

By the Committee on Criminal Justice; and Senators Steube, Baxley, Passidomo, Artiles, and Mayfield

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1 A bill to be entitled
2 An act relating to controlled substances; amending s.
3 381.887, F.S.; providing that certain emergency
4 responders and crime laboratory personnel may possess,
5 store, and administer emergency opioid antagonists;
6 amending s. 782.04, F.S.; providing that unlawful
7 distribution of specified controlled substances and
8 analogs or mixtures thereof by an adult which
9 proximately cause a death is murder; providing
10 criminal penalties; creating s. 893.015, F.S.;
11 specifying purpose relating to drug abuse prevention
12 and control; providing that a reference to ch. 893,
13 F.S., or to any section or portion thereof, includes
14 all subsequent amendments; amending s. 893.03, F.S.;
15 adding certain synthetic opioid substitute compounds
16 to the list of Schedule I controlled substances;
17 amending s. 893.13, F.S.; prohibiting possession of
18 more than 10 grams of specified substances; providing
19 criminal penalties; amending s. 893.135, F.S.;
20 revising the substances that constitute the offenses
21 of trafficking and capital trafficking in, and capital
22 importation of, hydrocodone and oxycodone; creating
23 the offense of trafficking in fentanyl; providing
24 penalties and specifying minimum terms of imprisonment
25 and fines based on the quantity involved in the
26 offense; revising the substances that constitute the
27 offenses of trafficking in phencyclidine and capital
28 importation of phencyclidine; revising the substances
29 that constitute trafficking in phenethylamines and

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30 capital manufacture or importation of phenethylamines;
31 creating the offense of trafficking in synthetic
32 cannabinoids; providing penalties and specifying
33 minimum terms of imprisonment and fines based on the
34 quantity involved in the offense; creating the
35 offenses of trafficking in n-benzyl phenethylamines
36 and capital manufacture or importation of a n-benzyl
37 phenethylamine compound; providing penalties and
38 specifying minimum terms of imprisonment and fines
39 based on the quantity involved in the offense;
40 authorizing a court to depart from a mandatory minimum
41 sentence for drug trafficking if the court finds
42 compelling reasons that the mandatory minimum sentence
43 is not necessary for the protection of the public;
44 requiring a court to submit written reasons for such
45 departure to the Office of Economic and Demographic
46 Research; reenacting and amending s. 921.0022, F.S.;
47 ranking offenses on the offense severity ranking chart
48 of the Criminal Punishment Code; incorporating the
49 amendments made by the act in cross-references to
50 amended provisions; amending s. 775.082, F.S.;
51 requiring that a court sentence a defendant who is
52 convicted of a primary offense of possession of a
53 controlled substance committed on or after a specified
54 date to a nonstate prison sanction under certain
55 circumstances; defining the term "possession of a
56 controlled substance"; amending s. 921.0026, F.S.;
57 revising the mitigating circumstances under which a
58 departure from the lowest permissible sentence is

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59 reasonably justified; making technical changes;
60 amending s. 948.01, F.S.; requiring a sentencing court
61 to place certain defendants who commit an offense on
62 or after a specified date into a postadjudicatory
63 treatment-based drug court program, into residential
64 drug treatment, or on drug offender probation; making
65 technical changes; reenacting ss. 775.08435(1)(b) and
66 (c), 921.002(3), and 921.00265(1), F.S., relating to
67 the prohibition on withholding adjudication in felony
68 cases, the Criminal Punishment Code, and recommended
69 and departure sentences, respectively, to incorporate
70 the amendment made to s. 921.0026, F.S., in references
71 thereto; reenacting ss. 394.47892(2) and (4)(a),
72 397.334(3)(a) and (5), 910.035(5)(a), 921.187(1)(c),
73 and 943.04352, F.S., relating to mental health court
74 programs, treatment-based drug court programs,
75 transfer for participation in a problem-solving court,
76 offender probation with or without adjudication of
77 guilt, and court placement of a defendant on
78 misdemeanor probation, respectively, to incorporate
79 the amendment made to s. 948.01, F.S., in references
80 thereto; reenacting ss. 39.806(1)(d), 63.089(4)(b),
81 95.11(10), 775.082(1)(b) and (3)(a), (b), and (c),
82 775.0823(1) and (2), 921.16(1), 948.06(8)(c),
83 948.062(1)(a), 985.265(3)(b), 1012.315(1)(d), and
84 1012.467(2)(g), relating to grounds for termination of
85 parental rights, proceeding to terminate parental
86 rights pending adoption, limitations other than for
87 the recovery of real property, penalties, when

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88 sentences to be concurrent and when consecutive,
89 violent offenses committed against specified
90 officials, violation of probation or community
91 control, reviewing and reporting serious offenses
92 committed by offenders placed on probation or
93 community control, detention transfer and release,
94 disqualification from employment, and noninstructional
95 contractors who are permitted access to school grounds
96 when students are present, respectively, to
97 incorporate the amendments made by the act in cross-
98 references to amended provisions; providing an
99 effective date.

100
101 Be It Enacted by the Legislature of the State of Florida:

102
103 Section 1. Subsection (4) of section 381.887, Florida
104 Statutes, is amended to read:

105 381.887 Emergency treatment for suspected opioid overdose.—

106 (4) The following persons ~~Emergency responders, including,~~
107 ~~but not limited to, law enforcement officers, paramedics, and~~
108 ~~emergency medical technicians,~~ are authorized to possess, store,
109 and administer emergency opioid antagonists as clinically
110 indicated:

111 (a) Emergency responders, including, but not limited to,
112 law enforcement officers, paramedics, and emergency medical
113 technicians.

114 (b) Crime laboratory personnel for the statewide criminal
115 analysis laboratory system as described in s. 943.32, including,
116 but not limited to, analysts, evidence intake personnel, and

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117 their supervisors.

118 Section 2. Paragraph (a) of subsection (1) of section
119 782.04, Florida Statutes, is amended to read:

120 782.04 Murder.—

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

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

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

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

127 b. Arson,

128 c. Sexual battery,

129 d. Robbery,

130 e. Burglary,

131 f. Kidnapping,

132 g. Escape,

133 h. Aggravated child abuse,

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

135 j. Aircraft piracy,

136 k. Unlawful throwing, placing, or discharging of a
137 destructive device or bomb,

138 l. Carjacking,

139 m. Home-invasion robbery,

140 n. Aggravated stalking,

141 o. Murder of another human being,

142 p. Resisting an officer with violence to his or her person,

143 q. Aggravated fleeing or eluding with serious bodily injury
144 or death,

145 r. Felony that is an act of terrorism or is in furtherance

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146 of an act of terrorism,

147 s. Human trafficking; or

148 3. Which resulted from the unlawful distribution by a
 149 person 18 years of age or older of any of the following
 150 substances, or mixture containing any of the following
 151 substances ~~substance controlled under s. 893.03(1), cocaine as~~
 152 ~~described in s. 893.03(2)(a)4., opium or any synthetic or~~
 153 ~~natural salt, compound, derivative, or preparation of opium, or~~
 154 ~~methadone by a person 18 years of age or older, when such~~
 155 substance or mixture ~~drug~~ is proven to be the proximate cause of
 156 the death of the user:

157 a. A substance controlled under s. 893.03(1);

158 b. Cocaine as described in s. 893.03(2)(a)4.;

159 c. Opium or any synthetic or natural salt, compound,
 160 derivative, or preparation of opium;

161 d. Methadone;

162 e. Alfentanil, as described in s. 893.03(2)(b)1.;

163 f. Carfentanil, as described in s. 893.03(2)(b)6.;

164 g. Fentanyl, as described in s. 893.03(2)(b)9.;

165 h. Sufentanil, as described in s. 893.03(2)(b)29.; or

166 i. A controlled substance analog, as described in s.
 167 893.0356, of any substance specified in sub-subparagraphs a.-h.,

168
 169 is murder in the first degree and constitutes a capital felony,
 170 punishable as provided in s. 775.082.

171 Section 3. Section 893.015, Florida Statutes, is created to
 172 read:

173 893.015 Statutory references.—The purpose of this chapter
 174 is to comprehensively address drug abuse prevention and control

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175 in this state. To this end, unless expressly provided otherwise,
176 a reference in any section of the Florida Statutes to chapter
177 893 or to any section or portion of a section of chapter 893
178 includes all subsequent amendments to chapter 893 or to the
179 referenced section or portion of a section.

180 Section 4. Paragraphs (a) and (c) of subsection (1) of
181 section 893.03, Florida Statutes, are amended to read:

182 893.03 Standards and schedules.—The substances enumerated
183 in this section are controlled by this chapter. The controlled
184 substances listed or to be listed in Schedules I, II, III, IV,
185 and V are included by whatever official, common, usual,
186 chemical, trade name, or class designated. The provisions of
187 this section shall not be construed to include within any of the
188 schedules contained in this section any excluded drugs listed
189 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
190 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
191 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
192 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
193 Anabolic Steroid Products."

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

199 (a) Unless specifically excepted or unless listed in
200 another schedule, any of the following substances, including
201 their isomers, esters, ethers, salts, and salts of isomers,
202 esters, and ethers, whenever the existence of such isomers,
203 esters, ethers, and salts is possible within the specific

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- 204 chemical designation:
- 205 1. Acetyl-alpha-methylfentanyl.
 - 206 2. Acetylmethadol.
 - 207 3. Allylprodine.
 - 208 4. Alphacetylmethadol (except levo-alphacetylmethadol, also
209 known as levo-alpha-acetylmethadol, levomethadyl acetate, or
210 LAAM).
 - 211 5. Alphamethadol.
 - 212 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)
213 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
214 (N-propanilido) piperidine).
 - 215 7. Alpha-methylthiofentanyl.
 - 216 8. Alphameprodine.
 - 217 9. Benzethidine.
 - 218 10. Benzylfentanyl.
 - 219 11. Betacetylmethadol.
 - 220 12. Beta-hydroxyfentanyl.
 - 221 13. Beta-hydroxy-3-methylfentanyl.
 - 222 14. Betameprodine.
 - 223 15. Betamethadol.
 - 224 16. Betaprodine.
 - 225 17. Clonitazene.
 - 226 18. Dextromoramide.
 - 227 19. Diampromide.
 - 228 20. Diethylthiambutene.
 - 229 21. Difenoxyin.
 - 230 22. Dimenoxadol.
 - 231 23. Dimepheptanol.
 - 232 24. Dimethylthiambutene.

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- 233 25. Dioxaphetyl butyrate.
- 234 26. Dipipanone.
- 235 27. Ethylmethylthiambutene.
- 236 28. Etonitazene.
- 237 29. Etoxeridine.
- 238 30. Flunitrazepam.
- 239 31. Furethidine.
- 240 32. Hydroxypethidine.
- 241 33. Ketobemidone.
- 242 34. Levomoramide.
- 243 35. Levophenacymorphan.
- 244 36. Desmethylprodine (1-Methyl-4-Phenyl-4-
- 245 Propionoxypiperidine).
- 246 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 247 piperidyl]-N-phenylpropanamide).
- 248 38. 3-Methylthiofentanyl.
- 249 39. Morpheridine.
- 250 40. Noracymethadol.
- 251 41. Norlevorphanol.
- 252 42. Normethadone.
- 253 43. Norpipanone.
- 254 44. Para-Fluorofentanyl.
- 255 45. Phenadoxone.
- 256 46. Phenampromide.
- 257 47. Phenomorphan.
- 258 48. Phenoperidine.
- 259 49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
- 260 Acetyloxypiperidine).
- 261 50. Piritramide.

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- 262 51. Proheptazine.
- 263 52. Properidine.
- 264 53. Propiram.
- 265 54. Racemoramide.
- 266 55. Thenylfentanyl.
- 267 56. Thiofentanyl.
- 268 57. Tilidine.
- 269 58. Trimeperidine.
- 270 59. Acetylfentanyl.
- 271 60. Butyrylfentanyl.
- 272 61. Beta-Hydroxythiofentanyl.
- 273 62. Fentanyl derivatives. Unless specifically excepted,
- 274 listed in another schedule, or contained within a pharmaceutical
- 275 product approved by the United States Food and Drug
- 276 Administration, any material, compound, mixture, or preparation,
- 277 including its salts, isomers, esters, or ethers, and salts of
- 278 isomers, esters, or ethers, whenever the existence of such salts
- 279 is possible within any of the following specific chemical
- 280 designations containing a 4-anilidopiperidine structure:
- 281 a. With or without substitution at the carbonyl of the
- 282 aniline moiety with alkyl, alkenyl, carboalkoxy, cycloalkyl,
- 283 methoxyalkyl, cyanoalkyl, or aryl groups, or furanyl,
- 284 dihydrofuranyl, benzyl moiety, or rings containing heteroatoms
- 285 sulfur, oxygen, or nitrogen;
- 286 b. With or without substitution at the piperidine amino
- 287 moiety with a phenethyl, benzyl, alkylaryl (including
- 288 heteroaromatics), alkyltetrazolyl ring, or an alkyl or
- 289 carbomethoxy group, whether or not further substituted in the
- 290 ring or group;

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- 291 c. With or without substitution or addition to the
292 piperdine ring to any extent with one or more methyl,
293 carbomethoxy, methoxy, methoxymethyl, aryl, allyl, or ester
294 groups;
- 295 d. With or without substitution of one or more hydrogen
296 atoms for halogens, or methyl, alkyl, or methoxy groups, in the
297 aromatic ring of the anilide moiety;
- 298 e. With or without substitution at the alpha or beta
299 position of the piperidine ring with alkyl, hydroxyl, or methoxy
300 groups;
- 301 f. With or without substitution of the benzene ring of the
302 anilide moiety for an aromatic heterocycle; and
- 303 g. With or without substitution of the piperidine ring for
304 a pyrrolidine ring, perhydroazepine ring, or azepine ring;
305
306 excluding, Alfentanil, Carfentanil, Fentanyl, and Sufentanil;
307 including, but not limited to:
- 308 (I) Acetyl-alpha-methylfentanyl.
- 309 (II) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)
310 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
311 (N-propanilido) piperidine).
- 312 (III) Alpha-methylthiofentanyl.
- 313 (IV) Benzylfentanyl.
- 314 (V) Beta-hydroxyfentanyl.
- 315 (VI) Beta-hydroxy-3-methylfentanyl.
- 316 (VII) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
317 piperidyl]-N-phenylpropanamide).
- 318 (VIII) 3-Methylthiofentanyl.
- 319 (IX) Para-Fluorofentanyl.

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320 (X) Thenylfentanyl or Thienyl fentanyl.

321 (XI) Thiofentanyl.

322 (XII) Acetylfentanyl.

323 (XIII) Butyrylfentanyl.

324 (XIV) Beta-Hydroxythiofentanyl.

325 (XV) Lofentanil.

326 (XVI) Ocfentanil.

327 (XVII) Ohmfentanyl.

328 (XVIII) Benzodioxolefentanyl.

329 (XIX) Furanyl fentanyl.

330 (XX) Pentanoyl fentanyl.

331 (XXI) Cyclopentyl fentanyl.

332 (XXII) Isobutyryl fentanyl.

333 (XXIII) Remifentanil.

334 (c) Unless specifically excepted or unless listed in
335 another schedule, any material, compound, mixture, or
336 preparation that contains any quantity of the following
337 hallucinogenic substances or that contains any of their salts,
338 isomers, including optical, positional, or geometric isomers,
339 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
340 salts of isomers, homologues, nitrogen-heterocyclic analogs,
341 esters, or ethers, if the existence of such salts, isomers, and
342 salts of isomers is possible within the specific chemical
343 designation or class description:

344 1. Alpha-Ethyltryptamine.

345 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-
346 oxazoline).

347 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).

348 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).

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- 349 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
350 6. Bufotenine.
351 7. Cannabis.
352 8. Cathinone.
353 9. DET (Diethyltryptamine).
354 10. 2,5-Dimethoxyamphetamine.
355 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
356 12. DMT (Dimethyltryptamine).
357 13. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
358 of phencyclidine).
359 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
360 15. N-Ethylamphetamine.
361 16. Fenethylamine.
362 17. 3,4-Methylenedioxy-N-hydroxyamphetamine.
363 18. Ibogaine.
364 19. LSD (Lysergic acid diethylamide).
365 20. Mescaline.
366 21. Methcathinone.
367 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
368 23. PMA (4-Methoxyamphetamine).
369 24. PMMA (4-Methoxymethamphetamine).
370 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
371 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
372 27. MDA (3,4-Methylenedioxyamphetamine).
373 28. JB-336 (N-Methyl-3-piperidyl benzilate).
374 29. N,N-Dimethylamphetamine.
375 30. Parahexyl.
376 31. Peyote.
377 32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine

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378 analog of phencyclidine).

379 33. Psilocybin.

380 34. Psilocyn.

381 35. *Salvia divinorum*, except for any drug product approved
382 by the United States Food and Drug Administration which contains
383 *Salvia divinorum* or its isomers, esters, ethers, salts, and
384 salts of isomers, esters, and ethers, if the existence of such
385 isomers, esters, ethers, and salts is possible within the
386 specific chemical designation.

387 36. Salvinorin A, except for any drug product approved by
388 the United States Food and Drug Administration which contains
389 Salvinorin A or its isomers, esters, ethers, salts, and salts of
390 isomers, esters, and ethers, if the existence of such isomers,
391 esters, ethers, and salts is possible within the specific
392 chemical designation.

393 37. Xylazine.

394 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)
395 (Thiophene analog of phencyclidine).

396 39. 3,4,5-Trimethoxyamphetamine.

397 40. Methylone (3,4-Methylenedioxymethcathinone).

398 41. MDPV (3,4-Methylenedioxypropylvalerone).

399 42. Methylmethcathinone.

400 43. Methoxymethcathinone.

401 44. Fluoromethcathinone.

402 45. Methylethcathinone.

403 46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
404 yl)phenol) and its dimethyloctyl (C8) homologue.

405 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-
406 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol].

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- 407 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
408 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
409 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
410 naphthoyl)indole).
411 51. BZP (Benzylpiperazine).
412 52. Fluorophenylpiperazine.
413 53. Methylphenylpiperazine.
414 54. Chlorophenylpiperazine.
415 55. Methoxyphenylpiperazine.
416 56. DBZP (1,4-Dibenzylpiperazine).
417 57. TFMPP (Trifluoromethylphenylpiperazine).
418 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
419 Methylenedioxy-N-methylbutanamine).
420 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
421 60. 5-Hydroxy-N-methyltryptamine.
422 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
423 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
424 63. Methyltryptamine.
425 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
426 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
427 66. Tyramine (4-Hydroxyphenethylamine).
428 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
429 68. DiPT (N,N-Diisopropyltryptamine).
430 69. DPT (N,N-Dipropyltryptamine).
431 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
432 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
433 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
434 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
435 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).

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- 436 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
437 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
438 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
439 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
440 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
441 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
442 81. Butylone (3,4-Methylenedioxy-alpha-
443 methylaminobutyrophenone).
444 82. Ethcathinone.
445 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
446 84. Naphyrone (Naphthylpyrovalerone).
447 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone).
448 86. 3,4-Methylenedioxy-N,N-diethylcathinone.
449 87. 3,4-Methylenedioxy-propiofenone.
450 88. 3,4-Methylenedioxy-alpha-bromopropiofenone.
451 89. 3,4-Methylenedioxy-propiofenone-2-oxime.
452 90. 3,4-Methylenedioxy-N-acetylcathinone.
453 91. 3,4-Methylenedioxy-N-acetylmethcathinone.
454 92. 3,4-Methylenedioxy-N-acetylethcathinone.
455 93. Bromomethcathinone.
456 94. Buphedrone (alpha-Methylamino-butyrophenone).
457 95. Eutylone (3,4-Methylenedioxy-alpha-
458 ethylaminobutyrophenone).
459 96. Dimethylcathinone.
460 97. Dimethylmethcathinone.
461 98. Pentylone (3,4-Methylenedioxy-alpha-
462 methylaminovalerophenone).
463 99. MDP~~PP~~ (3,4-Methylenedioxy-alpha-
464 pyrrolidinopropiofenone).

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- 465 100. MDPBP (3,4-Methylenedioxy-alpha-
466 pyrrolidinobutyrophenone).
467 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
468 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone).
469 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
470 (Benocyclidine).
471 104. F-MABP (Fluoromethylaminobutyrophenone).
472 105. MeO-PBP (Methoxypyrrolidinobutyrophenone).
473 106. Et-PBP (Ethylpyrrolidinobutyrophenone).
474 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
475 108. Me-EABP (Methylethylaminobutyrophenone).
476 109. Etizolam.
477 110. PPP (Pyrrolidinopropiophenone).
478 111. PBP (Pyrrolidinobutyrophenone).
479 112. PVP (Pyrrolidinovalerophenone) or
480 (Pyrrolidinopentiophenone).
481 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone).
482 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
483 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
484 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
485 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
486 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
487 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
488 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
489 121. JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
490 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
491 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
492 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
493 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).

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- 494 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl) indole) .
- 495 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl) indole) .
- 496 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl) indole) .
- 497 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl) indole) .
- 498 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl) indole) .
- 499 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 500 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 501 ol) .
- 502 131. HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-methyloctan-
- 503 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]
- 504 methanol) .
- 505 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 506 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 507 1,4-dione) .
- 508 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene) .
- 509 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
- 510 undecanamide) .
- 511 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
- 512 undecanamide) .
- 513 136. CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-(2-
- 514 methyloctan-2-yl)phenol) .
- 515 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl) indole) .
- 516 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl) indole) .
- 517 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl) indole) .
- 518 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
- 519 methoxyphenylacetyl) indole) .
- 520 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
- 521 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
- 522 naphthalenylmethanone) .

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- 523 142. WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
524 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
525 naphthalenylmethanone).
- 526 143. Pentedrone (alpha-Methylaminovalerophenone).
- 527 144. Fluoroamphetamine.
- 528 145. Fluoromethamphetamine.
- 529 146. Methoxetamine.
- 530 147. Methiopropamine.
- 531 148. Methylbuphedrone (Methyl-alpha-
532 methylaminobutyrophenone).
- 533 149. APB ((2-Aminopropyl)benzofuran).
- 534 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 535 151. UR-144 (1-Pentyl-3-(2,2,3,3-
536 tetramethylcyclopropanoyl)indole).
- 537 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
538 tetramethylcyclopropanoyl)indole).
- 539 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
540 tetramethylcyclopropanoyl)indole).
- 541 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 542 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
543 iodobenzoyl)indole).
- 544 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
545 carboxamide).
- 546 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
547 cyclohexylcarbamate).
- 548 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
549 cyclohexyl ester).
- 550 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
551 benzoxazin-4-one).

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- 552 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 553 161. 2C-H (2,5-Dimethoxyphenethylamine).
- 554 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 555 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 556 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
- 557 methoxybenzyl)]phenethylamine).
- 558 165. MDMA (3,4-Methylenedioxymethamphetamine).
- 559 166. PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate).
- 560 167. Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl)indole-3-
- 561 carboxylate).
- 562 168. BB-22 (8-Quinolinyll 1-(cyclohexylmethyl)indole-3-
- 563 carboxylate).
- 564 169. Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
- 565 3-carboxamide).
- 566 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
- 567 pentylindazole-3-carboxamide).
- 568 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
- 569 (4-fluorobenzyl)indazole-3-carboxamide).
- 570 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
- 571 1-pentylindazole-3-carboxamide).
- 572 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
- 573 yl)-1-(fluoropentyl)indole-3-carboxamide).
- 574 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
- 575 methoxybenzyl)]phenethylamine).
- 576 175. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
- 577 methoxybenzyl)]phenethylamine).
- 578 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
- 579 (cyclohexylmethyl)indazole-3-carboxamide).
- 580 177. FUB-PB-22 (8-Quinolinyll 1-(4-fluorobenzyl)indole-3-

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581 carboxylate).

582 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
583 3-carboxamide).

584 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
585 (fluoropentyl)indazole-3-carboxamide).

586 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole).

587 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
588 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).

589 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
590 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
591 hexahydrobenzo[c]chromen-1-ol).

592 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
593 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
594 hexahydrobenzo[c]chromen-1-ol).

595 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
596 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
597 diol).

598 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
599 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
600 tetrahydro-6aH-benzo[c]chromen-1-ol).

601 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
602 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).

603 187. MAPB ((2-Methylaminopropyl)benzofuran).

604 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).

605 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).

606 190. Synthetic Cannabinoids.—Unless specifically excepted
607 or unless listed in another schedule or contained within a
608 pharmaceutical product approved by the United States Food and
609 Drug Administration, any material, compound, mixture, or

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610 preparation that contains any quantity of a synthetic
611 cannabinoid found to be in any of the following chemical class
612 descriptions, or homologues, nitrogen-heterocyclic analogs,
613 isomers (including optical, positional, or geometric), esters,
614 ethers, salts, and salts of homologues, nitrogen-heterocyclic
615 analogs, isomers, esters, or ethers, whenever the existence of
616 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
617 ethers, salts, and salts of isomers, esters, or ethers is
618 possible within the specific chemical class or designation.
619 Since nomenclature of these synthetically produced cannabinoids
620 is not internationally standardized and may continually evolve,
621 these structures or the compounds of these structures shall be
622 included under this subparagraph, regardless of their specific
623 numerical designation of atomic positions covered, if it can be
624 determined through a recognized method of scientific testing or
625 analysis that the substance contains properties that fit within
626 one or more of the following categories:

627 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols
628 naturally contained in a plant of the genus *Cannabis*, the
629 synthetic equivalents of the substances contained in the plant
630 or in the resinous extracts of the genus *Cannabis*, or synthetic
631 substances, derivatives, and their isomers with similar chemical
632 structure and pharmacological activity, including, but not
633 limited to, Delta 9 tetrahydrocannabinols and their optical
634 isomers, Delta 8 tetrahydrocannabinols and their optical
635 isomers, Delta 6a,10a tetrahydrocannabinols and their optical
636 isomers, or any compound containing a tetrahydrobenzo[c]chromene
637 structure with substitution at either or both the 3-position or
638 9-position, with or without substitution at the 1-position with

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639 hydroxyl or alkoxy groups, including, but not limited to:

640 (I) Tetrahydrocannabinol.

641 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
642 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
643 ol).

644 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
645 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
646 ol).

647 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
648 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

649 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
650 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

651 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
652 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

653 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-(2,3-
654 dimethylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

655 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
656 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

657 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
658 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

659 (X) Parahexyl.

660 b. Naphthoylindoles, Naphthoylindazoles,

661 Naphthoylcarbazoles, Naphthylmethylindoles,

662 Naphthylmethylindazoles, and Naphthylmethylcarbazoles.—Any

663 compound containing a naphthoylindole, naphthoylindazole,

664 naphthoylcarbazole, naphthylmethylindole,

665 naphthylmethylindazole, or naphthylmethylcarbazole structure,

666 with or without substitution on the indole, indazole, or

667 carbazole ring to any extent, whether or not substituted on the

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668 naphthyl ring to any extent, including, but not limited to:

669 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).

670 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-

671 naphthoyl)indole).

672 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).

673 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).

674 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).

675 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).

676 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).

677 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).

678 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).

679 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).

680 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).

681 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).

682 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).

683 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-

684 naphthoyl)indole).

685 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).

686 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).

687 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-

688 naphthoyl)indole).

689 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl)indole).

690 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).

691 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).

692 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).

693 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-

694 naphthylmethyl]indole).

695 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-

696 naphthoyl)indole).

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697 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-
698 naphthoyl)indole).
699 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
700 naphthoyl)indole).
701 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
702 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).
703 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
704 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).
705 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).
706 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
707 naphthoyl)indole).
708 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
709 naphthoyl)indole).
710 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
711 naphthoyl)indole).
712 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
713 naphthoyl)indole).
714 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
715 naphthoyl)indole).
716 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
717 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
718 naphthoyl)indazole).
719 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
720 naphthoyl)indole).
721 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
722 naphthoyl)indole).
723 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).
724 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-
725 naphthoyl)carbazole).

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726 c. Naphthoylpyrroles.—Any compound containing a
727 naphthoylpyrrole structure, with or without substitution on the
728 pyrrole ring to any extent, whether or not substituted on the
729 naphthyl ring to any extent, including, but not limited to:

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

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

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

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

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

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

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

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

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

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

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

751 e. Phenylacetylindoles and Phenylacetylindazoles.—Any
752 compound containing a phenylacetylindole or phenylacetylindazole
753 structure, with or without substitution on the indole or
754 indazole ring to any extent, whether or not substituted on the

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755 phenyl ring to any extent, including, but not limited to:

756 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).

757 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).

758 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).

759 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).

760 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).

761 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).

762 (VII) Cannabipiperidiethanone.

763 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
764 methoxyphenylacetyl)indole).

765 f. Cyclohexylphenols.—Any compound containing a
766 cyclohexylphenol structure, with or without substitution at the
767 5-position of the phenolic ring to any extent, whether or not
768 substituted on the cyclohexyl ring to any extent, including, but
769 not limited to:

770 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
771 yl)phenol).

772 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
773 homologue).

774 (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-
775 methyloctan-2-yl)phenol).

776 g. Benzoylindoles and Benzoylindazoles.—Any compound
777 containing a benzoylindole or benzoylindazole structure, with or
778 without substitution on the indole or indazole ring to any
779 extent, whether or not substituted on the phenyl ring to any
780 extent, including, but not limited to:

781 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).

782 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).

783 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-

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784 iodo-5-nitrobenzoyl)indole).

785 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-(4-
786 methoxybenzoyl)indole).

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

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

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

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

794 h. Tetramethylcyclopropanoylindoles and
795 Tetramethylcyclopropanoylindazoles.—Any compound containing a
796 tetramethylcyclopropanoylindole or
797 tetramethylcyclopropanoylindazole structure, with or without
798 substitution on the indole or indazole ring to any extent,
799 whether or not substituted on the tetramethylcyclopropyl group
800 to any extent, including, but not limited to:

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

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

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

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

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

811 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
812 tetramethylcyclopropanoyl)indole).

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813 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
814 tetramethylcyclopropanoyl)indole).

815 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-
816 tetramethylcyclopropanoyl)indazole).

817 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
818 tetramethylcyclopropanoyl)indole).

819 (X) AB-005 (1-[(1-Methyl-2-piperidiny)methyl]-3-(2,2,3,3-
820 tetramethylcyclopropanoyl)indole).

821 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
822 carboxamides, and Adamantylindazole carboxamides.—Any compound
823 containing an adamantoyl indole, adamantoyl indazole, adamantyl
824 indole carboxamide, or adamantyl indazole carboxamide structure,
825 with or without substitution on the indole or indazole ring to
826 any extent, whether or not substituted on the adamantyl ring to
827 any extent, including, but not limited to:

828 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).

829 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
830 3-carboxamide).

831 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
832 carboxamide).

833 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-
834 adamantoyl)indole).

835 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).

836 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).

837 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
838 adamantoyl)indole).

839 j. Quinolinyndolecarboxylates,
840 Quinolinyndazolecarboxylates, Quinolinyndolecarboxamides,
841 and Quinolinyndazolecarboxamides.—Any compound containing a

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

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

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

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

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

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

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

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

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

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

865 k. Naphthylindolecarboxylates and

866 Naphthylindazolecarboxylates.—Any compound containing a
867 naphthylindole carboxylate or naphthylindazole carboxylate
868 structure, with or without substitution on the indole or
869 indazole ring to any extent, whether or not substituted on the
870 naphthyl ring to any extent, including, but not limited to:

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871 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-
872 carboxylate).

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

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

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

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

881 1. Naphthylindole carboxamides and Naphthylindazole
882 carboxamides.—Any compound containing a naphthylindole
883 carboxamide or naphthylindazole carboxamide structure, with or
884 without substitution on the indole or indazole ring to any
885 extent, whether or not substituted on the naphthyl ring to any
886 extent, including, but not limited to:

887 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

888 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
889 3-carboxamide).

890 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-
891 (chloropentyl)indole-3-carboxamide).

892 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
893 carboxamide).

894 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-
895 (fluoropentyl)indazole-3-carboxamide).

896 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
897 indazole carboxamides, Alkylcarbonyl indole carboxylates, and
898 Alkylcarbonyl indazole carboxylates.—Any compound containing an
899 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,

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900 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-
901 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
902 indole carboxamide, indazole carboxamide, indole carboxylate, or
903 indazole carboxylate, with or without substitution on the indole
904 or indazole ring to any extent, whether or not substituted on
905 the alkylcarbonyl group to any extent, including, but not
906 limited to:

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

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

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

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

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

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

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

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

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

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

927 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
928 (cyclohexylmethyl)indazole-3-carboxamide).

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- 929 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
930 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 931 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
932 pentylindazole-3-carboxamide).
- 933 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
934 (fluoropentyl)indazole-3-carboxamide).
- 935 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
936 fluorobenzyl)indazole-3-carboxamide).
- 937 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
938 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
- 939 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
940 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
- 941 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
942 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).
- 943 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
944 fluoropentyl)indole-3-carboxamide).
- 945 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
946 fluoropentyl)indazole-3-carboxamide).
- 947 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
948 (cyclohexylmethyl)indazole-3-carboxamide).
- 949 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
950 fluorobenzyl)indazole-3-carboxamide).
- 951 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
952 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).
- 953 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-
954 Any compound containing a N-(2-phenylpropan-2-yl) indole
955 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide
956 structure, with or without substitution on the indole or
957 indazole ring to any extent, whether or not substituted on the

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958 phenyl ring of the cumyl group to any extent, including, but not
959 limited to:

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

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

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

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

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

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

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

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- 987 a. Any compound containing a 2-amino-1-phenyl-1-propanone
988 structure;
- 989 b. Any compound containing a 2-amino-1-naphthyl-1-propanone
990 structure; or
- 991 c. Any compound containing a 2-amino-1-thiophenyl-1-
992 propanone structure,
993 whether or not the compound is further modified:
- 994 (I) With or without substitution on the ring system to any
995 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
996 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
997 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
998 substituents;
- 999 (II) With or without substitution at the 3-propanone
1000 position with an alkyl substituent or removal of the methyl
1001 group at the 3-propanone position;
- 1002 (III) With or without substitution at the 2-amino nitrogen
1003 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1004 not further substituted in the ring system; or
- 1005 (IV) With or without inclusion of the 2-amino nitrogen atom
1006 in a cyclic structure, including, but not limited to:
- 1007 (A) Methcathinone.
1008 (B) Ethcathinone.
1009 (C) Methylone (3,4-Methylenedioxymethcathinone).
1010 (D) 2,3-Methylenedioxymethcathinone.
1011 (E) MDPV (3,4-Methylenedioxypyrovalerone).
1012 (F) Methylmethcathinone.
1013 (G) Methoxymethcathinone.
1014 (H) Fluoromethcathinone.
1015 (I) Methylethcathinone.

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- 1016 (J) Butylone (3,4-Methylenedioxy-alpha-
1017 methylaminobutyrophenone).
1018 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
1019 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
1020 (M) Naphyrone (Naphthylpyrovalerone).
1021 (N) Bromomethcathinone.
1022 (O) Buphedrone (alpha-Methylaminobutyrophenone).
1023 (P) Eutylone (3,4-Methylenedioxy-alpha-
1024 ethylaminobutyrophenone).
1025 (Q) Dimethylcathinone.
1026 (R) Dimethylmethcathinone.
1027 (S) Pentylone (3,4-Methylenedioxy-alpha-
1028 methylaminovalerophenone).
1029 (T) Pentedrone (alpha-Methylaminovalerophenone).
1030 (U) MDPPP (3,4-Methylenedioxy-alpha-
1031 pyrrolidinopropiophenone).
1032 (V) MDPBP (3,4-Methylenedioxy-alpha-
1033 pyrrolidinobutyrophenone).
1034 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
1035 (X) PPP (Pyrrolidinopropiophenone).
1036 (Y) PVP (Pyrrolidinovalerophenone) or
1037 (Pyrrolidinopentiophenone).
1038 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
1039 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
1040 (BB) F-MABP (Fluoromethylaminobutyrophenone).
1041 (CC) Me-EABP (Methylethylaminobutyrophenone).
1042 (DD) PBP (Pyrrolidinobutyrophenone).
1043 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
1044 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).

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1045 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
 1046 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
 1047 dimethylcathinone).
 1048 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
 1049 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
 1050 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
 1051 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
 1052 (MM) Methylbuphedrone (Methyl-alpha-
 1053 methylaminobutyrophenone).
 1054 (NN) Methyl-alpha-methylaminohexanophenone.
 1055 (OO) N-Ethyl-N-methylcathinone.
 1056 (PP) PHP (Pyrrolidinohexanophenone).
 1057 (QQ) PV8 (Pyrrolidinoheptanophenone).
 1058 (RR) Chloromethcathinone.
 1059 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.

1060 192. Substituted Phenethylamines.—Unless specifically
 1061 excepted or unless listed in another schedule, or contained
 1062 within a pharmaceutical product approved by the United States
 1063 Food and Drug Administration, any material, compound, mixture,
 1064 or preparation, including its salts, isomers, esters, or ethers,
 1065 and salts of isomers, esters, or ethers, whenever the existence
 1066 of such salts is possible within any of the following specific
 1067 chemical designations, any compound containing a phenethylamine
 1068 structure, without a beta-keto group, and without a benzyl group
 1069 attached to the amine group, whether or not the compound is
 1070 further modified with or without substitution on the phenyl ring
 1071 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
 1072 halide, fused alkylenedioxy, fused furan, fused benzofuran,
 1073 fused dihydrofuran, or fused tetrahydropyran substituents,

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1074 whether or not further substituted on a ring to any extent, with
1075 or without substitution at the alpha or beta position by any
1076 alkyl substituent, with or without substitution at the nitrogen
1077 atom, and with or without inclusion of the 2-amino nitrogen atom
1078 in a cyclic structure, including, but not limited to:

- 1079 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 1080 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 1081 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 1082 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 1083 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 1084 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 1085 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1086 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1087 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1088 j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1089 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1090 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1091 m. MDMA (3,4-Methylenedioxyamphetamine).
- 1092 n. MBDB (Methylbenzodioxolybutanamine) or (3,4-
1093 Methylenedioxy-N-methylbutanamine).
- 1094 o. MDA (3,4-Methylenedioxyamphetamine).
- 1095 p. 2,5-Dimethoxyamphetamine.
- 1096 q. Fluoroamphetamine.
- 1097 r. Fluoromethamphetamine.
- 1098 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1099 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 1100 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1101 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1102 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).

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- 1103 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
 1104 y. PMA (4-Methoxyamphetamine).
 1105 z. N-Ethylamphetamine.
 1106 aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
 1107 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
 1108 cc. PMMA (4-Methoxymethamphetamine).
 1109 dd. N,N-Dimethylamphetamine.
 1110 ee. 3,4,5-Trimethoxyamphetamine.
 1111 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
 1112 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
 1113 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
 1114 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
 1115 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1116 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1117 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1118 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1119 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
 1120 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
 1121 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
 1122 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
 1123 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
 1124 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
 1125 dihydrobenzofuran),
 1126
 1127 which does not include phenethylamine, mescaline as described in
 1128 subparagraph 20., substituted cathinones as described in
 1129 subparagraph 191., N-Benzyl phenethylamine compounds as
 1130 described in subparagraph 193., or methamphetamine as described
 1131 in subparagraph (2)(c)4.

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1132 193. N-Benzyl Phenethylamine Compounds.—Unless specifically
1133 excepted or unless listed in another schedule, or contained
1134 within a pharmaceutical product approved by the United States
1135 Food and Drug Administration, any material, compound, mixture,
1136 or preparation, including its salts, isomers, esters, or ethers,
1137 and salts of isomers, esters, or ethers, whenever the existence
1138 of such salts is possible within any of the following specific
1139 chemical designations, any compound containing a phenethylamine
1140 structure without a beta-keto group, with substitution on the
1141 nitrogen atom of the amino group with a benzyl substituent, with
1142 or without substitution on the phenyl or benzyl ring to any
1143 extent with alkyl, alkoxy, thio, alkylthio, halide, fused
1144 alkylenedioxy, fused furan, fused benzofuran, or fused
1145 tetrahydropyran substituents, whether or not further substituted
1146 on a ring to any extent, with or without substitution at the
1147 alpha position by any alkyl substituent, including, but not
1148 limited to:

1149 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1150 methoxybenzyl)]phenethylamine).

1151 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1152 hydroxybenzyl)]phenethylamine).

1153 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1154 fluorobenzyl)]phenethylamine).

1155 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1156 methylenedioxybenzyl)]phenethylamine).

1157 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1158 methoxybenzyl)]phenethylamine).

1159 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1160 hydroxybenzyl)]phenethylamine).

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- 1161 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1162 fluorobenzyl)]phenethylamine).
- 1163 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1164 methylenedioxybenzyl)]phenethylamine).
- 1165 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
1166 methoxybenzyl)]phenethylamine).
- 1167 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1168 methoxybenzyl)]phenethylamine).
- 1169 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1170 methoxybenzyl)]phenethylamine).
- 1171 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1172 methoxybenzyl)]phenethylamine).
- 1173 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1174 hydroxybenzyl)]phenethylamine).
- 1175 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1176 fluorobenzyl)]phenethylamine).
- 1177 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1178 methylenedioxybenzyl)]phenethylamine).
- 1179 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
1180 methoxybenzyl)]phenethylamine).
- 1181 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1182 hydroxybenzyl)]phenethylamine).
- 1183 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
1184 fluorobenzyl)]phenethylamine).
- 1185 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1186 methoxybenzyl)]phenethylamine),
1187
- 1188 which does not include substituted cathinones as described in
1189 subparagraph 191.

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- 1190 194. Substituted Tryptamines.—Unless specifically excepted
1191 or unless listed in another schedule, or contained within a
1192 pharmaceutical product approved by the United States Food and
1193 Drug Administration, any material, compound, mixture, or
1194 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1195 example tryptamine, structure with or without mono- or di-
1196 substitution of the amine nitrogen with alkyl or alkenyl groups,
1197 or by inclusion of the amino nitrogen atom in a cyclic
1198 structure, whether or not substituted at the alpha position with
1199 an alkyl group, whether or not substituted on the indole ring to
1200 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1201 groups, including, but not limited to:
- 1202 a. Alpha-Ethyltryptamine.
 - 1203 b. Bufotenine.
 - 1204 c. DET (Diethyltryptamine).
 - 1205 d. DMT (Dimethyltryptamine).
 - 1206 e. MET (N-Methyl-N-ethyltryptamine).
 - 1207 f. DALT (N,N-Diallyltryptamine).
 - 1208 g. EiPT (N-Ethyl-N-isopropyltryptamine).
 - 1209 h. MiPT (N-Methyl-N-isopropyltryptamine).
 - 1210 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
 - 1211 j. 5-Hydroxy-N-methyltryptamine.
 - 1212 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
 - 1213 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
 - 1214 m. Methyltryptamine.
 - 1215 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
 - 1216 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
 - 1217 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
 - 1218 q. DiPT (N,N-Diisopropyltryptamine).

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- 1219 r. DPT (N,N-Dipropyltryptamine).
 1220 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
 1221 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
 1222 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
 1223 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
 1224 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
 1225 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
 1226 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
 1227 isopropyltryptamine).
 1228 z. Methyl-alpha-ethyltryptamine.
 1229 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1230

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

1233 195. Substituted Phenylcyclohexylamines.—Unless
 1234 specifically excepted or unless listed in another schedule, or
 1235 contained within a pharmaceutical product approved by the United
 1236 States Food and Drug Administration, any material, compound,
 1237 mixture, or preparation containing a phenylcyclohexylamine
 1238 structure, with or without any substitution on the phenyl ring,
 1239 any substitution on the cyclohexyl ring, any replacement of the
 1240 phenyl ring with a thiophenyl or benzothiophenyl ring, with or
 1241 without substitution on the amine with alkyl, dialkyl, or alkoxy
 1242 substituents, inclusion of the nitrogen in a cyclic structure,
 1243 or any combination of the above, including, but not limited to:

- 1244 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 1245 (Benocyclidine).
 1246 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
 1247 of phencyclidine).

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- 1248 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
1249 analog of phencyclidine).
- 1250 d. PCPr (Phenylcyclohexylpropylamine).
- 1251 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
1252 analog of phencyclidine).
- 1253 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1254 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1255 h. Methoxetamine.
- 1256 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1257 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1258 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1259 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1260 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1261 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1262 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1263 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1264 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1265 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
- 1266 196. W-15, 4-chloro-N-[1-(2-phenylethyl)-2-
1267 piperidinylidene]-benzenesulfonamide.
- 1268 197. W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-
1269 piperidinylidene]-benzenesulfonamide.
- 1270 198. AH-7921, 3,4-dichloro-N-[[1-
1271 (dimethylamino)cyclohexyl]methyl]-benzamide.
- 1272 199. U47700, trans-3,4-dichloro-N-[2-
1273 (dimethylamino)cyclohexyl]-N-methyl-benzamide.
- 1274 200. MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-piperazine,
1275 dihydrochloride.
- 1276 Section 5. Paragraph (c) of subsection (6) of section

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1277 893.13, Florida Statutes, is amended to read:

1278 893.13 Prohibited acts; penalties.—

1279 (6)

1280 (c) Except as provided in this chapter, a person may not
1281 possess more than 10 grams of any substance named or described
1282 in s. 893.03(1)(a), ~~or~~ (1)(b), or (2)(b), or any combination
1283 thereof, or any mixture containing any such substance. A person
1284 who violates this paragraph commits a felony of the first
1285 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1286 775.084.

1287 Section 6. Paragraphs (c), (d), and (k) of subsection (1)
1288 of section 893.135, Florida Statutes, are amended, and
1289 paragraphs (m) and (n) are added to that subsection, and a new
1290 subsection (8) is added to that section, to read:

1291 893.135 Trafficking; mandatory sentences; suspension or
1292 reduction of sentences; conspiracy to engage in trafficking.—

1293 (1) Except as authorized in this chapter or in chapter 499
1294 and notwithstanding the provisions of s. 893.13:

1295 (c)1. A person who knowingly sells, purchases,
1296 manufactures, delivers, or brings into this state, or who is
1297 knowingly in actual or constructive possession of, 4 grams or
1298 more of any morphine, opium, hydromorphone, or any salt,
1299 derivative, isomer, or salt of an isomer thereof, including
1300 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or
1301 (3)(c)4., or 4 grams or more of any mixture containing any such
1302 substance, but less than 30 kilograms of such substance or
1303 mixture, commits a felony of the first degree, which felony
1304 shall be known as "trafficking in illegal drugs," punishable as
1305 provided in s. 775.082, s. 775.083, or s. 775.084. If the

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1306 quantity involved:

1307 a. Is 4 grams or more, but less than 14 grams, such person
1308 shall be sentenced to a mandatory minimum term of imprisonment
1309 of 3 years and shall be ordered to pay a fine of \$50,000.

1310 b. Is 14 grams or more, but less than 28 grams, such person
1311 shall be sentenced to a mandatory minimum term of imprisonment
1312 of 15 years and shall be ordered to pay a fine of \$100,000.

1313 c. Is 28 grams or more, but less than 30 kilograms, such
1314 person shall be sentenced to a mandatory minimum term of
1315 imprisonment of 25 years and shall be ordered to pay a fine of
1316 \$500,000.

1317 2. A person who knowingly sells, purchases, manufactures,
1318 delivers, or brings into this state, or who is knowingly in
1319 actual or constructive possession of, 14 grams or more of
1320 hydrocodone, as described in s. 893.03(2)(a)1.j., codeine, as
1321 described in s. 893.03(2)(a)1.g., or any salt, ~~derivative,~~
1322 ~~isomer, or salt of an isomer~~ thereof, or 14 grams or more of any
1323 mixture containing any such substance, commits a felony of the
1324 first degree, which felony shall be known as "trafficking in
1325 hydrocodone," punishable as provided in s. 775.082, s. 775.083,
1326 or s. 775.084. If the quantity involved:

1327 a. Is 14 grams or more, but less than 28 grams, such person
1328 shall be sentenced to a mandatory minimum term of imprisonment
1329 of 3 years and shall be ordered to pay a fine of \$50,000.

1330 b. Is 28 grams or more, but less than 50 grams, such person
1331 shall be sentenced to a mandatory minimum term of imprisonment
1332 of 7 years and shall be ordered to pay a fine of \$100,000.

1333 c. Is 50 grams or more, but less than 200 grams, such
1334 person shall be sentenced to a mandatory minimum term of

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1335 imprisonment of 15 years and shall be ordered to pay a fine of
1336 \$500,000.

1337 d. Is 200 grams or more, but less than 30 kilograms, such
1338 person shall be sentenced to a mandatory minimum term of
1339 imprisonment of 25 years and shall be ordered to pay a fine of
1340 \$750,000.

1341 3. A person who knowingly sells, purchases, manufactures,
1342 delivers, or brings into this state, or who is knowingly in
1343 actual or constructive possession of, 7 grams or more of
1344 oxycodone, as described in s. 893.03(2)(a)1.o., or any salt,
1345 ~~derivative, isomer, or salt of an isomer~~ thereof, or 7 grams or
1346 more of any mixture containing any such substance, commits a
1347 felony of the first degree, which felony shall be known as
1348 "trafficking in oxycodone," punishable as provided in s.
1349 775.082, s. 775.083, or s. 775.084. If the quantity involved:

1350 a. Is 7 grams or more, but less than 14 grams, such person
1351 shall be sentenced to a mandatory minimum term of imprisonment
1352 of 3 years and shall be ordered to pay a fine of \$50,000.

1353 b. Is 14 grams or more, but less than 25 grams, such person
1354 shall be sentenced to a mandatory minimum term of imprisonment
1355 of 7 years and shall be ordered to pay a fine of \$100,000.

1356 c. Is 25 grams or more, but less than 100 grams, such
1357 person shall be sentenced to a mandatory minimum term of
1358 imprisonment of 15 years and shall be ordered to pay a fine of
1359 \$500,000.

1360 d. Is 100 grams or more, but less than 30 kilograms, such
1361 person shall be sentenced to a mandatory minimum term of
1362 imprisonment of 25 years and shall be ordered to pay a fine of
1363 \$750,000.

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1364 4.a. A person who knowingly sells, purchases, manufactures,
1365 delivers, or brings into this state, or who is knowingly in
1366 actual or constructive possession of, 4 grams or more of:

1367 (I) Alfentanil, as described in s. 893.03(2)(b)1.;

1368 (II) Carfentanil, as described in s. 893.03(2)(b)6.;

1369 (III) Fentanyl, as described in s. 893.03(2)(b)9.;

1370 (IV) Sufentanil, as described in s. 893.03(2)(b)29.;

1371 (V) A fentanyl derivative, as described in s.

1372 893.03(1)(a)62.;

1373 (VI) A controlled substance analog, as described in s.

1374 893.0356, of any substance described in sub-sub-subparagraphs

1375 (I)-(V); or

1376 (VII) A mixture containing any substance described in sub-
1377 sub-subparagraphs (I)-(VI),

1378
1379 commits a felony of the first degree, which felony shall be
1380 known as "trafficking in fentanyl," punishable as provided in s.
1381 775.082, s. 775.083, or s. 775.084.

1382 b. If the quantity involved under sub-subparagraph a.:

1383 (I) Is 4 grams or more, but less than 14 grams, such person
1384 shall be sentenced to a mandatory minimum term of imprisonment
1385 of 3 years, and shall be ordered to pay a fine of \$50,000.

1386 (II) Is 14 grams or more, but less than 28 grams, such
1387 person shall be sentenced to a mandatory minimum term of
1388 imprisonment of 15 years, and shall be ordered to pay a fine of
1389 \$100,000.

1390 (III) Is 28 grams or more, such person shall be sentenced
1391 to a mandatory minimum term of imprisonment of 25 years, and
1392 shall be ordered to pay a fine of \$500,000.

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1393 ~~5.4.~~ A person who knowingly sells, purchases, manufactures,
1394 delivers, or brings into this state, or who is knowingly in
1395 actual or constructive possession of, 30 kilograms or more of
1396 any morphine, opium, oxycodone, hydrocodone, codeine,
1397 hydromorphone, or any salt, derivative, isomer, or salt of an
1398 isomer thereof, including heroin, as described in s.
1399 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
1400 more of any mixture containing any such substance, commits the
1401 first degree felony of trafficking in illegal drugs. A person
1402 who has been convicted of the first degree felony of trafficking
1403 in illegal drugs under this subparagraph shall be punished by
1404 life imprisonment and is ineligible for any form of
1405 discretionary early release except pardon or executive clemency
1406 or conditional medical release under s. 947.149. However, if the
1407 court determines that, in addition to committing any act
1408 specified in this paragraph:

1409 a. The person intentionally killed an individual or
1410 counseled, commanded, induced, procured, or caused the
1411 intentional killing of an individual and such killing was the
1412 result; or

1413 b. The person's conduct in committing that act led to a
1414 natural, though not inevitable, lethal result,
1415
1416 such person commits the capital felony of trafficking in illegal
1417 drugs, punishable as provided in ss. 775.082 and 921.142. A
1418 person sentenced for a capital felony under this paragraph shall
1419 also be sentenced to pay the maximum fine provided under
1420 subparagraph 1.

1421 ~~6.5.~~ A person who knowingly brings into this state 60

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1422 kilograms or more of any morphine, opium, oxycodone,
1423 hydrocodone, codeine, hydromorphone, or any salt, derivative,
1424 isomer, or salt of an isomer thereof, including heroin, as
1425 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
1426 60 kilograms or more of any mixture containing any such
1427 substance, and who knows that the probable result of such
1428 importation would be the death of a person, commits capital
1429 importation of illegal drugs, a capital felony punishable as
1430 provided in ss. 775.082 and 921.142. A person sentenced for a
1431 capital felony under this paragraph shall also be sentenced to
1432 pay the maximum fine provided under subparagraph 1.

1433 (d)1. Any person who knowingly sells, purchases,
1434 manufactures, delivers, or brings into this state, or who is
1435 knowingly in actual or constructive possession of, 28 grams or
1436 more of phencyclidine, as described in s. 893.03(2)(b)23., a
1437 substituted phenylcyclohexylamine, as described in s.
1438 893.03(1)(c)195., or a substance described in s.
1439 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture
1440 containing phencyclidine, as described in s. 893.03(2)(b)23.
1441 ~~893.03(2)(b),~~ a substituted phenylcyclohexylamine, as described
1442 in s. 893.03(1)(c)195., or a substance described in s.
1443 893.03(1)(c)13., 32., 38., 103., or 146.,
1444 commits a felony of the first degree, which felony shall be
1445 known as "trafficking in phencyclidine," punishable as provided
1446 in s. 775.082, s. 775.083, or s. 775.084. If the quantity
1447 involved:

1448 a. Is 28 grams or more, but less than 200 grams, such
1449 person shall be sentenced to a mandatory minimum term of
1450 imprisonment of 3 years, and the defendant shall be ordered to

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1451 pay a fine of \$50,000.

1452 b. Is 200 grams or more, but less than 400 grams, such
1453 person shall be sentenced to a mandatory minimum term of
1454 imprisonment of 7 years, and the defendant shall be ordered to
1455 pay a fine of \$100,000.

1456 c. Is 400 grams or more, such person shall be sentenced to
1457 a mandatory minimum term of imprisonment of 15 calendar years
1458 and pay a fine of \$250,000.

1459 2. Any person who knowingly brings into this state 800
1460 grams or more of phencyclidine, as described in s.
1461 893.03(2)(b)23., a substituted phenylcyclohexylamine, as
1462 described in s. 893.03(1)(c)195., or a substance described in s.
1463 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture
1464 containing phencyclidine, as described in s. 893.03(2)(b)23.
1465 ~~893.03(2)(b),~~ a substituted phenylcyclohexylamine, as described
1466 in s. 893.03(1)(c)195., or a substance described in s.
1467 893.03(1)(c)13., 32., 38., 103., or 146., and who knows that the
1468 probable result of such importation would be the death of any
1469 person commits capital importation of phencyclidine, a capital
1470 felony punishable as provided in ss. 775.082 and 921.142. Any
1471 person sentenced for a capital felony under this paragraph shall
1472 also be sentenced to pay the maximum fine provided under
1473 subparagraph 1.

1474 (k)1. A person who knowingly sells, purchases,
1475 manufactures, delivers, or brings into this state, or who is
1476 knowingly in actual or constructive possession of, 10 grams or
1477 more of a any of the following substances described in s.
1478 ~~893.03(1)(c):~~

1479 a. Substance described in s. 893.03(1)(c)4., 5., 10., 11.,

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1480 15., 17., 21.-27., 29., 39., 40.-45., 58., 72.-80., 81.-86.,
 1481 90.-102., 104.-108., 110.-113., 143.-145., 148.-150., 160.-163.,
 1482 165., or 187.-189., a substituted cathinone, as described in s.
 1483 893.03(1)(c)191., or substituted phenethylamine, as described in
 1484 s. 893.03(1)(c)192.;

1485 b. Mixture containing any substance described in sub-
 1486 subparagraph a.; or

1487 c. Salt, isomer, ester, or ether or salt of an isomer,
 1488 ester, or ether of a substance described in sub-subparagraph a.,

1489 a. ~~(MDMA) 3,4-Methylenedioxyamphetamine;~~
 1490 b. ~~DOB (4-Bromo-2,5-dimethoxyamphetamine);~~
 1491 e. ~~2C-B (4-Bromo-2,5-dimethoxyphenethylamine);~~
 1492 d. ~~2,5-Dimethoxyamphetamine;~~
 1493 e. ~~DOET (4-Ethyl-2,5-dimethoxyamphetamine);~~
 1494 f. ~~N-ethylamphetamine;~~
 1495 g. ~~3,4-Methylenedioxy-N-hydroxyamphetamine;~~
 1496 h. ~~5-Methoxy-3,4-methylenedioxyamphetamine;~~
 1497 i. ~~PMA (4-methoxyamphetamine);~~
 1498 j. ~~PMMA (4-methoxymethamphetamine);~~
 1499 k. ~~DOM (4-Methyl-2,5-dimethoxyamphetamine);~~
 1500 l. ~~MDEA (3,4-Methylenedioxy-N-ethylamphetamine);~~
 1501 m. ~~MDA (3,4-Methylenedioxyamphetamine);~~
 1502 n. ~~N,N-dimethylamphetamine;~~
 1503 o. ~~3,4,5-Trimethoxyamphetamine;~~
 1504 p. ~~Methylone (3,4-Methylenedioxymethcathinone);~~
 1505 q. ~~MDPV (3,4-Methylenedioxypropylone);~~ or
 1506 r. ~~Methylmethcathinone,~~

1507
 1508 individually or analogs thereto or isomers thereto or in any

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1509 ~~combination of or any mixture containing any substance listed in~~
1510 ~~sub-subparagraphs a. r.,~~ commits a felony of the first degree,
1511 which felony shall be known as "trafficking in phenethylamines,"
1512 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1513 2. If the quantity involved under subparagraph 1.:

1514 a. Is 10 grams or more, but less than 200 grams, such
1515 person shall be sentenced to a mandatory minimum term of
1516 imprisonment of 3 years and shall be ordered to pay a fine of
1517 \$50,000.

1518 b. Is 200 grams or more, but less than 400 grams, such
1519 person shall be sentenced to a mandatory minimum term of
1520 imprisonment of 7 years and shall be ordered to pay a fine of
1521 \$100,000.

1522 c. Is 400 grams or more, such person shall be sentenced to
1523 a mandatory minimum term of imprisonment of 15 years and shall
1524 be ordered to pay a fine of \$250,000.

1525 3. A person who knowingly manufactures or brings into this
1526 state 30 kilograms or more of a substance described in sub-
1527 subparagraph 1.a., a mixture described in sub-subparagraph 1.b.,
1528 or a salt, isomer, ester, or ether or a salt of an isomer,
1529 ester, or ether described in sub-subparagraph 1.c., ~~any of the~~
1530 ~~following substances described in s. 893.03(1)(c):~~

1531 ~~a. MDMA (3,4-Methylenedioxymethamphetamine);~~

1532 ~~b. DOB (4-Bromo-2,5-dimethoxyamphetamine);~~

1533 ~~c. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);~~

1534 ~~d. 2,5-Dimethoxyamphetamine;~~

1535 ~~e. DOET (4-Ethyl-2,5-dimethoxyamphetamine);~~

1536 ~~f. N-ethylamphetamine;~~

1537 ~~g. N-Hydroxy-3,4-methylenedioxyamphetamine;~~

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- 1538 ~~h. 5-Methoxy-3,4-methylenedioxyamphetamine;~~
 1539 ~~i. PMA (4-methoxyamphetamine);~~
 1540 ~~j. PMMA (4-methoxymethamphetamine);~~
 1541 ~~k. DOM (4-Methyl-2,5-dimethoxyamphetamine);~~
 1542 ~~l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);~~
 1543 ~~m. MDA (3,4-Methylenedioxyamphetamine);~~
 1544 ~~n. N,N-dimethylamphetamine;~~
 1545 ~~o. 3,4,5-Trimethoxyamphetamine;~~
 1546 ~~p. Methyldone (3,4-Methylenedioxy-methcathinone);~~
 1547 ~~q. MDPV (3,4-Methylenedioxy-pyrovalerone); or~~
 1548 ~~r. Methylmethcathinone,~~

1549

1550 ~~individually or analogs thereto or isomers thereto or in any~~
 1551 ~~combination of or any mixture containing any substance listed in~~
 1552 ~~sub-subparagraphs a. r., and who knows that the probable result~~
 1553 ~~of such manufacture or importation would be the death of any~~
 1554 ~~person commits capital manufacture or importation of~~
 1555 ~~phenethylamines, a capital felony punishable as provided in ss.~~
 1556 ~~775.082 and 921.142. A person sentenced for a capital felony~~
 1557 ~~under this paragraph shall also be sentenced to pay the maximum~~
 1558 ~~fine provided under subparagraph 2. 1-~~

1559

1560 (m)1. A person who knowingly sells, purchases,
 1561 manufactures, delivers, or brings into this state, or who is
 1562 knowingly in actual or constructive possession of, 280 grams or
 1563 more of a:

1563

1564 a. Substance described in s. 893.03(1)(c)30., 46.-50.,
 1565 114.-142., 151.-156., 166.-173., or 176.-186. or a synthetic
 1566 cannabinoid, as described in s. 893.03(1)(c)190.; or

1566

1566 b. Mixture containing any substance described in sub-

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1567 subparagraph a.,

1568
1569 commits a felony of the first degree, which felony shall be
1570 known as "trafficking in synthetic cannabinoids," punishable as
1571 provided in s. 775.082, s. 775.083, or s. 775.084.

1572 2. If the quantity involved under subparagraph 1.:

1573 a. Is 280 grams or more, but less than 500 grams, such
1574 person shall be sentenced to a mandatory minimum term of
1575 imprisonment of 3 years, and the defendant shall be ordered to
1576 pay a fine of \$50,000.

1577 b. Is 500 grams or more, but less than 1,000 grams, such
1578 person shall be sentenced to a mandatory minimum term of
1579 imprisonment of 7 years, and the defendant shall be ordered to
1580 pay a fine of \$100,000.

1581 c. Is 1,000 grams or more, but less than 30 kilograms such
1582 person shall be sentenced to a mandatory minimum term of
1583 imprisonment of 15 years, and the defendant shall be ordered to
1584 pay a fine of \$200,000.

1585 d. Is 30 kilograms or more, such person shall be sentenced
1586 to a mandatory minimum term of imprisonment of 25 years, and the
1587 defendant shall be ordered to pay a fine of \$750,000.

1588 (n)1. A person who knowingly sells, purchases,
1589 manufactures, delivers, or brings into this state, or who is
1590 knowingly in actual or constructive possession of, 14 grams or
1591 more of:

1592 a. A substance described in s. 893.03(1)(c)164., 174., or
1593 175., a n-benzyl phenethylamine compound, as described in s.
1594 893.03(1)(c)193.; or

1595 b. A mixture containing any substance described in sub-

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1596 subparagraph a.,

1597
1598 commits a felony of the first degree, which felony shall be
1599 known as "trafficking in n-benzyl phenethylamines," punishable
1600 as provided in s. 775.082, s. 775.083, or s. 775.084.

1601 2. If the quantity involved under subparagraph 1.:

1602 a. Is 14 grams or more, but less than 100 grams, such
1603 person shall be sentenced to a mandatory minimum term of
1604 imprisonment of 3 years, and the defendant shall be ordered to
1605 pay a fine of \$50,000.

1606 b. Is 100 grams or more, but less than 200 grams, such
1607 person shall be sentenced to a mandatory minimum term of
1608 imprisonment of 7 years, and the defendant shall be ordered to
1609 pay a fine of \$100,000.

1610 c. Is 200 grams or more, such person shall be sentenced to
1611 a mandatory minimum term of imprisonment of 15 years , and the
1612 defendant shall be ordered to pay a fine of \$500,000.

1613 3. A person who knowingly manufactures or brings into this
1614 state 400 grams or more of a substance described in sub-
1615 subparagraph 1.a. or a mixture described in sub-subparagraph
1616 1.b., and who knows that the probable result of such manufacture
1617 or importation would be the death of any person commits capital
1618 manufacture or importation of a n-benzyl phenethylamine
1619 compound, a capital felony punishable as provided in ss. 775.082
1620 and 921.142. A person sentenced for a capital felony under this
1621 paragraph shall also be sentenced to pay the maximum fine under
1622 subparagraph 2.

1623 (8) For an offense listed under this section committed on
1624 or after October 1, 2017, which carries a mandatory minimum

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1625 sentence, a court may depart from the applicable mandatory
 1626 minimum sentence if, in giving due regard to the nature of the
 1627 crime, history, and character of the defendant, and the
 1628 defendant's chances of successful rehabilitation, the court
 1629 finds compelling reasons on the record that imposition of the
 1630 mandatory minimum is not necessary for the protection of the
 1631 public. Each month, a court shall submit to the Office of
 1632 Economic and Demographic Research of the Legislature the written
 1633 reasons in each case in which the court departed from the
 1634 mandatory minimum sentence.

1635 Section 7. For the purpose of incorporating the amendments
 1636 made by this act to sections 893.03, 893.13, and 893.135,
 1637 Florida Statutes, in references thereto, paragraphs (a), (b),
 1638 (c), (d), and (e) subsection (3) of section 921.0022, Florida
 1639 Statutes, are reenacted; and paragraphs (g), (h), and (i) of
 1640 subsection (3) of section 921.0022, Florida Statutes, are
 1641 amended to read:

1642 921.0022 Criminal Punishment Code; offense severity ranking
 1643 chart.—

1644 (3) OFFENSE SEVERITY RANKING CHART

1645 (a) LEVEL 1

1646

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax;

1647

1648

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1649

limitations, administration,
and collection.

212.15(2)(b)

3rd

Failure to remit sales taxes,
amount greater than \$300 but
less than \$20,000.

1650

316.1935(1)

3rd

Fleeing or attempting to elude
law enforcement officer.

1651

319.30(5)

3rd

Sell, exchange, give away
certificate of title or
identification number plate.

1652

319.35(1)(a)

3rd

Tamper, adjust, change, etc.,
an odometer.

1653

320.26(1)(a)

3rd

Counterfeit, manufacture, or
sell registration license
plates or validation stickers.

1654

322.212
(1)(a)-(c)

3rd

Possession of forged, stolen,
counterfeit, or unlawfully
issued driver license;
possession of simulated
identification.

1655

322.212(4)

3rd

Supply or aid in supplying
unauthorized driver license or

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1656

identification card.

322.212 (5) (a)

3rd

False application for driver license or identification card.

1657

414.39 (3) (a)

3rd

Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

1658

443.071 (1)

3rd

False statement or representation to obtain or increase reemployment assistance benefits.

1659

509.151 (1)

3rd

Defraud an innkeeper, food or lodging value greater than \$300.

1660

517.302 (1)

3rd

Violation of the Florida Securities and Investor Protection Act.

1661

562.27 (1)

3rd

Possess still or still apparatus.

1662

713.69

3rd

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

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1663

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

1664

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

1665

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

1666

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

1667

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

1668

826.01 3rd Bigamy.

1669

828.122 (3) 3rd Fighting or baiting animals.

1670

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

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1671

in s. 92.28.

831.31(1)(a)

3rd

Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

1672

832.041(1)

3rd

Stopping payment with intent to defraud \$150 or more.

1673

832.05(2)(b) &
(4)(c)

3rd

Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.

1674

838.15(2)

3rd

Commercial bribe receiving.

1675

838.16

3rd

Commercial bribery.

1676

843.18

3rd

Fleeing by boat to elude a law enforcement officer.

1677

847.011(1)(a)

3rd

Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).

1678

849.01

3rd

Keeping gambling house.

1679

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1680
1681
1682
1683
1684
1685
1686
1687
1688
1689

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

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

849.25(2) 3rd Engaging in bookmaking.

860.08 3rd Interfere with a railroad
signal.

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

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

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

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

(b) LEVEL 2

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	Florida Statute	Felony Degree	Description
1690	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
1691	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
1692	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.
1693	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
1694	590.28 (1)	3rd	Intentional burning of lands.
1695	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
1696			

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1697	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
1698	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
1699	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
1700	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
1701	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
1702	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device

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			countermeasure.
1703	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
1704	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
1705	817.52 (3)	3rd	Failure to redeliver hired vehicle.
1706	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
1707	817.60 (5)	3rd	Dealing in credit cards of another.
1708	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
1709	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
1710	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom

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			related.
1711			
	831.01	3rd	Forgery.
1712			
	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
1713			
	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
1714			
	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
1715			
	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
1716			
	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
1717			
	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
1718			
	843.08	3rd	False personation.
1719			
	893.13 (2) (a) 2.	3rd	Purchase of any s.

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

1720

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

1721

1722 (c) LEVEL 3

1723

Florida Statute	Felony Degree	Description
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1724

119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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1725

316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
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1726

316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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1727

316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
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1728

319.30(4)	3rd	Possession by junkyard of motor
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1729

vehicle with identification
number plate removed.

319.33(1)(a)

3rd

Alter or forge any certificate
of title to a motor vehicle or
mobile home.

1730

319.33(1)(c)

3rd

Procure or pass title on stolen
vehicle.

1731

319.33(4)

3rd

With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

1732

327.35(2)(b)

3rd

Felony BUI.

1733

328.05(2)

3rd

Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

1734

328.07(4)

3rd

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

1735

376.302(5)

3rd

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

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1736

379.2431 3rd Taking, disturbing, mutilating,
 (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.

1737

379.2431 3rd Soliciting to commit or
 (1) (e) 6. conspiring to commit a
 violation of the Marine Turtle
 Protection Act.

1738

400.9935 (4) (a) 3rd Operating a clinic, or offering
 or (b) services requiring licensure,
 without a license.

1739

400.9935 (4) (e) 3rd Filing a false license
 application or other required
 information or failing to
 report information.

1740

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

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1741

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

1742

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

1743

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

1744

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

1745

697.08 3rd Equity skimming.

1746

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

1747

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

1748

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

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			duty.
1749	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
1750	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
1751	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1752	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
1753	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
1754	817.233	3rd	Burning to defraud insurer.
1755	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
1756	817.234(11)(a)	3rd	Insurance fraud; property value

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1757

less than \$20,000.

817.236

3rd

Filing a false motor vehicle insurance application.

1758

817.2361

3rd

Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

1759

817.413 (2)

3rd

Sale of used goods as new.

1760

817.505 (4)

3rd

Patient brokering.

1761

828.12 (2)

3rd

Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

1762

831.28 (2) (a)

3rd

Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

1763

831.29

2nd

Possession of instruments for counterfeiting driver licenses or identification cards.

1764

838.021 (3) (b)

3rd

Threatens unlawful harm to

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1765

public servant.

843.19

3rd

Injure, disable, or kill police dog or horse.

1766

860.15(3)

3rd

Overcharging for repairs and parts.

1767

870.01(2)

3rd

Riot; inciting or encouraging.

1768

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).

1769

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.

1770

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.,

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1771

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

893.13(4)(c)

3rd

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

1772

893.13(6)(a)

3rd

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

1773

893.13(7)(a)8.

3rd

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

1774

893.13(7)(a)9.

3rd

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

1775

893.13(7)(a)10.

3rd

Affix false or forged label to package of controlled substance.

1776

893.13(7)(a)11.

3rd

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

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1777

chapter 893.

893.13(8)(a)1.

3rd

Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

1778

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.

1779

893.13(8)(a)3.

3rd

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

1780

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.

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1781

918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.

1782

944.47 (1)(a)1. & 2. 3rd Introduce contraband to correctional facility.

1783

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

1784

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

1785

(d) LEVEL 4

1786

1787

Florida Statute	Felony Degree	Description
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1788

316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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1789

499.0051(1)	3rd	Failure to maintain or deliver
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			transaction history, transaction information, or transaction statements.
1790	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1791	517.07 (1)	3rd	Failure to register securities.
1792	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
1793	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1794	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1795	784.075	3rd	Battery on detention or commitment facility staff.
1796	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1797	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.

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1798
1799
1800
1801
1802
1803
1804
1805

784.081 (3)	3rd	Battery on specified official or employee.
784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
784.083 (3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.

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1806

787.07 3rd Human smuggling.

1807

790.115(1) 3rd Exhibiting firearm or weapon within 1,000 feet of a school.

1808

790.115(2)(b) 3rd Possessing electric weapon or device, destructive device, or other weapon on school property.

1809

790.115(2)(c) 3rd Possessing firearm on school property.

1810

800.04(7)(c) 3rd Lewd or lascivious exhibition; offender less than 18 years.

1811

810.02(4)(a) 3rd Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

1812

810.02(4)(b) 3rd Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

1813

810.06 3rd Burglary; possession of tools.

810.08(2)(c) 3rd Trespass on property, armed

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			with firearm or dangerous weapon.
1814	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
1815	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
1816	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
1817	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
1818	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
1819	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
1820	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

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1821

837.02 (1) 3rd Perjury in official proceedings.

1822

837.021 (1) 3rd Make contradictory statements in official proceedings.

1823

838.022 3rd Official misconduct.

1824

839.13 (2) (a) 3rd Falsifying records of an individual in the care and custody of a state agency.

1825

839.13 (2) (c) 3rd Falsifying records of the Department of Children and Families.

1826

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

1827

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

1828

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

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1829
1830
1831
1832
1833
1834
1835
1836
1837

847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03(1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 4. drugs).
914.14 (2)	3rd	Witnesses accepting bribes.
914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.
934.215	3rd	Use of two-way communications device to facilitate commission of a crime.

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1838

(e) LEVEL 5

1839

Florida Statute	Felony Degree	Description
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1840

316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
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1841

316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
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1842

316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
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1843

322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
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1844

327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
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1845

379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or
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supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

1846

379.367(4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

1847

379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

1848

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

1849

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

1850

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

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1851

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

1852

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

1853

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

1854

790.01 (2) 3rd Carrying a concealed firearm.

1855

790.162 2nd Threat to throw or discharge destructive device.

1856

790.163 (1) 2nd False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.

1857

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

1858

790.23 2nd Felons in possession of

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			firearms, ammunition, or electronic weapons or devices.
1859	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
1860	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1861	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1862	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1863	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1864	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
1865	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.

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1866

812.131 (2) (b) 3rd Robbery by sudden snatching.

1867

812.16 (2) 3rd Owning, operating, or
conducting a chop shop.

1868

817.034 (4) (a) 2. 2nd Communications fraud, value
\$20,000 to \$50,000.

1869

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

1870

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.

1871

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.

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1872

817.611(2)(a) 2nd Traffic in or possess 5 to 14
counterfeit credit cards or
related documents.

1873

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

1874

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

1875

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

1876

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

1877

839.13(2)(b) 2nd Falsifying records of an
individual in the care and
custody of a state agency
involving great bodily harm or

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1878			death.
	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
1879			
	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
1880			
	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1881			
	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
1882			
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
1883			
	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
1884			
	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d),

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1885

(2) (a), (2) (b), or (2) (c) 4.
drugs).

893.13(1) (c) 2.

2nd

Sell, manufacture, or deliver
cannabis (or other s.
893.03(1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3., (2) (c) 5.,
(2) (c) 6., (2) (c) 7., (2) (c) 8.,
(2) (c) 9., (3), or (4) drugs)
within 1,000 feet of a child
care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

1886

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.

1887

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.,

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(2)(c)9., (3), or (4) within
 1,000 feet of property used for
 religious services or a
 specified business site.

1888

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.

1889

893.13(4)(b) 2nd Use or hire of minor; deliver
 to minor other controlled
 substance.

1890

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

1891

1892 (g) LEVEL 7

1893

Florida	Felony	Description
Statute	Degree	

1894

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

1895

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

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1896

injury.

316.1935 (3) (b)

1st

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

1897

327.35 (3) (c) 2.

3rd

Vessel BUI resulting in serious bodily injury.

1898

402.319 (2)

2nd

Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

1899

409.920
(2) (b) 1.a.

3rd

Medicaid provider fraud; \$10,000 or less.

1900

409.920
(2) (b) 1.b.

2nd

Medicaid provider fraud; more than \$10,000, but less than \$50,000.

1901

456.065 (2)

3rd

Practicing a health care profession without a license.

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1902	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1903	458.327 (1)	3rd	Practicing medicine without a license.
1904	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1905	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1906	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1907	462.17	3rd	Practicing naturopathy without a license.
1908	463.015 (1)	3rd	Practicing optometry without a license.
1909	464.016 (1)	3rd	Practicing nursing without a license.
1910	465.015 (2)	3rd	Practicing pharmacy without a license.

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1911	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
1912	467.201	3rd	Practicing midwifery without a license.
1913	468.366	3rd	Delivering respiratory care services without a license.
1914	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
1915	483.901(7)	3rd	Practicing medical physics without a license.
1916	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
1917	484.053	3rd	Dispensing hearing aids without a license.
1918	494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.

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1919

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.

1920

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

1921

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

1922

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

1923

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

1924

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

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1925

conceal a sexual predator.

782.051 (3)

2nd

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

1926

782.07 (1)

2nd

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

1927

782.071

2nd

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

1928

782.072

2nd

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

1929

784.045 (1) (a) 1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

1930

784.045 (1) (a) 2.

2nd

Aggravated battery; using

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			deadly weapon.
1931	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1932	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1933	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1934	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1935	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1936	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1937	784.081 (1)	1st	Aggravated battery on specified official or employee.
1938	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1939	784.083 (1)	1st	Aggravated battery on code

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1940			inspector.
	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
1941			
	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.
1942			
	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
1943			
	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1944			
	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1945			
	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1946			
	790.166(3)	2nd	Possessing, selling, using, or

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1947

attempting to use a hoax weapon of mass destruction.

790.166(4)

2nd

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

1948

790.23

1st, PBL

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

1949

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.

1950

796.05(1)

1st

Live on earnings of a prostitute; 2nd offense.

1951

796.05(1)

1st

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

1952

800.04(5)(c)1.

2nd

Lewd or lascivious molestation; victim younger than 12 years of

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1953

age; offender younger than 18 years of age.

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.

1954

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.

1955

806.01 (2)

2nd

Maliciously damage structure by fire or explosive.

1956

810.02 (3) (a)

2nd

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

1957

810.02 (3) (b)

2nd

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

1958

810.02 (3) (d)

2nd

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

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1959

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

1960

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.

1961

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

1962

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

1963

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

1964

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

1965

812.019 (2) 1st Stolen property; initiates, organizes, plans, etc., the

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			theft of property and traffics in stolen property.
1966	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1967	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1968	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1969	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1970	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1971	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1972	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.

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1973

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

1974

817.611 (2) (b) 2nd Traffic in or possess 15 to 49 counterfeit credit cards or related documents.

1975

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

1976

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.

1977

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

1978

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

1979

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

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1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990

838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021 (3) (a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
843.0855 (2)	3rd	Impersonation of a public officer or employee.
843.0855 (3)	3rd	Unlawful simulation of legal process.
843.0855 (4)	3rd	Intimidation of a public officer or employee.
847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
872.06	2nd	Abuse of a dead human body.

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1991

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

1992

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

1993

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.

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

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			a specified business site.
1994	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1995	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1996	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1997	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1998	893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1999	893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2000	893.135 (1)(c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.

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2001

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

2002

893.135 (1) (c) 4.b. (I) 1st Trafficking in fentanyl, 4 grams or more, less than 14 grams.

2003

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

~~893.135 (1) (d) 1.~~

2004

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

2005

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

2006

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

2007

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

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2008
2009
2010
2011
2012
2013
2014
2015

893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
<u>893.135 (1) (m) 2.a.</u>	<u>1st</u>	<u>Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.</u>
<u>893.135 (1) (m) 2.b.</u>	<u>1st</u>	<u>Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.</u>
<u>893.135 (1) (n) 2.a.</u>	<u>1st</u>	<u>Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.</u>
893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.

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2016	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2017	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2018	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
2019	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
2020	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
2020	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false

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2021

registration information.

944.607(9)

3rd

Sexual offender; failure to
comply with reporting
requirements.

2022

944.607(10) (a)

3rd

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

2023

944.607(12)

3rd

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

2024

944.607(13)

3rd

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

2025

985.4815(10)

3rd

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

2026

985.4815(12)

3rd

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

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2027

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

2028

2029 (h) LEVEL 8

2030

Florida	Felony	Description
Statute	Degree	

2031

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

2032

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

2033

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

2034

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

2035

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

2036

560.123 (8) (b) 2. 2nd Failure to report currency or

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2037

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

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.

2038

655.50 (10) (b) 2.

2nd

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

2039

777.03 (2) (a)

1st

Accessory after the fact, capital felony.

2040

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.

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2041

782.051(2) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony not
enumerated in s. 782.04(3).

2042

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

2043

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

2044

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

2045

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

2046

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

2047

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

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2048

state.

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.

2049

790.161(3)

1st

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

2050

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.

2051

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.

2052

794.011(5)(c)

2nd

Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender

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2053

does not use physical force
likely to cause injury.

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.

2054

794.08 (3)

2nd

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

2055

800.04 (4) (b)

2nd

Lewd or lascivious battery.

2056

800.04 (4) (c)

1st

Lewd or lascivious battery;
offender 18 years of age or
older; prior conviction for
specified sex offense.

2057

806.01 (1)

1st

Maliciously damage dwelling or
structure by fire or explosive,
believing person in structure.

2058

810.02 (2) (a)

1st, PBL

Burglary with assault or
battery.

2059

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2060

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

2061

810.02 (2) (c) 1st Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.

2062

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

2063

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

2064

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

2065

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

2066

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

817.535 (4) (a) 1. 2nd Filing false lien or other unauthorized document;

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2067

defendant is incarcerated or under supervision.

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.

2068

817.568 (6)

2nd

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

2069

817.611 (2) (c)

1st

Traffic in or possess 50 or more counterfeit credit cards or related documents.

2070

825.102 (2)

1st

Aggravated abuse of an elderly person or disabled adult.

2071

825.1025 (2)

2nd

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

2072

825.103 (3) (a)

1st

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

2073

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2074 837.02(2) 2nd Perjury in official proceedings
relating to prosecution of a
capital felony.

2075 837.021(2) 2nd Making contradictory statements
in official proceedings
relating to prosecution of a
capital felony.

2076 860.121(2)(c) 1st Shooting at or throwing any
object in path of railroad
vehicle resulting in great
bodily harm.

2077 860.16 1st Aircraft piracy.

2078 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).

2079 893.13(2)(b) 1st Purchase in excess of 10 grams
of any substance specified in
s. 893.03(1)(a) or (b).

2080 893.13(6)(c) 1st Possess in excess of 10 grams
of any substance specified in
s. 893.03(1)(a) or (b).

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2081

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

2082

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

2083

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

2084

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

2085

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

2086

893.135(1)(c)4.b.(II) 1st Trafficking in fentanyl, 14 grams or more, less than 28 grams.

2087

893.135(1)(d)1.b. 1st Trafficking in phencyclidine, ~~more than~~ 200 grams or more, less than 400 grams.

893.135 1st Trafficking in methaqualone,

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2088 (1) (e) 1.b. ~~more than~~ 5 kilograms or more,
less than 25 kilograms.

2089 893.135 1st Trafficking in amphetamine,
(1) (f) 1.b. ~~more than~~ 28 grams or more,
less than 200 grams.

2090 893.135 1st Trafficking in flunitrazepam,
(1) (g) 1.b. 14 grams or more, less than 28
grams.

2091 893.135 1st Trafficking in gamma-
(1) (h) 1.b. hydroxybutyric acid (GHB), 5
kilograms or more, less than 10
kilograms.

2092 893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.b. 5 kilograms or more, less than
10 kilograms.

2093 893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.b. 200 grams or more, less than
400 grams.

2094 893.135 (1) (m) 2.c. 1st Trafficking in synthetic
cannabinoids, 1,000 grams or
more, less than 30 kilograms.

893.135 (1) (n) 2.b. 1st Trafficking in n-benzyl

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2095

phenethylamines, 100 grams or
more, less than 200 grams.

893.1351(3)

1st

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

2096

895.03(1)

1st

Use or invest proceeds derived
from pattern of racketeering
activity.

2097

895.03(2)

1st

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

2098

895.03(3)

1st

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

2099

896.101(5)(b)

2nd

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

2100

896.104(4)(a)2.

2nd

Structuring transactions to
evade reporting or registration
requirements, financial

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

2101
 2102
 2103
 2104
 2105
 2106
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 2108
 2109

(i) LEVEL 9

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
499.0051 (8)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency,

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2110

or payment instruments totaling
or exceeding \$100,000.

655.50(10)(b)3.

1st

Failure to report financial
transactions totaling or
exceeding \$100,000 by financial
institution.

2111

775.0844

1st

Aggravated white collar crime.

2112

782.04(1)

1st

Attempt, conspire, or solicit
to commit premeditated murder.

2113

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.

2114

782.051(1)

1st

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

2115

782.07(2)

1st

Aggravated manslaughter of an
elderly person or disabled
adult.

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2116

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

2117

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

2118

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

2119

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.

2120

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

2121

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

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2122

adult alien.

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.

2123

790.161

1st

Attempted capital destructive device offense.

2124

790.166(2)

1st,PBL

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

2125

794.011(2)

1st

Attempted sexual battery; victim less than 12 years of age.

2126

794.011(2)

Life

Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.

2127

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.

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2128

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

2129

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

2130

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

2131

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.

2132

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

2133

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

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2134

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

2135

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

2136

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

2137

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

2138

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

2139

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.

2140

817.568 (7) 2nd, Fraudulent use of personal

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

2141

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

2142

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

2143

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

2144

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.

2145

893.135 1st Attempted capital trafficking offense.

2146

893.135 (1) (a) 3. 1st Trafficking in cannabis, more than 10,000 lbs.

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893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
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.
893.135 (1) (c) 3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
<u>893.135</u> <u>(1) (c) 4.b. (III)</u>	<u>1st</u>	<u>Trafficking in fentanyl, 28 grams or more.</u>
893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams <u>or more</u> .
893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms <u>or more</u> .
893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams <u>or more</u> .

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2156

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

2157

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

2158

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

2159

893.135 1st Trafficking in synthetic
(1) (m) 2.d. cannabinoids, 30 kilograms or
more.

2160

893.135 (1) (n) 2.c. 1st Trafficking in n-benzyl
phenethylamines, 200 grams or
more.

2161

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

2162

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

2163

Section 8. Present subsection (11) of section 775.082,

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2164 Florida Statutes, is redesignated as subsection (12), and a new
2165 subsection (11) is added to that section, to read:

2166 775.082 Penalties; applicability of sentencing structures;
2167 mandatory minimum sentences for certain reoffenders previously
2168 released from prison.—

2169 (11) If a defendant is sentenced for a primary offense of
2170 possession of a controlled substance committed on or after
2171 October 1, 2017, and if the total sentence points pursuant to s.
2172 921.0024 are 60 points or fewer, the court must sentence the
2173 offender to a nonstate prison sanction. However, if the court
2174 makes written findings that a nonstate prison sanction could
2175 present a danger to the public, the court may sentence the
2176 offender to a state correctional facility pursuant to this
2177 section. As used in this subsection, the term "possession of a
2178 controlled substance" means possession of a controlled substance
2179 in violation of s. 893.13, but does not include possession with
2180 intent to sell, manufacture, or deliver a controlled substance
2181 or possession of a controlled substance in violation of s.
2182 893.135.

2183 Section 9. Section 921.0026, Florida Statutes, is amended
2184 to read:

2185 921.0026 Mitigating circumstances.—This section applies to
2186 any felony offense, except any capital felony, committed on or
2187 after October 1, 1998.

2188 (1) A downward departure from the lowest permissible
2189 sentence, as calculated according to the total sentence points
2190 pursuant to s. 921.0024, is prohibited unless there are
2191 circumstances or factors that reasonably justify the downward
2192 departure. Mitigating factors to be considered include, but are

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2193 not limited to, those listed in subsection (2). The imposition
2194 of a sentence below the lowest permissible sentence is subject
2195 to appellate review under chapter 924, but the extent of
2196 downward departure is not subject to appellate review.

2197 (2) Mitigating circumstances under which a departure from
2198 the lowest permissible sentence is reasonably justified include,
2199 but are not limited to:

2200 (a) The departure results from a legitimate, uncoerced plea
2201 bargain.

2202 (b) The defendant was an accomplice to the offense and was
2203 a relatively minor participant in the criminal conduct.

2204 (c) The capacity of the defendant to appreciate the
2205 criminal nature of the conduct or to conform that conduct to the
2206 requirements of law was substantially impaired.

2207 (d) For an offense committed on or after October 1, 1998,
2208 but before October 1, 2017, the defendant requires specialized
2209 treatment for a mental disorder that is unrelated to substance
2210 abuse or addiction or for a physical disability, and the
2211 defendant is amenable to treatment.

2212 (e) For an offense committed on or after October 1, 2017,
2213 the defendant requires specialized treatment for an addiction, a
2214 mental disorder, or a physical disability, and the defendant is
2215 amenable to treatment.

2216 ~~(f)~~ (e) The need for payment of restitution to the victim
2217 outweighs the need for a prison sentence.

2218 ~~(g)~~ (f) The victim was an initiator, willing participant,
2219 aggressor, or provoker of the incident.

2220 ~~(h)~~ (g) The defendant acted under extreme duress or under
2221 the domination of another person.

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2222 (i)~~(h)~~ Before the identity of the defendant was determined,
2223 the victim was substantially compensated.

2224 (j)~~(i)~~ The defendant cooperated with the state to resolve
2225 the current offense or any other offense.

2226 (k)~~(j)~~ The offense was committed in an unsophisticated
2227 manner and was an isolated incident for which the defendant has
2228 shown remorse.

2229 (l)~~(k)~~ At the time of the offense the defendant was too
2230 young to appreciate the consequences of the offense.

2231 (m)~~(l)~~ The defendant is to be sentenced as a youthful
2232 offender.

2233 (n)~~(m)~~ For an offense committed on or after October 1,
2234 1998, but before October 1, 2017, the defendant's offense is a
2235 nonviolent felony, the defendant's Criminal Punishment Code
2236 scoresheet total sentence points under s. 921.0024 are 60 points
2237 or fewer, and the court determines that the defendant is
2238 amenable to the services of a postadjudicatory treatment-based
2239 drug court program and is otherwise qualified to participate in
2240 the program as part of the sentence. Except as provided in this
2241 paragraph, the defendant's substance abuse or addiction,
2242 including intoxication at the time of the offense, is not a
2243 mitigating factor for an offense committed on or after October
2244 1, 1998, but before October 1, 2017, and does not, under any
2245 circumstance, justify a downward departure from the permissible
2246 sentencing range ~~For purposes of this paragraph, the term~~
2247 ~~"nonviolent felony" has the same meaning as provided in s.~~
2248 ~~948.08(6).~~

2249 (o)~~(n)~~ The defendant was making a good faith effort to
2250 obtain or provide medical assistance for an individual

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2251 experiencing a drug-related overdose.

2252 (3) As used in subsection (2), the term "nonviolent felony"
2253 has the same meaning as provided in s. 948.08 ~~Except as provided~~
2254 ~~in paragraph (2)(m), the defendant's substance abuse or~~
2255 ~~addiction, including intoxication at the time of the offense, is~~
2256 ~~not a mitigating factor under subsection (2) and does not, under~~
2257 ~~any circumstances, justify a downward departure from the~~
2258 ~~permissible sentencing range.~~

2259 Section 10. Subsection (7) of section 948.01, Florida
2260 Statutes, is amended to read:

2261 948.01 When court may place defendant on probation or into
2262 community control.—

2263 (7) (a) Notwithstanding s. 921.0024 and effective for
2264 offenses committed on or after July 1, 2009, the sentencing
2265 court may place the defendant into a postadjudicatory treatment-
2266 based drug court program if the defendant's Criminal Punishment
2267 Code scoresheet total sentence points under s. 921.0024 are 60
2268 points or fewer, the offense is a nonviolent felony, the
2269 defendant is amenable to substance abuse treatment, and the
2270 defendant otherwise qualifies under s. 397.334(3). The
2271 satisfactory completion of the program shall be a condition of
2272 the defendant's probation or community control. ~~As used in this~~
2273 ~~subsection, the term "nonviolent felony" means a third degree~~
2274 ~~felony violation under chapter 810 or any other felony offense~~
2275 ~~that is not a forcible felony as defined in s. 776.08.~~

2276 (b) Notwithstanding s. 921.0024 and effective for offenses
2277 committed on or after October 1, 2017, the sentencing court must
2278 place the defendant into a postadjudicatory treatment-based drug
2279 court program, into residential drug treatment, or on drug

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2280 offender probation if the defendant's Criminal Punishment Code
2281 scoresheet total sentence points under s. 921.0024 are 60 points
2282 or fewer, the offense is a nonviolent felony, the defendant is
2283 amenable to substance abuse treatment, the defendant's criminal
2284 behavior is related to substance abuse or addiction, and the
2285 defendant otherwise qualifies under s. 397.334(3). The
2286 satisfactory completion of the program must be a condition of
2287 the defendant's probation or community control.

2288 (c) ~~(b)~~ In order to be placed in a postadjudicatory
2289 treatment-based drug court program under paragraph (a) or
2290 paragraph (b), the defendant must be fully advised of the
2291 purpose of the program, and the defendant must agree to enter
2292 the program. The original sentencing court shall relinquish
2293 jurisdiction of the defendant's case to the postadjudicatory
2294 drug court program until the defendant is no longer active in
2295 the program, the case is returned to the sentencing court due to
2296 the defendant's termination from the program for failure to
2297 comply with the terms thereof, or the defendant's sentence is
2298 completed.

2299 (d) As used in this subsection, the term "nonviolent
2300 felony" means a third degree felony violation under chapter 810
2301 or any other felony offense that is not a forcible felony as
2302 defined in s. 776.08.

2303 Section 11. For the purpose of incorporating the amendment
2304 made by this act to section 921.0026, Florida Statutes, in
2305 references thereto, paragraphs (b) and (c) of subsection (1) of
2306 section 775.08435, Florida Statutes, are reenacted to read:

2307 775.08435 Prohibition on withholding adjudication in felony
2308 cases.-

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2309 (1) Notwithstanding the provisions of s. 948.01, the court
2310 may not withhold adjudication of guilt upon the defendant for:

2311 (b) A second degree felony offense unless:

2312 1. The state attorney requests in writing that adjudication
2313 be withheld; or

2314 2. The court makes written findings that the withholding of
2315 adjudication is reasonably justified based on circumstances or
2316 factors in accordance with those set forth in s. 921.0026.

2317

2318 Notwithstanding any provision of this section, no adjudication
2319 of guilt shall be withheld for a second degree felony offense if
2320 the defendant has a prior withholding of adjudication for a
2321 felony that did not arise from the same transaction as the
2322 current felony offense.

2323 (c) A third degree felony offense if the defendant has a
2324 prior withholding of adjudication for a felony offense that did
2325 not arise from the same transaction as the current felony
2326 offense unless:

2327 1. The state attorney requests in writing that adjudication
2328 be withheld; or

2329 2. The court makes written findings that the withholding of
2330 adjudication is reasonably justified based on circumstances or
2331 factors in accordance with those set forth in s. 921.0026.

2332

2333 Notwithstanding any provision of this section, no adjudication
2334 of guilt shall be withheld for a third degree felony offense if
2335 the defendant has two or more prior withholdings of adjudication
2336 for a felony that did not arise from the same transaction as the
2337 current felony offense.

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2338 Section 12. For the purpose of incorporating the amendment
2339 made by this act to section 921.0026, Florida Statutes, in a
2340 reference thereto, subsection (3) of section 921.002, Florida
2341 Statutes, is reenacted to read:

2342 921.002 The Criminal Punishment Code.—The Criminal
2343 Punishment Code shall apply to all felony offenses, except
2344 capital felonies, committed on or after October 1, 1998.

2345 (3) A court may impose a departure below the lowest
2346 permissible sentence based upon circumstances or factors that
2347 reasonably justify the mitigation of the sentence in accordance
2348 with s. 921.0026. The level of proof necessary to establish
2349 facts supporting the mitigation of a sentence is a preponderance
2350 of the evidence. When multiple reasons exist to support the
2351 mitigation, the mitigation shall be upheld when at least one
2352 circumstance or factor justifies the mitigation regardless of
2353 the presence of other circumstances or factors found not to
2354 justify mitigation. Any sentence imposed below the lowest
2355 permissible sentence must be explained in writing by the trial
2356 court judge.

2357 Section 13. For the purpose of incorporating the amendment
2358 made by this act to section 921.0026, Florida Statutes, in a
2359 reference thereto, subsection (1) of section 921.00265, Florida
2360 Statutes, is reenacted to read:

2361 921.00265 Recommended sentences; departure sentences;
2362 mandatory minimum sentences.—This section applies to any felony
2363 offense, except any capital felony, committed on or after
2364 October 1, 1998.

2365 (1) The lowest permissible sentence provided by
2366 calculations from the total sentence points pursuant to s.

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2367 921.0024(2) is assumed to be the lowest appropriate sentence for
2368 the offender being sentenced. A departure sentence is prohibited
2369 unless there are mitigating circumstances or factors present as
2370 provided in s. 921.0026 which reasonably justify a departure.

2371 Section 14. For the purpose of incorporating the amendment
2372 made by this act to section 948.01, Florida Statutes, in
2373 references thereto, subsection (2) and paragraph (a) of
2374 subsection (4) of section 394.47892, Florida Statutes, are
2375 reenacted to read:

2376 394.47892 Mental health court programs.—

2377 (2) Mental health court programs may include pretrial
2378 intervention programs as provided in ss. 948.08, 948.16, and
2379 985.345, postadjudicatory mental health court programs as
2380 provided in ss. 948.01 and 948.06, and review of the status of
2381 compliance or noncompliance of sentenced defendants through a
2382 mental health court program.

2383 (4) (a) Entry into a postadjudicatory mental health court
2384 program as a condition of probation or community control
2385 pursuant to s. 948.01 or s. 948.06 must be based upon the
2386 sentencing court's assessment of the defendant's criminal
2387 history, mental health screening outcome, amenability to the
2388 services of the program, and total sentence points; the
2389 recommendation of the state attorney and the victim, if any; and
2390 the defendant's agreement to enter the program.

2391 Section 15. For the purpose of incorporating the amendment
2392 made by this act to section 948.01, Florida Statutes, in
2393 references thereto, paragraph (a) of subsection (3) and
2394 subsection (5) of section 397.334, Florida Statutes, are
2395 reenacted to read:

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2396 397.334 Treatment-based drug court programs.—

2397 (3) (a) Entry into any postadjudicatory treatment-based drug
2398 court program as a condition of probation or community control
2399 pursuant to s. 948.01, s. 948.06, or s. 948.20 must be based
2400 upon the sentencing court's assessment of the defendant's
2401 criminal history, substance abuse screening outcome, amenability
2402 to the services of the program, total sentence points, the
2403 recommendation of the state attorney and the victim, if any, and
2404 the defendant's agreement to enter the program.

2405 (5) Treatment-based drug court programs may include
2406 pretrial intervention programs as provided in ss. 948.08,
2407 948.16, and 985.345, treatment-based drug court programs
2408 authorized in chapter 39, postadjudicatory programs as provided
2409 in ss. 948.01, 948.06, and 948.20, and review of the status of
2410 compliance or noncompliance of sentenced offenders through a
2411 treatment-based drug court program. While enrolled in a
2412 treatment-based drug court program, the participant is subject
2413 to a coordinated strategy developed by a drug court team under
2414 subsection (4). The coordinated strategy may include a protocol
2415 of sanctions that may be imposed upon the participant for
2416 noncompliance with program rules. The protocol of sanctions may
2417 include, but is not limited to, placement in a substance abuse
2418 treatment program offered by a licensed service provider as
2419 defined in s. 397.311 or in a jail-based treatment program or
2420 serving a period of secure detention under chapter 985 if a
2421 child or a period of incarceration within the time limits
2422 established for contempt of court if an adult. The coordinated
2423 strategy must be provided in writing to the participant before
2424 the participant agrees to enter into a treatment-based drug

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2425 court program.

2426 Section 16. For the purpose of incorporating the amendment
2427 made by this act to section 948.01, Florida Statutes, in a
2428 reference thereto, paragraph (a) of subsection (5) of section
2429 910.035, Florida Statutes, is reenacted to read:

2430 910.035 Transfer from county for plea, sentence, or
2431 participation in a problem-solving court.—

2432 (5) TRANSFER FOR PARTICIPATION IN A PROBLEM-SOLVING COURT.—

2433 (a) For purposes of this subsection, the term "problem-
2434 solving court" means a drug court pursuant to s. 948.01, s.
2435 948.06, s. 948.08, s. 948.16, or s. 948.20; a military veterans'
2436 and servicemembers' court pursuant to s. 394.47891, s. 948.08,
2437 s. 948.16, or s. 948.21; a mental health court program pursuant
2438 to s. 394.47892, s. 948.01, s. 948.06, s. 948.08, or s. 948.16;
2439 or a delinquency pretrial intervention court program pursuant to
2440 s. 985.345.

2441 Section 17. For the purpose of incorporating the amendment
2442 made by this act to section 948.01, Florida Statutes, in a
2443 reference thereto, paragraph (c) of subsection (1) of section
2444 921.187, Florida Statutes, is reenacted to read:

2445 921.187 Disposition and sentencing; alternatives;
2446 restitution.—

2447 (1) The alternatives provided in this section for the
2448 disposition of criminal cases shall be used in a manner that
2449 will best serve the needs of society, punish criminal offenders,
2450 and provide the opportunity for rehabilitation. If the offender
2451 does not receive a state prison sentence, the court may:

2452 (c) Place the offender on probation with or without an
2453 adjudication of guilt pursuant to s. 948.01.

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2454 Section 18. For the purpose of incorporating the amendment
2455 made by this act to section 948.01, Florida Statutes, in a
2456 reference thereto, section 943.04352, Florida Statutes, is
2457 reenacted to read:

2458 943.04352 Search of registration information regarding
2459 sexual predators and sexual offenders required when placement on
2460 misdemeanor probation.—When the court places a defendant on
2461 misdemeanor probation pursuant to ss. 948.01 and 948.15, the
2462 public or private entity providing probation services must
2463 conduct a search of the probationer's name or other identifying
2464 information against the registration information regarding
2465 sexual predators and sexual offenders maintained by the
2466 Department of Law Enforcement under s. 943.043. The probation
2467 services provider may conduct the search using the Internet site
2468 maintained by the Department of Law Enforcement. Also, a
2469 national search must be conducted through the Dru Sjodin
2470 National Sex Offender Public Website maintained by the United
2471 States Department of Justice.

2472 Section 19. For the purpose of incorporating the amendment
2473 made by this act to section 782.04, Florida Statutes, in a
2474 reference thereto, paragraph (d) of subsection (1) of section
2475 39.806, Florida Statutes, is reenacted to read:

2476 39.806 Grounds for termination of parental rights.—

2477 (1) Grounds for the termination of parental rights may be
2478 established under any of the following circumstances:

2479 (d) When the parent of a child is incarcerated and either:

2480 1. The period of time for which the parent is expected to
2481 be incarcerated will constitute a significant portion of the
2482 child's minority. When determining whether the period of time is

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2483 significant, the court shall consider the child's age and the
2484 child's need for a permanent and stable home. The period of time
2485 begins on the date that the parent enters into incarceration;

2486 2. The incarcerated parent has been determined by the court
2487 to be a violent career criminal as defined in s. 775.084, a
2488 habitual violent felony offender as defined in s. 775.084, or a
2489 sexual predator as defined in s. 775.21; has been convicted of
2490 first degree or second degree murder in violation of s. 782.04
2491 or a sexual battery that constitutes a capital, life, or first
2492 degree felony violation of s. 794.011; or has been convicted of
2493 an offense in another jurisdiction which is substantially
2494 similar to one of the offenses listed in this paragraph. As used
2495 in this section, the term "substantially similar offense" means
2496 any offense that is substantially similar in elements and
2497 penalties to one of those listed in this subparagraph, and that
2498 is in violation of a law of any other jurisdiction, whether that
2499 of another state, the District of Columbia, the United States or
2500 any possession or territory thereof, or any foreign
2501 jurisdiction; or

2502 3. The court determines by clear and convincing evidence
2503 that continuing the parental relationship with the incarcerated
2504 parent would be harmful to the child and, for this reason, that
2505 termination of the parental rights of the incarcerated parent is
2506 in the best interest of the child. When determining harm, the
2507 court shall consider the following factors:

- 2508 a. The age of the child.
2509 b. The relationship between the child and the parent.
2510 c. The nature of the parent's current and past provision
2511 for the child's developmental, cognitive, psychological, and

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2512 physical needs.

2513 d. The parent's history of criminal behavior, which may
2514 include the frequency of incarceration and the unavailability of
2515 the parent to the child due to incarceration.

2516 e. Any other factor the court deems relevant.

2517 Section 20. For the purpose of incorporating the amendment
2518 made by this act to section 782.04, Florida Statutes, in a
2519 reference thereto, paragraph (b) of subsection (4) of section
2520 63.089, Florida Statutes, is reenacted to read:

2521 63.089 Proceeding to terminate parental rights pending
2522 adoption; hearing; grounds; dismissal of petition; judgment.—

2523 (4) FINDING OF ABANDONMENT.—A finding of abandonment
2524 resulting in a termination of parental rights must be based upon
2525 clear and convincing evidence that a parent or person having
2526 legal custody has abandoned the child in accordance with the
2527 definition contained in s. 63.032. A finding of abandonment may
2528 also be based upon emotional abuse or a refusal to provide
2529 reasonable financial support, when able, to a birth mother
2530 during her pregnancy or on whether the person alleged to have
2531 abandoned the child, while being able, failed to establish
2532 contact with the child or accept responsibility for the child's
2533 welfare.

2534 (b) The child has been abandoned when the parent of a child
2535 is incarcerated on or after October 1, 2001, in a federal,
2536 state, or county correctional institution and:

2537 1. The period of time for which the parent has been or is
2538 expected to be incarcerated will constitute a significant
2539 portion of the child's minority. In determining whether the
2540 period of time is significant, the court shall consider the

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2541 child's age and the child's need for a permanent and stable
2542 home. The period of time begins on the date that the parent
2543 enters into incarceration;

2544 2. The incarcerated parent has been determined by a court
2545 of competent jurisdiction to be a violent career criminal as
2546 defined in s. 775.084, a habitual violent felony offender as
2547 defined in s. 775.084, convicted of child abuse as defined in s.
2548 827.03, or a sexual predator as defined in s. 775.21; has been
2549 convicted of first degree or second degree murder in violation
2550 of s. 782.04 or a sexual battery that constitutes a capital,
2551 life, or first degree felony violation of s. 794.011; or has
2552 been convicted of a substantially similar offense in another
2553 jurisdiction. As used in this section, the term "substantially
2554 similar offense" means any offense that is substantially similar
2555 in elements and penalties to one of those listed in this
2556 subparagraph, and that is in violation of a law of any other
2557 jurisdiction, whether that of another state, the District of
2558 Columbia, the United States or any possession or territory
2559 thereof, or any foreign jurisdiction; or

2560 3. The court determines by clear and convincing evidence
2561 that continuing the parental relationship with the incarcerated
2562 parent would be harmful to the child and, for this reason,
2563 termination of the parental rights of the incarcerated parent is
2564 in the best interests of the child.

2565 Section 21. For the purpose of incorporating the amendment
2566 made by this act to section 782.04, Florida Statutes, in a
2567 reference thereto, subsection (10) of section 95.11, Florida
2568 Statutes, is reenacted to read:

2569 95.11 Limitations other than for the recovery of real

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2570 property.—Actions other than for recovery of real property shall
2571 be commenced as follows:

2572 (10) FOR INTENTIONAL TORTS RESULTING IN DEATH FROM ACTS
2573 DESCRIBED IN S. 782.04 OR S. 782.07.—Notwithstanding paragraph
2574 (4) (d), an action for wrongful death seeking damages authorized
2575 under s. 768.21 brought against a natural person for an
2576 intentional tort resulting in death from acts described in s.
2577 782.04 or s. 782.07 may be commenced at any time. This
2578 subsection shall not be construed to require an arrest, the
2579 filing of formal criminal charges, or a conviction for a
2580 violation of s. 782.04 or s. 782.07 as a condition for filing a
2581 civil action.

2582 Section 22. For the purpose of incorporating the amendment
2583 made by this act to section 782.04, Florida Statutes, in
2584 references thereto, paragraph (b) of subsection (1) and
2585 paragraphs (a), (b), and (c) of subsection (3) of section
2586 775.082, Florida Statutes, are reenacted to read:

2587 775.082 Penalties; applicability of sentencing structures;
2588 mandatory minimum sentences for certain reoffenders previously
2589 released from prison.—

2590 (1)

2591 (b)1. A person who actually killed, intended to kill, or
2592 attempted to kill the victim and who is convicted under s.
2593 782.04 of a capital felony, or an offense that was reclassified
2594 as a capital felony, which was committed before the person
2595 attained 18 years of age shall be punished by a term of
2596 imprisonment for life if, after a sentencing hearing conducted
2597 by the court in accordance with s. 921.1401, the court finds
2598 that life imprisonment is an appropriate sentence. If the court

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2599 finds that life imprisonment is not an appropriate sentence,
2600 such person shall be punished by a term of imprisonment of at
2601 least 40 years. A person sentenced pursuant to this subparagraph
2602 is entitled to a review of his or her sentence in accordance
2603 with s. 921.1402(2) (a).

2604 2. A person who did not actually kill, intend to kill, or
2605 attempt to kill the victim and who is convicted under s. 782.04
2606 of a capital felony, or an offense that was reclassified as a
2607 capital felony, which was committed before the person attained
2608 18 years of age may be punished by a term of imprisonment for
2609 life or by a term of years equal to life if, after a sentencing
2610 hearing conducted by the court in accordance with s. 921.1401,
2611 the court finds that life imprisonment is an appropriate
2612 sentence. A person who is sentenced to a term of imprisonment of
2613 more than 15 years is entitled to a review of his or her
2614 sentence in accordance with s. 921.1402(2) (c).

2615 3. The court shall make a written finding as to whether a
2616 person is eligible for a sentence review hearing under s.
2617 921.1402(2) (a) or (c). Such a finding shall be based upon
2618 whether the person actually killed, intended to kill, or
2619 attempted to kill the victim. The court may find that multiple
2620 defendants killed, intended to kill, or attempted to kill the
2621 victim.

2622 (3) A person who has been convicted of any other designated
2623 felony may be punished as follows:

2624 (a)1. For a life felony committed before October 1, 1983,
2625 by a term of imprisonment for life or for a term of at least 30
2626 years.

2627 2. For a life felony committed on or after October 1, 1983,

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2628 by a term of imprisonment for life or by a term of imprisonment
2629 not exceeding 40 years.

2630 3. Except as provided in subparagraph 4., for a life felony
2631 committed on or after July 1, 1995, by a term of imprisonment
2632 for life or by imprisonment for a term of years not exceeding
2633 life imprisonment.

2634 4.a. Except as provided in sub-subparagraph b., for a life
2635 felony committed on or after September 1, 2005, which is a
2636 violation of s. 800.04(5)(b), by:

2637 (I) A term of imprisonment for life; or

2638 (II) A split sentence that is a term of at least 25 years'
2639 imprisonment and not exceeding life imprisonment, followed by
2640 probation or community control for the remainder of the person's
2641 natural life, as provided in s. 948.012(4).

2642 b. For a life felony committed on or after July 1, 2008,
2643 which is a person's second or subsequent violation of s.
2644 800.04(5)(b), by a term of imprisonment for life.

2645 5. Notwithstanding subparagraphs 1.-4., a person who is
2646 convicted under s. 782.04 of an offense that was reclassified as
2647 a life felony which was committed before the person attained 18
2648 years of age may be punished by a term of imprisonment for life
2649 or by a term of years equal to life imprisonment if the judge
2650 conducts a sentencing hearing in accordance with s. 921.1401 and
2651 finds that life imprisonment or a term of years equal to life
2652 imprisonment is an appropriate sentence.

2653 a. A person who actually killed, intended to kill, or
2654 attempted to kill the victim and is sentenced to a term of
2655 imprisonment of more than 25 years is entitled to a review of
2656 his or her sentence in accordance with s. 921.1402(2)(b).

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2657 b. A person who did not actually kill, intend to kill, or
2658 attempt to kill the victim and is sentenced to a term of
2659 imprisonment of more than 15 years is entitled to a review of
2660 his or her sentence in accordance with s. 921.1402(2)(c).

2661 c. The court shall make a written finding as to whether a
2662 person is eligible for a sentence review hearing under s.
2663 921.1402(2)(b) or (c). Such a finding shall be based upon
2664 whether the person actually killed, intended to kill, or
2665 attempted to kill the victim. The court may find that multiple
2666 defendants killed, intended to kill, or attempted to kill the
2667 victim.

2668 6. For a life felony committed on or after October 1, 2014,
2669 which is a violation of s. 787.06(3)(g), by a term of
2670 imprisonment for life.

2671 (b)1. For a felony of the first degree, by a term of
2672 imprisonment not exceeding 30 years or, when specifically
2673 provided by statute, by imprisonment for a term of years not
2674 exceeding life imprisonment.

2675 2. Notwithstanding subparagraph 1., a person convicted
2676 under s. 782.04 of a first degree felony punishable by a term of
2677 years not exceeding life imprisonment, or an offense that was
2678 reclassified as a first degree felony punishable by a term of
2679 years not exceeding life, which was committed before the person
2680 attained 18 years of age may be punished by a term of years
2681 equal to life imprisonment if the judge conducts a sentencing
2682 hearing in accordance with s. 921.1401 and finds that a term of
2683 years equal to life imprisonment is an appropriate sentence.

2684 a. A person who actually killed, intended to kill, or
2685 attempted to kill the victim and is sentenced to a term of

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2686 imprisonment of more than 25 years is entitled to a review of
2687 his or her sentence in accordance with s. 921.1402(2)(b).

2688 b. A person who did not actually kill, intend to kill, or
2689 attempt to kill the victim and is sentenced to a term of
2690 imprisonment of more than 15 years is entitled to a review of
2691 his or her sentence in accordance with s. 921.1402(2)(c).

2692 c. The court shall make a written finding as to whether a
2693 person is eligible for a sentence review hearing under s.
2694 921.1402(2)(b) or (c). Such a finding shall be based upon
2695 whether the person actually killed, intended to kill, or
2696 attempted to kill the victim. The court may find that multiple
2697 defendants killed, intended to kill, or attempted to kill the
2698 victim.

2699 (c) Notwithstanding paragraphs (a) and (b), a person
2700 convicted of an offense that is not included in s. 782.04 but
2701 that is an offense that is a life felony or is punishable by a
2702 term of imprisonment for life or by a term of years not
2703 exceeding life imprisonment, or an offense that was reclassified
2704 as a life felony or an offense punishable by a term of
2705 imprisonment for life or by a term of years not exceeding life
2706 imprisonment, which was committed before the person attained 18
2707 years of age may be punished by a term of imprisonment for life
2708 or a term of years equal to life imprisonment if the judge
2709 conducts a sentencing hearing in accordance with s. 921.1401 and
2710 finds that life imprisonment or a term of years equal to life
2711 imprisonment is an appropriate sentence. A person who is
2712 sentenced to a term of imprisonment of more than 20 years is
2713 entitled to a review of his or her sentence in accordance with
2714 s. 921.1402(2)(d).

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2715 Section 23. For the purpose of incorporating the amendment
2716 made by this act to section 782.04, Florida Statutes, in
2717 references thereto, subsections (1) and (2) of section 775.0823,
2718 Florida Statutes, are reenacted to read:

2719 775.0823 Violent offenses committed against law enforcement
2720 officers, correctional officers, state attorneys, assistant
2721 state attorneys, justices, or judges.—The Legislature does
2722 hereby provide for an increase and certainty of penalty for any
2723 person convicted of a violent offense against any law
2724 enforcement or correctional officer, as defined in s. 943.10(1),
2725 (2), (3), (6), (7), (8), or (9); against any state attorney
2726 elected pursuant to s. 27.01 or assistant state attorney
2727 appointed under s. 27.181; or against any justice or judge of a
2728 court described in Art. V of the State Constitution, which
2729 offense arises out of or in the scope of the officer's duty as a
2730 law enforcement or correctional officer, the state attorney's or
2731 assistant state attorney's duty as a prosecutor or investigator,
2732 or the justice's or judge's duty as a judicial officer, as
2733 follows:

2734 (1) For murder in the first degree as described in s.
2735 782.04(1), if the death sentence is not imposed, a sentence of
2736 imprisonment for life without eligibility for release.

2737 (2) For attempted murder in the first degree as described
2738 in s. 782.04(1), a sentence pursuant to s. 775.082, s. 775.083,
2739 or s. 775.084.

2740
2741 Notwithstanding the provisions of s. 948.01, with respect to any
2742 person who is found to have violated this section, adjudication
2743 of guilt or imposition of sentence shall not be suspended,

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2744 deferred, or withheld.

2745 Section 24. For the purpose of incorporating the amendment
2746 made by this act to section 782.04, Florida Statutes, in a
2747 reference thereto, subsection (1) of section 921.16, Florida
2748 Statutes, is reenacted to read:

2749 921.16 When sentences to be concurrent and when
2750 consecutive.—

2751 (1) A defendant convicted of two or more offenses charged
2752 in the same indictment, information, or affidavit or in
2753 consolidated indictments, informations, or affidavits shall
2754 serve the sentences of imprisonment concurrently unless the
2755 court directs that two or more of the sentences be served
2756 consecutively. Sentences of imprisonment for offenses not
2757 charged in the same indictment, information, or affidavit shall
2758 be served consecutively unless the court directs that two or
2759 more of the sentences be served concurrently. Any sentence for
2760 sexual battery as defined in chapter 794 or murder as defined in
2761 s. 782.04 must be imposed consecutively to any other sentence
2762 for sexual battery or murder which arose out of a separate
2763 criminal episode or transaction.

2764 Section 25. For the purpose of incorporating the amendment
2765 made by this act to section 782.04, Florida Statutes, in a
2766 reference thereto, paragraph (c) of subsection (8) of section
2767 948.06, Florida Statutes, is reenacted to read:

2768 948.06 Violation of probation or community control;
2769 revocation; modification; continuance; failure to pay
2770 restitution or cost of supervision.—

2771 (8)

2772 (c) For purposes of this section, the term "qualifying

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2773 offense" means any of the following:

2774 1. Kidnapping or attempted kidnapping under s. 787.01,
2775 false imprisonment of a child under the age of 13 under s.
2776 787.02(3), or luring or enticing a child under s. 787.025(2) (b)
2777 or (c).

2778 2. Murder or attempted murder under s. 782.04, attempted
2779 felony murder under s. 782.051, or manslaughter under s. 782.07.

2780 3. Aggravated battery or attempted aggravated battery under
2781 s. 784.045.

2782 4. Sexual battery or attempted sexual battery under s.
2783 794.011(2), (3), (4), or (8) (b) or (c).

2784 5. Lewd or lascivious battery or attempted lewd or
2785 lascivious battery under s. 800.04(4), lewd or lascivious
2786 molestation under s. 800.04(5) (b) or (c)2., lewd or lascivious
2787 conduct under s. 800.04(6) (b), lewd or lascivious exhibition
2788 under s. 800.04(7) (b), or lewd or lascivious exhibition on
2789 computer under s. 847.0135(5) (b).

2790 6. Robbery or attempted robbery under s. 812.13, carjacking
2791 or attempted carjacking under s. 812.133, or home invasion
2792 robbery or attempted home invasion robbery under s. 812.135.

2793 7. Lewd or lascivious offense upon or in the presence of an
2794 elderly or disabled person or attempted lewd or lascivious
2795 offense upon or in the presence of an elderly or disabled person
2796 under s. 825.1025.

2797 8. Sexual performance by a child or attempted sexual
2798 performance by a child under s. 827.071.

2799 9. Computer pornography under s. 847.0135(2) or (3),
2800 transmission of child pornography under s. 847.0137, or selling
2801 or buying of minors under s. 847.0145.

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- 2802 10. Poisoning food or water under s. 859.01.
- 2803 11. Abuse of a dead human body under s. 872.06.
- 2804 12. Any burglary offense or attempted burglary offense that
- 2805 is either a first degree felony or second degree felony under s.
- 2806 810.02(2) or (3).
- 2807 13. Arson or attempted arson under s. 806.01(1).
- 2808 14. Aggravated assault under s. 784.021.
- 2809 15. Aggravated stalking under s. 784.048(3), (4), (5), or
- 2810 (7).
- 2811 16. Aircraft piracy under s. 860.16.
- 2812 17. Unlawful throwing, placing, or discharging of a
- 2813 destructive device or bomb under s. 790.161(2), (3), or (4).
- 2814 18. Treason under s. 876.32.
- 2815 19. Any offense committed in another jurisdiction which
- 2816 would be an offense listed in this paragraph if that offense had
- 2817 been committed in this state.

2818 Section 26. For the purpose of incorporating the amendment

2819 made by this act to section 782.04, Florida Statutes, in a

2820 reference thereto, paragraph (a) of subsection (1) of section

2821 948.062, Florida Statutes, is reenacted to read:

2822 948.062 Reviewing and reporting serious offenses committed

2823 by offenders placed on probation or community control.—

2824 (1) The department shall review the circumstances related

2825 to an offender placed on probation or community control who has

2826 been arrested while on supervision for the following offenses:

2827 (a) Any murder as provided in s. 782.04;

2828 Section 27. For the purpose of incorporating the amendment

2829 made by this act to section 782.04, Florida Statutes, in a

2830 reference thereto, paragraph (b) of subsection (3) of section

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2831 985.265, Florida Statutes, is reenacted to read:

2832 985.265 Detention transfer and release; education; adult
2833 jails.—

2834 (3)

2835 (b) When a juvenile is released from secure detention or
2836 transferred to nonsecure detention, detention staff shall
2837 immediately notify the appropriate law enforcement agency,
2838 school personnel, and victim if the juvenile is charged with
2839 committing any of the following offenses or attempting to commit
2840 any of the following offenses:

2841 1. Murder, under s. 782.04;

2842 2. Sexual battery, under chapter 794;

2843 3. Stalking, under s. 784.048; or

2844 4. Domestic violence, as defined in s. 741.28.

2845 Section 28. For the purpose of incorporating the amendment
2846 made by this act to section 782.04, Florida Statutes, in a
2847 reference thereto, paragraph (d) of subsection (1) of section
2848 1012.315, Florida Statutes, is reenacted to read:

2849 1012.315 Disqualification from employment.—A person is
2850 ineligible for educator certification, and instructional
2851 personnel and school administrators, as defined in s. 1012.01,
2852 are ineligible for employment in any position that requires
2853 direct contact with students in a district school system,
2854 charter school, or private school that accepts scholarship
2855 students under s. 1002.39 or s. 1002.395, if the person,
2856 instructional personnel, or school administrator has been
2857 convicted of:

2858 (1) Any felony offense prohibited under any of the
2859 following statutes:

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2860 (d) Section 782.04, relating to murder.

2861 Section 29. For the purpose of incorporating the amendment
2862 made by this act to section 782.04, Florida Statutes, in a
2863 reference thereto, paragraph (g) of subsection (2) of section
2864 1012.467, Florida Statutes, is reenacted to read:

2865 1012.467 Noninstructional contractors who are permitted
2866 access to school grounds when students are present; background
2867 screening requirements.—

2868 (2)

2869 (g) A noninstructional contractor for whom a criminal
2870 history check is required under this section may not have been
2871 convicted of any of the following offenses designated in the
2872 Florida Statutes, any similar offense in another jurisdiction,
2873 or any similar offense committed in this state which has been
2874 redesignated from a former provision of the Florida Statutes to
2875 one of the following offenses:

2876 1. Any offense listed in s. 943.0435(1)(h)1., relating to
2877 the registration of an individual as a sexual offender.

2878 2. Section 393.135, relating to sexual misconduct with
2879 certain developmentally disabled clients and the reporting of
2880 such sexual misconduct.

2881 3. Section 394.4593, relating to sexual misconduct with
2882 certain mental health patients and the reporting of such sexual
2883 misconduct.

2884 4. Section 775.30, relating to terrorism.

2885 5. Section 782.04, relating to murder.

2886 6. Section 787.01, relating to kidnapping.

2887 7. Any offense under chapter 800, relating to lewdness and
2888 indecent exposure.

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- 2889 8. Section 826.04, relating to incest.
- 2890 9. Section 827.03, relating to child abuse, aggravated
- 2891 child abuse, or neglect of a child.
- 2892 Section 30. This act shall take effect October 1, 2017.