

By Senator Grimsley

21-00460-16

2016640\_\_

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

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20       Section 1. Paragraph (a) of subsection (1) of section  
21       893.13, Florida Statutes, is amended to read:

22       893.13 Prohibited acts; penalties.—

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

27       1. A controlled substance named or described in s.  
28       893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.  
29       commits a felony of the second degree, punishable as provided in

21-00460-16

2016640\_\_

30 s. 775.082, s. 775.083, or s. 775.084. A person who violates  
31 this subparagraph in a dwelling, as defined in s. 810.011, shall  
32 be sentenced to a mandatory minimum term of imprisonment of 3  
33 years.

34 2. A controlled substance named or described in s.  
35 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
36 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
37 the third degree, punishable as provided in s. 775.082, s.  
38 775.083, or s. 775.084.

39 3. A controlled substance named or described in s.  
40 893.03(5) commits a misdemeanor of the first degree, punishable  
41 as provided in s. 775.082 or s. 775.083.

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

44 893.135 Trafficking; mandatory sentences; suspension or  
45 reduction of sentences; conspiracy to engage in trafficking.—

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

48 (m)1. Except as provided in subparagraph 2. or subparagraph  
49 3., a person who knowingly sells, purchases, manufactures,  
50 delivers, or brings into this state, or who is knowingly in  
51 actual or constructive possession of, 250 grams or more of a  
52 controlled substance specified in s. 893.03(1)(c)46.-50., 114.-  
53 142., 151.-159., or 166.-173., or any mixture containing those  
54 substances, commits a felony of the first degree, which shall be  
55 known as "trafficking in synthetic drugs," punishable as  
56 provided in s. 775.082, s. 775.083, or s. 775.084. If the  
57 quantity involved:

58 a. Is 250 grams or more, but less than 500 grams, such

21-00460-16

2016640\_\_

59 person shall be sentenced to a mandatory minimum term of  
60 imprisonment of 3 years and ordered to pay a fine of \$25,000.

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

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

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

70 2. A person who knowingly sells, purchases, manufactures,  
71 delivers, or brings into this state, or who is knowingly in  
72 actual or constructive possession of, 30 kilograms or more of a  
73 controlled substance described in s. 893.03(1)(c)46.-50., 114.-  
74 142., 151.-159., or 166.-173., or any mixture containing those  
75 substances, commits the first degree felony of trafficking in  
76 synthetic drugs. A person who is convicted of the first degree  
77 felony of trafficking in synthetic drugs under this subparagraph  
78 shall be punished by life imprisonment and is ineligible for any  
79 form of discretionary early release except pardon or executive  
80 clemency or conditional medical release under s. 947.149.

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

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

87 b. The person's conduct in committing the act led to a

21-00460-16

2016640\_\_

88 natural, though not inevitable, lethal result,  
 89  
 90 such person commits the capital felony of trafficking in  
 91 synthetic drugs, punishable as provided in ss. 775.082 and  
 92 921.142. A person sentenced for a capital felony under this  
 93 subparagraph shall also be sentenced to pay the maximum fine  
 94 provided under subparagraph 1.

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

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

107 921.0022 Criminal Punishment Code; offense severity ranking  
 108 chart.-

109 (3) OFFENSE SEVERITY RANKING CHART

110 (g) LEVEL 7

111

112

Florida	Felony	Description
Statute	Degree	
316.027(2)(c)	1st	Accident involving death,

113

21-00460-16

2016640\_\_

failure to stop; leaving scene.

114

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

115

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

116

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

117

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

118

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

119

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

21-00460-16

2016640\_\_

120

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

121

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

122

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

123

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

124

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

125

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

126

462.17 3rd Practicing naturopathy without a license.

127

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

128

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

21-00460-16

2016640\_\_

129

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

130

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

131

467.201 3rd Practicing midwifery without a license.

132

468.366 3rd Delivering respiratory care services without a license.

133

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

134

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

135

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

136

484.053 3rd Dispensing hearing aids without a license.

137

494.0018 (2) 1st Conviction of any violation of chapter 494 in which the total money and property unlawfully

21-00460-16

2016640\_\_

obtained exceeded \$50,000 and  
there were five or more  
victims.

138

560.123(8)(b)1.           3rd    Failure to report currency or  
payment instruments exceeding  
\$300 but less than \$20,000 by a  
money services business.

139

560.125(5)(a)           3rd    Money services business by  
unauthorized person, currency  
or payment instruments  
exceeding \$300 but less than  
\$20,000.

140

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

141

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

142

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

143



21-00460-16

2016640\_\_

144

775.21(10)(g)

3rd

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

145

782.051(3)

2nd

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

146

782.07(1)

2nd

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

147

782.071

2nd

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

148

782.072

2nd

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

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great

21-00460-16

2016640\_\_

bodily harm or disfigurement.

149

784.045 (1) (a) 2.            2nd    Aggravated battery; using  
deadly weapon.

150

784.045 (1) (b)            2nd    Aggravated battery; perpetrator  
aware victim pregnant.

151

784.048 (4)                3rd    Aggravated stalking; violation  
of injunction or court order.

152

784.048 (7)                3rd    Aggravated stalking; violation  
of court order.

153

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

154

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

155

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

156

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

157

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

21-00460-16

2016640\_\_

detainee.

158

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

159

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

160

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

161

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

162

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

163

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

164

790.165(3) 2nd Possessing, displaying, or  
threatening to use any hoax  
bomb while committing or

21-00460-16

2016640\_\_

attempting to commit a felony.

165

790.166(3)

2nd

Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.

166

790.166(4)

2nd

Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.

167

790.23

1st,PBL

Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.

168

794.08(4)

3rd

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

169

796.05(1)

1st

Live on earnings of a prostitute; 2nd offense.

170

796.05(1)

1st

Live on earnings of a prostitute; 3rd and subsequent offense.

21-00460-16

2016640\_\_

171

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

172

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

173

800.04 (5) (e)                1st    Lewd or lascivious molestation;  
victm 12 years of age or older  
but younger than 16 years;  
offender 18 years or older;  
prior conviction for specified  
sex offense.

174

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

175

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

176

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

177

21-00460-16

2016640\_\_

178	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
179	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
180	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
181	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
182	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
183	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.

21-00460-16

2016640\_\_

184

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

185

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

186

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

187

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

188

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

189

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

190

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

191

817.2341 1st Making false entries of material fact or false statements regarding property values relating to the solvency  
(2)(b) & (3)(b)

21-00460-16

2016640\_\_

of an insuring entity which are  
a significant cause of the  
insolvency of that entity.

192

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

193

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

194

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.

195

827.03 (2) (b) 2nd Neglect of a child causing  
great bodily harm, disability,  
or disfigurement.

196

827.04 (3) 3rd Impregnation of a child under  
16 years of age by person 21  
years of age or older.

197

837.05 (2) 3rd Giving false information about  
alleged capital felony to a law  
enforcement officer.

198



21-00460-16 2016640\_\_

199	838.015	2nd	Bribery.
200	838.016	2nd	Unlawful compensation or reward for official behavior.
201	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
202	838.22	2nd	Bid tampering.
203	843.0855 (2)	3rd	Impersonation of a public officer or employee.
204	843.0855 (3)	3rd	Unlawful simulation of legal process.
205	843.0855 (4)	3rd	Intimidation of a public officer or employee.
206	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
207	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
208	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting

21-00460-16

2016640\_\_

person under 13 to join a  
criminal gang; second or  
subsequent offense.

209

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

210

893.13(1)(c)1.            1st        Sell, manufacture, or deliver  
cocaine (or other drug  
prohibited under s.  
893.03(1)(a), (1)(b), (1)(d),  
(2)(a), (2)(b), or (2)(c)4.)  
within 1,000 feet of a child  
care facility, school, or  
state, county, or municipal  
park or publicly owned  
recreational facility or  
community center.

211

893.13(1)(e)1.            1st        Sell, manufacture, or deliver  
cocaine or other drug  
prohibited under s.  
893.03(1)(a), (1)(b), (1)(d),  
(2)(a), (2)(b), or (2)(c)4.,  
within 1,000 feet of property  
used for religious services or  
a specified business site.

21-00460-16

2016640\_\_

212

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

213

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

214

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

215

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

216

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

217

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

218

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

21-00460-16

2016640\_\_

219

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

220

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

221

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

222

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

223

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

224

893.135 (1) (h) 1.a. 1st Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.

225

893.135 (1) (j) 1.a. 1st Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

21-00460-16

2016640\_\_

226

893.135 (1) (k) 2.a. 1st Trafficking in Phenethylamines,  
10 grams or more, less than 200  
grams.

227

893.135 (1) (1) 1.a. 1st Trafficking in LSD, 1 gram or  
more, less than 5 grams.

228

893.135 (1) (m) 1.a. 1st Trafficking in synthetic drugs,  
250 grams or more, less than  
500 grams.

229

893.135 (1) (m) 1.b. 1st Trafficking in synthetic drugs,  
500 grams or more, less than  
1,000 grams.

230

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

231

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

232

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

21-00460-16

2016640\_\_

233

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

234

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

235

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

236

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

237

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

238

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

21-00460-16

2016640\_\_

239

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

240

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

241

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

242

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

243

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

244

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

21-00460-16

2016640\_\_

registration information.

245

246 (h) LEVEL 8

247

248

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

249

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

250

316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
------------------	-----	--

251

327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
-------------------	-----	--------------------------

252

499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
--------------	-----	--

253

499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
--------------	-----	---

254

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.
--------------------	-----	---



21-00460-16

2016640\_\_

255

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.

256

655.50 (10) (b) 2.        2nd    Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.

257

777.03 (2) (a)            1st    Accessory after the fact, capital felony.

258

782.04 (4)                2nd    Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

259

782.051 (2)               1st    Attempted felony murder while perpetrating or attempting to perpetrate a felony not

21-00460-16

2016640\_\_

enumerated in s. 782.04(3).

260

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

261

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

262

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

263

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

264

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

265

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.

266

787.06(3)(f)2. 1st Human trafficking using coercion for commercial sexual

21-00460-16

2016640\_\_

activity by the transfer or transport of any adult from outside Florida to within the state.

267

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

268

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

269

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.

270

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.

271

794.011 (5) (d) 1st Sexual battery; victim 12 years

21-00460-16

2016640\_\_

of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.

272

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

273

800.04 (4) (b)                      2nd      Lewd or lascivious battery.

274

800.04 (4) (c)                      1st      Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.

275

806.01 (1)                              1st      Maliciously damage dwelling or structure by fire or explosive, believing person in structure.

276

810.02 (2) (a)                      1st, PBL      Burglary with assault or battery.

277

810.02 (2) (b)                      1st, PBL      Burglary; armed with explosives or dangerous weapon.

278

810.02 (2) (c)                      1st      Burglary of a dwelling or

21-00460-16

2016640\_\_

structure causing structural  
 damage or \$1,000 or more  
 property damage.

279

812.014 (2) (a) 2.      1st      Property stolen; cargo valued  
 at \$50,000 or more, grand theft  
 in 1st degree.

280

812.13 (2) (b)      1st      Robbery with a weapon.

281

812.135 (2) (c)      1st      Home-invasion robbery, no  
 firearm, deadly weapon, or  
 other weapon.

282

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

283

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

284

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

285

817.535 (5) (a)      2nd      Filing false lien or other

21-00460-16

2016640\_\_

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

286

817.568 (6)

2nd

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

287

825.102 (2)

1st

Aggravated abuse of an elderly person or disabled adult.

288

825.1025 (2)

2nd

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

289

825.103 (3) (a)

1st

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

290

837.02 (2)

2nd

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

291

837.021 (2)

2nd

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

21-00460-16

2016640\_\_

292  
293  
294  
295  
296  
297  
298  
299

860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
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).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.

	21-00460-16		2016640__
	893.135	1st	Trafficking in illegal drugs,
	(1) (c) 1.b.		more than 14 grams, less than
300			28 grams.
	893.135	1st	Trafficking in hydrocodone, 50
	(1) (c) 2.c.		grams or more, less than 200
301			grams.
	893.135	1st	Trafficking in oxycodone, 25
	(1) (c) 3.c.		grams or more, less than 100
302			grams.
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.b.		more than 200 grams, less than
303			400 grams.
	893.135	1st	Trafficking in methaqualone,
	(1) (e) 1.b.		more than 5 kilograms, less
304			than 25 kilograms.
	893.135	1st	Trafficking in amphetamine,
	(1) (f) 1.b.		more than 28 grams, less than
305			200 grams.
	893.135	1st	Trafficking in flunitrazepam,
	(1) (g) 1.b.		14 grams or more, less than 28
306			grams.
	893.135	1st	Trafficking in gamma-



21-00460-16 2016640\_\_

(1) (h) 1.b. hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.

307

893.135 1st Trafficking in 1,4-Butanediol, (1) (j) 1.b. 5 kilograms or more, less than 10 kilograms.

308

893.135 1st Trafficking in Phenethylamines, (1) (k) 2.b. 200 grams or more, less than 400 grams.

309

893.135 1st Trafficking in LSD, 5 grams or (1) (l) 1.b. more, less than 7 grams.

310

893.135 1st Trafficking in synthetic drugs, (1) (m) 1.c. 1,000 grams or more, less than 30 kilograms.

311

893.1351(3) 1st Possession of a place used to manufacture controlled substance when minor is present or resides there.

312

895.03(1) 1st Use or invest proceeds derived from pattern of racketeering activity.

313

895.03(2) 1st Acquire or maintain through

21-00460-16

2016640\_\_

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

314

895.03(3)

1st

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

315

896.101(5)(b)

2nd

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

316

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.

317

318

(i) LEVEL 9

319

320

Florida  
Statute

Felony  
Degree

Description

321

316.193  
(3)(c)3.b.

1st

DUI manslaughter; failing to  
render aid or give information.

322

21-00460-16 2016640\_\_

323	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
324	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
325	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
326	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
327	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
328	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
329	775.0844	1st	Aggravated white collar crime.
	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.

21-00460-16

2016640\_\_

330

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.

331

782.051(1)                    1st        Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).

332

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

333

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

334

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

335

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

21-00460-16

2016640\_\_

function.

336

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.

337

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

338

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

339

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.

340

790.161                    1st        Attempted capital destructive device offense.

341

790.166 (2)                1st, PBL    Possessing, selling, using, or

21-00460-16

2016640\_\_

attempting to use a weapon of  
mass destruction.

342

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

343

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

344

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

345

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

346

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

347

794.011 (4) (d)        1st,PBL    Sexual battery, certain

21-00460-16

2016640\_\_

circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.

348

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.

349

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

350

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

351

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

352

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

353

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

354

817.535 (3) (b)           1st        Filing false lien or other unauthorized document; second

21-00460-16

2016640\_\_

or subsequent offense; property owner is a public officer or employee.

355

817.535 (4) (a) 2.

1st

Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.

356

817.535 (5) (b)

1st

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

357

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.

358

827.03 (2) (a)

1st

Aggravated child abuse.

359

847.0145 (1)

1st

Selling, or otherwise transferring custody or control, of a minor.

360



21-00460-16 2016640\_\_

361	847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
362	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.
363	893.135	1st	Attempted capital trafficking offense.
364	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
365	893.135 (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
366	893.135 (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
	893.135 (1)(c)2.d.	1st	Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms.

21-00460-16

2016640\_\_

367

893.135 1st Trafficking in oxycodone, 100  
 (1) (c) 3.d. grams or more, less than 30  
 kilograms.

368

893.135 1st Trafficking in phencyclidine,  
 (1) (d) 1.c. more than 400 grams.

369

893.135 1st Trafficking in methaqualone,  
 (1) (e) 1.c. more than 25 kilograms.

370

893.135 1st Trafficking in amphetamine,  
 (1) (f) 1.c. more than 200 grams.

371

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

372

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

373

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

374

893.135 1st Trafficking in LSD, 7 grams or  
(1) (l) 1.c. more.

375

893.135 1st Trafficking in synthetic drugs,  
(1) (m) 1.d. 30 kilograms or more.

21-00460-16

2016640\_\_

376

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

377

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

378

379

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