license.
892	463.015 (1)	3rd	Practicing optometry without a license.
893	464.016 (1)	3rd	Practicing nursing without a license.
894	465.015 (2)	3rd	Practicing pharmacy without a license.
895	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
896	467.201	3rd	Practicing midwifery without a license.
	468.366	3rd	Delivering respiratory care services without a license.

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897

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

898

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

899

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

900

484.053 3rd Dispensing hearing aids without a license.

901

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.

902

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.

903

560.125 (5) (a) 3rd Money services business by unauthorized person, currency or payment instruments

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exceeding \$300 but less than
\$20,000.

904

655.50(10)(b)1. 3rd Failure to report financial
transactions exceeding \$300 but
less than \$20,000 by financial
institution.

905

775.21(10)(a) 3rd Sexual predator; failure to
register; failure to renew
driver license or
identification card; other
registration violations.

906

775.21(10)(b) 3rd Sexual predator working where
children regularly congregate.

907

775.21(10)(g) 3rd Failure to report or providing
false information about a
sexual predator; harbor or
conceal a sexual predator.

908

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

909

782.07(1) 2nd Killing of a human being by the

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act, procurement, or culpable
negligence of another
(manslaughter).

910

782.071

2nd

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

911

782.072

2nd

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

912

784.045 (1) (a) 1.

2nd

Aggravated battery;
intentionally causing great
bodily harm or disfigurement.

913

784.045 (1) (a) 2.

2nd

Aggravated battery; using
deadly weapon.

914

784.045 (1) (b)

2nd

Aggravated battery; perpetrator
aware victim pregnant.

915

784.048 (4)

3rd

Aggravated stalking; violation
of injunction or court order.

916

784.048 (7)

3rd

Aggravated stalking; violation

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of court order.

917

784.07(2)(d) 1st Aggravated battery on law enforcement officer.

918

784.074(1)(a) 1st Aggravated battery on sexually violent predators facility staff.

919

784.08(2)(a) 1st Aggravated battery on a person 65 years of age or older.

920

784.081(1) 1st Aggravated battery on specified official or employee.

921

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

922

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

923

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

924

787.06(3)(e)2. 1st Human trafficking using coercion for labor and services by the transfer or transport of

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an adult from outside Florida
to within the state.

925

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

926

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

927

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

928

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

929

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

930

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

931

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932	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
933	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
934	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
935	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
936	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
937	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.

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938	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.
939	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
940	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
941	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
942	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
943	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other

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property damage; 1st degree grand theft.

944

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

945

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

946

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

947

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

948

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

949

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

950

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

951

817.034 (4) (a) 1. 1st Communications fraud, value

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greater than \$50,000.

952

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

953

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

954

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

955

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

956

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

957

825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

958

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959	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.
960	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
961	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
962	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
963	838.015	2nd	Bribery.
964	838.016	2nd	Unlawful compensation or reward for official behavior.
965	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
966	838.22	2nd	Bid tampering.
	843.0855 (2)	3rd	Impersonation of a public officer or employee.

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967

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

968

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

969

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

970

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

971

872.06 2nd Abuse of a dead human body.

972

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

973

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

974

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

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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.

975

893.13(1)(e)1. 1st Sell, manufacture, or deliver
 cocaine or other drug
 prohibited under s.

893.03(1)(a), (1)(b), (1)(d),
 (2)(a), (2)(b), or (2)(c)4.,
 within 1,000 feet of property
 used for religious services or
 a specified business site.

976

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).

977

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

978

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

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~~893.135~~ grams.
~~(1)(b)1.a.~~

979

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.~~

980

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

981

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

982

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

983

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

984

893.135(1)(c)1. 1st Trafficking in phencyclidine,

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985	893.135(1)(d)1.		more than 28 grams, less than 200 grams.
986	<u>893.135(1)(d)1.</u> 893.135(1)(e)1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
987	<u>893.135(1)(e)1.</u> 893.135(1)(f)1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
988	<u>893.135(1)(f)1.a.</u> 893.135(1)(g)1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
989	<u>893.135(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.
990	<u>893.135(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.
	<u>893.135(1)(j)2.a.</u> 893.135	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

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~~(1)(k)2.a.~~

991

893.1351(2) 2nd Possession of place for
trafficking in or manufacturing
of controlled substance.

992

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

993

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

994

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

995

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

996

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

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997

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

998

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

999

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

1000

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

1001

944.607 (12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

1002

944.607 (13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false

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1003

registration information.

985.4815(10)

3rd

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

1004

985.4815(12)

3rd

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

1005

985.4815(13)

3rd

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

1006

(h) LEVEL 8

1007

1008

1009

Florida
Statute

Felony
Degree

Description

1010

316.193
(3)(c)3.a.

2nd

DUI manslaughter.

1011

316.1935(4)(b)

1st

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

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1012	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
1013	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
1014	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
1015	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.
1016	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.
1017	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
1018	777.03 (2) (a)	1st	Accessory after the fact,

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1019

capital felony.

782.04(4)

2nd

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

1020

782.051(2)

1st

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

1021

782.071(1)(b)

1st

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

1022

782.072(2)

1st

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

1023

787.06(3)(a)1.

1st

Human trafficking for labor and services of a child.

1024

787.06(3)(b)

1st

Human trafficking using

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1025

coercion for commercial sexual activity of an adult.

787.06(3)(c)2.

1st

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

1026

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.

1027

787.06(3)(f)2.

1st

Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.

1028

790.161(3)

1st

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

1029

794.011(5)(a)

1st

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

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1030

to cause serious injury.

794.011 (5) (b)

2nd

Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.

1031

794.011 (5) (c)

2nd

Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.

1032

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.

1033

794.08 (3)

2nd

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

1034

800.04 (4) (b)

2nd

Lewd or lascivious battery.

1035

800.04 (4) (c)

1st

Lewd or lascivious battery;

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1036			offender 18 years of age or older; prior conviction for specified sex offense.
1037	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
1038	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
1039	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
1040	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
1041	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
1042	812.13 (2) (b)	1st	Robbery with a weapon.
1043	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.

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1044

817.535 (2) (b) 2nd Filing false lien or other
unauthorized document; second
or subsequent offense.

1045

817.535 (3) (a) 2nd Filing false lien or other
unauthorized document; property
owner is a public officer or
employee.

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.

825.1025 (2) 2nd Lewd or lascivious battery upon

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1050

an elderly person or disabled adult.

825.103(3)(a)

1st

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

1051

837.02(2)

2nd

Perjury in official proceedings relating to prosecution of a capital felony.

1052

837.021(2)

2nd

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

1053

860.121(2)(c)

1st

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

1054

860.16

1st

Aircraft piracy.

1055

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).

1056

893.13(2)(b)

1st

Purchase in excess of 10 grams

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1057			of any substance specified in s. 893.03(1) (a) or (b).
1058	<u>893.13(5) (c)</u>	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
	893.13(6) (e)		
1059	<u>893.135</u>	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
	<u>(1) (a) 1.b.</u>		
	893.135		
	(1) (b) 1.b.		
1060	<u>893.135</u>	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
	<u>(1) (b) 1.b.</u>		
	893.135		
	(1) (c) 1.b.		
1061	<u>893.135</u>	1st	Trafficking in hydrocodone, 50 grams or more, less than 200 grams.
	<u>(1) (b) 2.c.</u>		
	893.135		
	(1) (c) 2.c.		
1062	<u>893.135</u>	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
	<u>(1) (b) 3.c.</u>		
	893.135		

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~~(1)(e)3.e.~~

1063

893.135
(1)(c)1.b.

1st Trafficking in phencyclidine,
more than 200 grams, less than
400 grams.

~~893.135~~

~~(1)(d)1.b.~~

1064

893.135
(1)(d)1.b.

1st Trafficking in methaqualone,
more than 5 kilograms, less
than 25 kilograms.

~~893.135~~

~~(1)(e)1.b.~~

1065

893.135
(1)(e)1.b.

1st Trafficking in amphetamine,
more than 28 grams, less than
200 grams.

~~893.135~~

~~(1)(f)1.b.~~

1066

893.135
(1)(f)1.b.

1st Trafficking in flunitrazepam,
14 grams or more, less than 28
grams.

~~893.135~~

~~(1)(g)1.b.~~

1067

893.135
(1)(g)1.b.

1st Trafficking in gamma-
hydroxybutyric acid (GHB), 5
kilograms or more, less than 10
kilograms.

~~893.135~~

~~(1)(h)1.b.~~

1068

893.135
(1)(j)1.b.

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

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1069

10 kilograms.

893.135
(1) (k) 2.b.

1st Trafficking in Phenethylamines,
200 grams or more, less than
400 grams.

1070

893.1351 (3)

1st Possession of a place used to
manufacture controlled
substance when minor is present
or resides there.

1071

895.03 (1)

1st Use or invest proceeds derived
from pattern of racketeering
activity.

1072

895.03 (2)

1st Acquire or maintain through
racketeering activity any
interest in or control of any
enterprise or real property.

1073

895.03 (3)

1st Conduct or participate in any
enterprise through pattern of
racketeering activity.

1074

896.101 (5) (b)

2nd Money laundering, financial
transactions totaling or
exceeding \$20,000, but less
than \$100,000.

1075

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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.

1076

1077 (i) LEVEL 9

1078

1079

Florida	Felony	Description
Statute	Degree	

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; \$50,000 or more.
(2) (b) 1.c.		

1083

499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
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1084

560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money
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1085

transmitter.

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

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.

1090

782.051 (1)

1st

Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04 (3).

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1091

782.07(2) 1st Aggravated manslaughter of an elderly person or disabled adult.

1092

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or reward or as a shield or hostage.

1093

787.01(1)(a)2. 1st,PBL Kidnapping with intent to commit or facilitate commission of any felony.

1094

787.01(1)(a)4. 1st,PBL Kidnapping with intent to interfere with performance of any governmental or political function.

1095

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

1096

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

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1097

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

1098

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

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

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1104			circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older.
	794.011 (4) (b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.
1105			
	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.

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1109

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

1110

812.13 (2) (a) 1st, PBL Robbery with firearm or other
deadly weapon.

1111

812.133 (2) (a) 1st, PBL Carjacking; firearm or other
deadly weapon.

1112

812.135 (2) (b) 1st Home-invasion robbery with
weapon.

1113

817.535 (3) (b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; property
owner is a public officer or
employee.

1114

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

1115

817.535 (5) (b) 1st Filing false lien or other
unauthorized document; second
or subsequent offense; owner of
the property incurs financial

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1116

loss as a result of the false instrument.

817.568 (7)

2nd,
PBL

Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.

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

893.135

1st

Attempted capital trafficking

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			offense.
1122	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1123	893.135 (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1124	893.135 (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
1125	893.135 (1)(c)2.d.	1st	Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms.
1126	893.135 (1)(c)3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
1127	893.135 (1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1128	893.135 (1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1129	893.135 (1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.

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1130

893.135 (1) (h) 1.c. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.

1131

893.135 (1) (j) 1.c. 1st Trafficking in 1,4-Butanediol, 10 kilograms or more.

1132

893.135 (1) (k) 2.c. 1st Trafficking in Phenethylamines, 400 grams or more.

1133

896.101 (5) (c) 1st Money laundering, financial instruments totaling or exceeding \$100,000.

1134

896.104 (4) (a) 3. 1st Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

1135

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 the
 1141 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

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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 or
1148 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, or
1152 intended to be given or transmitted, to any inmate of any state
1153 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,

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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
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.—

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1202 (1) It is unlawful, except through regular channels as duly
1203 authorized by the sheriff or officer in charge, to introduce
1204 into or possess upon the grounds of any county detention
1205 facility as defined in s. 951.23 or to give to or receive from
1206 any inmate of any such facility wherever said inmate is located
1207 at the time or to take or to attempt to take or send therefrom
1208 any of the following articles which are hereby declared to be
1209 contraband for the purposes of this act, to wit: Any written or
1210 recorded communication; any currency or coin; any article of
1211 food or clothing; any tobacco products as defined in s.
1212 210.25(11); any cigarette as defined in s. 210.01(1); any cigar;
1213 any intoxicating beverage or beverage which causes or may cause
1214 an intoxicating effect; any narcotic, hypnotic, or excitative
1215 drug or drug of any kind or nature, including nasal inhalators,
1216 sleeping pills, barbiturates, and controlled substances as
1217 defined in s. 893.02(3) ~~893.02(4)~~; any firearm or any
1218 instrumentality customarily used or which is intended to be used
1219 as a dangerous weapon; and any instrumentality of any nature
1220 that may be or is intended to be used as an aid in effecting or
1221 attempting to effect an escape from a county facility.

1222 Section 18. Paragraph (a) of subsection (1) of section
1223 985.711, Florida Statutes, is amended to read:

1224 985.711 Introduction, removal, or possession of certain
1225 articles unlawful; penalty.—

1226 (1) (a) Except as authorized through program policy or
1227 operating procedure or as authorized by the facility
1228 superintendent, program director, or manager, a person may not
1229 introduce into or upon the grounds of a juvenile detention
1230 facility or commitment program, or take or send, or attempt to

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1231 take or send, from a juvenile detention facility or commitment
1232 program, any of the following articles, which are declared to be
1233 contraband under this section:

- 1234 1. Any unauthorized article of food or clothing.
- 1235 2. Any intoxicating beverage or any beverage that causes or
1236 may cause an intoxicating effect.
- 1237 3. Any controlled substance, as defined in s. 893.02(3)
1238 ~~893.02(4)~~, or any prescription or nonprescription drug that has
1239 a hypnotic, stimulating, or depressing effect.
- 1240 4. Any firearm or weapon of any kind or any explosive
1241 substance.

1242 Section 19. Paragraph (i) of subsection (1) of section
1243 1003.57, Florida Statutes, is amended to read:

1244 1003.57 Exceptional students instruction.—

1245 (1)

1246 (i) For purposes of paragraph (h), the term:

- 1247 1. "Controlled substance" means a drug or other substance
1248 identified under Schedule I, Schedule II, Schedule III, Schedule
1249 IV, or Schedule V of the Controlled Substances Act, 21 U.S.C. s.
1250 812(c) and s. 893.02(3) ~~893.02(4)~~.

- 1251 2. "Weapon" means a device, instrument, material, or
1252 substance, animate or inanimate, which is used for, or is
1253 readily capable of, causing death or serious bodily injury;
1254 however, this definition does not include a pocketknife having a
1255 blade that is less than 2 1/2 inches in length.

1256 Section 20. This act shall take effect July 1, 2016.