

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

590-04115-17

2017150c2

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 the purpose relating to drug abuse
12 prevention and control; providing that a reference to
13 ch. 893, F.S., or to any section or portion thereof,
14 includes all subsequent amendments; amending s.
15 893.03, F.S.; adding certain synthetic opioid
16 substitute compounds to the list of Schedule I
17 controlled substances; amending s. 893.13, F.S.;
18 prohibiting possession of more than 10 grams of
19 specified substances; providing criminal penalties;
20 amending s. 893.135, F.S.; revising the substances
21 that constitute the offenses of trafficking and
22 capital trafficking in, and capital importation of,
23 hydrocodone and oxycodone; creating the offense of
24 trafficking in fentanyl; providing penalties and
25 specifying minimum terms of imprisonment and fines
26 based on the quantity involved in the offense;
27 revising the substances that constitute the offenses
28 of trafficking in phencyclidine and capital
29 importation of phencyclidine; revising the substances

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

- 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. Difenoxin.
 - 230 22. Dimenoxadol.
 - 231 23. Dimepheptanol.
 - 232 24. Dimethylthiambutene.

590-04115-17

2017150c2

- 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.

590-04115-17

2017150c2

- 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;

590-04115-17

2017150c2

- 291 c. With or without substitution or addition to the
292 piperidine 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.

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

- 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

590-04115-17

2017150c2

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-Methylenedioxyprovalerone).

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].

590-04115-17

2017150c2

- 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).

590-04115-17

2017150c2

- 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. MDPMP (3,4-Methylenedioxy-alpha-
464 pyrrolidinopropiofenone).

590-04115-17

2017150c2

- 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).

590-04115-17

2017150c2

- 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) .

590-04115-17

2017150c2

- 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).

590-04115-17

2017150c2

- 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-

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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-

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

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-piperidinyl)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. Quinolinyllindolecarboxylates,
840 Quinolinyllindazolecarboxylates, Quinolinyllindolecarboxamides,
841 and Quinolinyllindazolecarboxamides.—Any compound containing a

590-04115-17

2017150c2

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:

590-04115-17

2017150c2

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,

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

- 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

590-04115-17

2017150c2

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:

590-04115-17

2017150c2

- 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.

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

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,

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

- 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.

590-04115-17

2017150c2

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).

590-04115-17

2017150c2

- 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.

590-04115-17

2017150c2

- 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).

590-04115-17

2017150c2

- 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).

590-04115-17

2017150c2

- 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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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.

590-04115-17

2017150c2

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.

590-04115-17

2017150c2

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

590-04115-17

2017150c2

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., commits a felony of
1444 the first degree, which felony shall be known as "trafficking in
1445 phencyclidine," punishable as provided in s. 775.082, s.
1446 775.083, or s. 775.084. If the quantity involved:

1447 a. Is 28 grams or more, but less than 200 grams, such
1448 person shall be sentenced to a mandatory minimum term of
1449 imprisonment of 3 years, and the defendant shall be ordered to
1450 pay a fine of \$50,000.

590-04115-17

2017150c2

1451 b. Is 200 grams or more, but less than 400 grams, such
1452 person shall be sentenced to a mandatory minimum term of
1453 imprisonment of 7 years, and the defendant shall be ordered to
1454 pay a fine of \$100,000.

1455 c. Is 400 grams or more, such person shall be sentenced to
1456 a mandatory minimum term of imprisonment of 15 calendar years
1457 and pay a fine of \$250,000.

1458 2. Any person who knowingly brings into this state 800
1459 grams or more of phencyclidine, as described in s.
1460 893.03(2)(b)23., a substituted phenylcyclohexylamine, as
1461 described in s. 893.03(1)(c)195., or a substance described in s.
1462 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture
1463 containing phencyclidine, as described in s. 893.03(2)(b)23.
1464 ~~893.03(2)(b),~~ a substituted phenylcyclohexylamine, as described
1465 in s. 893.03(1)(c)195., or a substance described in s.
1466 893.03(1)(c)13., 32., 38., 103., or 146., and who knows that the
1467 probable result of such importation would be the death of any
1468 person commits capital importation of phencyclidine, a capital
1469 felony punishable as provided in ss. 775.082 and 921.142. Any
1470 person sentenced for a capital felony under this paragraph shall
1471 also be sentenced to pay the maximum fine provided under
1472 subparagraph 1.

1473 (k)1. A person who knowingly sells, purchases,
1474 manufactures, delivers, or brings into this state, or who is
1475 knowingly in actual or constructive possession of, 10 grams or
1476 more of a ~~any of the following substances described in s.~~
1477 ~~893.03(1)(e):~~

1478 a. Substance described in s. 893.03(1)(c)4., 5., 10., 11.,
1479 15., 17., 21.-27., 29., 39., 40.-45., 58., 72.-80., 81.-86.,

590-04115-17

2017150c2

1480 90.-102., 104.-108., 110.-113., 143.-145., 148.-150., 160.-163.,
 1481 165., or 187.-189., a substituted cathinone, as described in s.
 1482 893.03(1)(c)191., or substituted phenethylamine, as described in
 1483 s. 893.03(1)(c)192.;

1484 b. Mixture containing any substance described in sub-
 1485 subparagraph a.; or

1486 c. Salt, isomer, ester, or ether or salt of an isomer,
 1487 ester, or ether of a substance described in sub-subparagraph a.,

1488 a. (MDMA) 3,4-Methylenedioxyamphetamine;
 1489 b. DOB (4-Bromo-2,5-dimethoxyamphetamine);
 1490 e. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine);
 1491 d. 2,5-Dimethoxyamphetamine;
 1492 e. DOET (4-Ethyl-2,5-dimethoxyamphetamine);
 1493 f. N-ethylamphetamine;
 1494 g. 3,4-Methylenedioxy-N-hydroxyamphetamine;
 1495 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
 1496 i. PMA (4-methoxyamphetamine);
 1497 j. PMMA (4-methoxymethamphetamine);
 1498 k. DOM (4-Methyl-2,5-dimethoxyamphetamine);
 1499 l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);
 1500 m. MDA (3,4-Methylenedioxyamphetamine);
 1501 n. N,N-dimethylamphetamine;
 1502 o. 3,4,5-Trimethoxyamphetamine;
 1503 p. Mephedrone (3,4-Methylenedioxyamphetaminone);
 1504 q. MDPV (3,4-Methylenedioxypropylamphetamine); or
 1505 r. Methylmethcathinone,

1506
 1507 ~~individually or analogs thereto or isomers thereto or in any~~
 1508 ~~combination of or any mixture containing any substance listed in~~

590-04115-17

2017150c2

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

1512 2. If the quantity involved under subparagraph 1.:

1513 a. Is 10 grams or more, but less than 200 grams, such
 1514 person shall be sentenced to a mandatory minimum term of
 1515 imprisonment of 3 years and shall be ordered to pay a fine of
 1516 \$50,000.

1517 b. Is 200 grams or more, but less than 400 grams, such
 1518 person shall be sentenced to a mandatory minimum term of
 1519 imprisonment of 7 years and shall be ordered to pay a fine of
 1520 \$100,000.

1521 c. Is 400 grams or more, such person shall be sentenced to
 1522 a mandatory minimum term of imprisonment of 15 years and shall
 1523 be ordered to pay a fine of \$250,000.

1524 3. A person who knowingly manufactures or brings into this
 1525 state 30 kilograms or more of a substance described in sub-
 1526 subparagraph 1.a., a mixture described in sub-subparagraph 1.b.,
 1527 or a salt, isomer, ester, or ether or a salt of an isomer,
 1528 ester, or ether described in sub-subparagraph 1.c., any of the
 1529 following substances described in s. 893.03(1)(c):

- 1530 a. ~~MDMA (3,4-Methylenedioxyamphetamine);~~
- 1531 b. ~~DOB (4-Bromo-2,5-dimethoxyamphetamine);~~
- 1532 e. ~~2C-B (4-Bromo-2,5-dimethoxyphenethylamine);~~
- 1533 d. ~~2,5-Dimethoxyamphetamine;~~
- 1534 e. ~~DOET (4-Ethyl-2,5-dimethoxyamphetamine);~~
- 1535 f. ~~N-ethylamphetamine;~~
- 1536 g. ~~N-Hydroxy-3,4-methylenedioxyamphetamine;~~
- 1537 h. ~~5-Methoxy-3,4-methylenedioxyamphetamine;~~

590-04115-17

2017150c2

- 1538 ~~i. PMA (4-methoxyamphetamine);~~
 1539 ~~j. PMMA (4-methoxymethamphetamine);~~
 1540 ~~k. DOM (4-Methyl-2,5-dimethoxyamphetamine);~~
 1541 ~~l. MDEA (3,4-Methylenedioxy-N-ethylamphetamine);~~
 1542 ~~m. MDA (3,4-Methylenedioxyamphetamine);~~
 1543 ~~n. N,N-dimethylamphetamine;~~
 1544 ~~o. 3,4,5-Trimethoxyamphetamine;~~
 1545 ~~p. Methyldone (3,4-Methylenedioxyamphetaminone);~~
 1546 ~~q. MDPV (3,4-Methylenedioxypropylamphetamine); or~~
 1547 ~~r. Methyldone,~~
 1548
 1549 ~~individually or analogs thereto or isomers thereto or in any~~
 1550 ~~combination of or any mixture containing any substance listed in~~
 1551 ~~sub-subparagraphs a. r., and who knows that the probable result~~
 1552 ~~of such manufacture or importation would be the death of any~~
 1553 ~~person commits capital manufacture or importation of~~
 1554 ~~phenethylamines, a capital felony punishable as provided in ss.~~
 1555 ~~775.082 and 921.142. A person sentenced for a capital felony~~
 1556 ~~under this paragraph shall also be sentenced to pay the maximum~~
 1557 ~~fine provided under subparagraph 2. 1.~~
 1558 (m)1. A person who knowingly sells, purchases,
 1559 manufactures, delivers, or brings into this state, or who is
 1560 knowingly in actual or constructive possession of, 280 grams or
 1561 more of a:
 1562 a. Substance described in s. 893.03(1)(c)30., 46.-50.,
 1563 114.-142., 151.-156., 166.-173., or 176.-186. or a synthetic
 1564 cannabinoid, as described in s. 893.03(1)(c)190.; or
 1565 b. Mixture containing any substance described in sub-
 1566 paragraph a.,

590-04115-17

2017150c2

1567
1568 commits a felony of the first degree, which felony shall be
1569 known as "trafficking in synthetic cannabinoids," punishable as
1570 provided in s. 775.082, s. 775.083, or s. 775.084.

1571 2. If the quantity involved under subparagraph 1.:

1572 a. Is 280 grams or more, but less than 500 grams, such
1573 person shall be sentenced to a mandatory minimum term of
1574 imprisonment of 3 years, and the defendant shall be ordered to
1575 pay a fine of \$50,000.

1576 b. Is 500 grams or more, but less than 1,000 grams, such
1577 person shall be sentenced to a mandatory minimum term of
1578 imprisonment of 7 years, and the defendant shall be ordered to
1579 pay a fine of \$100,000.

1580 c. Is 1,000 grams or more, but less than 30 kilograms, such
1581 person shall be sentenced to a mandatory minimum term of
1582 imprisonment of 15 years, and the defendant shall be ordered to
1583 pay a fine of \$200,000.

1584 d. Is 30 kilograms or more, such person shall be sentenced
1585 to a mandatory minimum term of imprisonment of 25 years, and the
1586 defendant shall be ordered to pay a fine of \$750,000.

1587 (n)1. A person who knowingly sells, purchases,
1588 manufactures, delivers, or brings into this state, or who is
1589 knowingly in actual or constructive possession of, 14 grams or
1590 more of:

1591 a. A substance described in s. 893.03(1)(c)164., 174., or
1592 175., a n-benzyl phenethylamine compound, as described in s.
1593 893.03(1)(c)193.; or

1594 b. A mixture containing any substance described in sub-
1595 subparagraph a.,

590-04115-17

2017150c2

1596
1597 commits a felony of the first degree, which felony shall be
1598 known as "trafficking in n-benzyl phenethylamines," punishable
1599 as provided in s. 775.082, s. 775.083, or s. 775.084.

1600 2. If the quantity involved under subparagraph 1.:

1601 a. Is 14 grams or more, but less than 100 grams, such
1602 person shall be sentenced to a mandatory minimum term of
1603 imprisonment of 3 years, and the defendant shall be ordered to
1604 pay a fine of \$50,000.

1605 b. Is 100 grams or more, but less than 200 grams, such
1606 person shall be sentenced to a mandatory minimum term of
1607 imprisonment of 7 years, and the defendant shall be ordered to
1608 pay a fine of \$100,000.

1609 c. Is 200 grams or more, such person shall be sentenced to
1610 a mandatory minimum term of imprisonment of 15 years , and the
1611 defendant shall be ordered to pay a fine of \$500,000.

1612 3. A person who knowingly manufactures or brings into this
1613 state 400 grams or more of a substance described in sub-
1614 subparagraph 1.a. or a mixture described in sub-subparagraph
1615 1.b., and who knows that the probable result of such manufacture
1616 or importation would be the death of any person commits capital
1617 manufacture or importation of a n-benzyl phenethylamine
1618 compound, a capital felony punishable as provided in ss. 775.082
1619 and 921.142. A person sentenced for a capital felony under this
1620 paragraph shall also be sentenced to pay the maximum fine under
1621 subparagraph 2.

1622 (8) For an offense listed under this section committed on
1623 or after October 1, 2017, which carries a mandatory minimum
1624 sentence, a court may depart from the applicable mandatory

590-04115-17

2017150c2

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

1634 Section 7. For the purpose of incorporating the amendments
 1635 made by this act to sections 893.03, 893.13, and 893.135,
 1636 Florida Statutes, in references thereto, paragraphs (a), (b),
 1637 (c), (d), and (e) of subsection (3) of section 921.0022, Florida
 1638 Statutes, are reenacted, and paragraphs (g), (h), and (i) of
 1639 subsection (3) of that section are amended, to read:

1640 921.0022 Criminal Punishment Code; offense severity ranking
 1641 chart.—

1642 (3) OFFENSE SEVERITY RANKING CHART

1643 (a) LEVEL 1

1644

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

1645

1646

590-04115-17

2017150c2

1647
1648
1649
1650
1651
1652
1653
1654

212.15 (2) (b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.

590-04115-17 2017150c2

1655

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

1656

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

1657

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

1658

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

1659

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

1660

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

1661

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

812.014(3)(c) 3rd Petit theft (3rd conviction);

590-04115-17

2017150c2

1662
1663
1664
1665
1666
1667
1668
1669

theft of any property not specified in subsection (2).

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

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

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

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

826.01 3rd Bigamy.

828.122 (3) 3rd Fighting or baiting animals.

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

590-04115-17 2017150c2

1670	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
1671	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
1672	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.
1673	838.15 (2)	3rd	Commercial bribe receiving.
1674	838.16	3rd	Commercial bribery.
1675	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
1676	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
1677	849.01	3rd	Keeping gambling house.
	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or

590-04115-17

2017150c2

1678 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

Florida	Felony	Description
Statute	Degree	

590-04115-17

2017150c2

1688

379.2431 3rd Possession of 11 or fewer
(1) (e) 3. marine turtle eggs in violation
of the Marine Turtle Protection
Act.

1689

379.2431 3rd Possession of more than 11
(1) (e) 4. marine turtle eggs in violation
of the Marine Turtle Protection
Act.

1690

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.

1691

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

1692

590.28 (1) 3rd Intentional burning of lands.

1693

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

1694

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

590-04115-17

2017150c2

1695

beyond state limits.

806.13(1)(b)3.

3rd

Criminal mischief; damage \$1,000 or more to public communication or any other public service.

1696

810.061(2)

3rd

Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

1697

810.09(2)(e)

3rd

Trespassing on posted commercial horticulture property.

1698

812.014(2)(c)1.

3rd

Grand theft, 3rd degree; \$300 or more but less than \$5,000.

1699

812.014(2)(d)

3rd

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

1700

812.015(7)

3rd

Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.

1701

590-04115-17 2017150c2

1702	817.234(1)(a)2.	3rd	False statement in support of insurance claim.
1703	817.481(3)(a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
1704	817.52(3)	3rd	Failure to redeliver hired vehicle.
1705	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
1706	817.60(5)	3rd	Dealing in credit cards of another.
1707	817.60(6)(a)	3rd	Forgery; purchase goods, services with false card.
1708	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
1709	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.

590-04115-17

2017150c2

1710

831.01 3rd Forgery.

1711

831.02 3rd Uttering forged instrument;
utters or publishes alteration
with intent to defraud.

1712

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

1713

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

1714

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

1715

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

1716

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

1717

843.08 3rd False personation.

893.13 (2) (a) 2. 3rd Purchase of any s.
893.03 (1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3., (2) (c) 5.,

590-04115-17

2017150c2

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

1718

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

1719

1720 (c) LEVEL 3

1721

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

1722

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

1723

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

1724

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

1725

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

1726

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

590-04115-17

2017150c2

1727

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

1728

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

1729

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

1730

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

1731

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

1732

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

1733

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

1734

379.2431 3rd Taking, disturbing, mutilating,

590-04115-17

2017150c2

(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.

1735

379.2431

3rd

(1) (e) 6.

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

1736

400.9935 (4) (a)
or (b)

3rd

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

1737

400.9935 (4) (e)

3rd

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

1738

440.1051 (3)

3rd

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

1739

501.001 (2) (b)

2nd

Tampers with a consumer product

590-04115-17

2017150c2

1740	624.401 (4) (a)	3rd	or the container using materially false/misleading information.
1741	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority.
1742	626.902 (1) (a) & (b)	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1743	697.08	3rd	Representing an unauthorized insurer.
1744	790.15 (3)	3rd	Equity skimming.
1745	806.10 (1)	3rd	Person directs another to discharge firearm from a vehicle.
1746	806.10 (2)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1747			Interferes with or assaults firefighter in performance of duty.

590-04115-17 2017150c2

1748 810.09(2)(c) 3rd Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.

1749 812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but less than \$10,000.

1750 812.0145(2)(c) 3rd Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

1751 815.04(5)(b) 2nd Computer offense devised to defraud or obtain property.

1752 817.034(4)(a)3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

1753 817.233 3rd Burning to defraud insurer.

1754 817.234 3rd Unlawful solicitation of persons involved in motor vehicle accidents.
(8)(b) & (c)

1755 817.234(11)(a) 3rd Insurance fraud; property value less than \$20,000.

590-04115-17

2017150c2

1756
1757
1758
1759
1760
1761
1762
1763

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

590-04115-17

2017150c2

1764

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

1765

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

1766

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

1767

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).

1768

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

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

590-04115-17

2017150c2

1769

housing facility.

893.13(4)(c)

3rd

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

1770

893.13(6)(a)

3rd

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

1771

893.13(7)(a)8.

3rd

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

1772

893.13(7)(a)9.

3rd

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

1773

893.13(7)(a)10.

3rd

Affix false or forged label to package of controlled substance.

1774

893.13(7)(a)11.

3rd

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

1775

590-04115-17

2017150c2

1776

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.

1777

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.

1778

893.13(8)(a)3. 3rd Knowingly write a prescription
for a controlled substance for
a fictitious person.

1779

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.

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

590-04115-17

2017150c2

1780

investigation evidence.

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

3rd Introduce contraband to
correctional facility.

1781

944.47 (1) (c)

2nd Possess contraband while upon
the grounds of a correctional
institution.

1782

985.721

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

1783

(d) LEVEL 4

1784

1785

Florida	Felony	Description
Statute	Degree	

1786

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

1787

499.0051 (1)	3rd	Failure to maintain or deliver transaction history, transaction information, or
--------------	-----	---

590-04115-17

2017150c2

1788			transaction statements.
	499.0051 (5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
1789			
	517.07 (1)	3rd	Failure to register securities.
1790			
	517.12 (1)	3rd	Failure of dealer, associated person, or issuer of securities to register.
1791			
	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
1792			
	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
1793			
	784.075	3rd	Battery on detention or commitment facility staff.
1794			
	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
1795			
	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
1796			
	784.081 (3)	3rd	Battery on specified official

590-04115-17

2017150c2

			or employee.
1797	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
1798	784.083 (3)	3rd	Battery on code inspector.
1799	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
1800	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
1801	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
1802	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
1803	787.07	3rd	Human smuggling.
1804			

590-04115-17

2017150c2

1805

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

1806

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

1807

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

1808

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

1809

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

1810

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

1811

810.06 3rd Burglary; possession of tools.

810.08(2)(c) 3rd Trespass on property, armed with firearm or dangerous weapon.

590-04115-17

2017150c2

1812

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree \$10,000
or more but less than \$20,000.

1813

812.014 3rd Grand theft, 3rd degree, a
(2) (c) 4.-10. will, firearm, motor vehicle,
livestock, etc.

1814

812.0195 (2) 3rd Dealing in stolen property by
use of the Internet; property
stolen \$300 or more.

1815

817.563 (1) 3rd Sell or deliver substance other
than controlled substance
agreed upon, excluding s.
893.03 (5) drugs.

1816

817.568 (2) (a) 3rd Fraudulent use of personal
identification information.

1817

817.625 (2) (a) 3rd Fraudulent use of scanning
device or reencoder.

1818

828.125 (1) 2nd Kill, maim, or cause great
bodily harm or permanent
breeding disability to any
registered horse or cattle.

1819

837.02 (1) 3rd Perjury in official

590-04115-17

2017150c2

			proceedings.
1820	837.021 (1)	3rd	Make contradictory statements in official proceedings.
1821	838.022	3rd	Official misconduct.
1822	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
1823	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
1824	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
1825	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
1826	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
1827	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition

590-04115-17

2017150c2

1828
1829
1830
1831
1832
1833
1834
1835
1836
1837

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.

(e) LEVEL 5

590-04115-17

2017150c2

	Florida Statute	Felony Degree	Description
1838	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
1839	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
1840	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
1841	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1842	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
1843	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 supplying, agreeing to supply, aiding in supplying, or giving

590-04115-17

2017150c2

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.

1844

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

1845

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

1846

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

1847

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

1848

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

1849

440.381 (2) 2nd Submission of false,

590-04115-17

2017150c2

1850	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
1851	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
1852	790.01 (2)	3rd	Carrying a concealed firearm.
1853	790.162	2nd	Threat to throw or discharge destructive device.
1854	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
1855	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
1856	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.

590-04115-17

2017150c2

1857

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

1858

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

1859

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

1860

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

1861

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

1862

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

1863

812.019 (1) 2nd Stolen property; dealing in or trafficking in.

1864

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

590-04115-17

2017150c2

1865

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

1866

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

1867

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

1868

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.

1869

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.

1870

817.611(2)(a) 2nd Traffic in or possess 5 to 14

590-04115-17

2017150c2

1871

counterfeit credit cards or related documents.

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

1872

825.1025 (4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

1873

827.071 (4)

2nd

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

1874

827.071 (5)

3rd

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

1875

839.13 (2) (b)

2nd

Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

1876

590-04115-17

2017150c2

1877

843.01 3rd Resist officer with violence to person; resist arrest with violence.

1878

847.0135 (5) (b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

1879

847.0137 3rd Transmission of pornography by (2) & (3) electronic device or equipment.

1880

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

1881

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

1882

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

893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4. drugs).

590-04115-17

2017150c2

1883

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.

1884

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.

1885

893.13(1)(e)2. 2nd Sell, manufacture, or deliver
cannabis or other drug
prohibited under s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)5.,
(2)(c)6., (2)(c)7., (2)(c)8.,
(2)(c)9., (3), or (4) within
1,000 feet of property used for

590-04115-17

2017150c2

1886

religious services or a specified business site.

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.

1887

893.13(4)(b)

2nd

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

1888

893.1351(1)

3rd

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

1889

1890

(g) LEVEL 7

1891

Florida Statute

Felony Degree

Description

1892

316.027(2)(c)

1st

Accident involving death, failure to stop; leaving scene.

1893

316.193(3)(c)2.

3rd

DUI resulting in serious bodily injury.

1894

590-04115-17 2017150c2

1895 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.

1896 327.35 (3) (c) 2. 3rd Vessel BUI resulting in serious
bodily injury.

1897 402.319 (2) 2nd Misrepresentation and
negligence or intentional act
resulting in great bodily harm,
permanent disfiguration,
permanent disability, or death.

1898 409.920 3rd Medicaid provider fraud;
(2) (b) 1.a. \$10,000 or less.

1899 409.920 2nd Medicaid provider fraud; more
(2) (b) 1.b. than \$10,000, but less than
\$50,000.

1900 456.065 (2) 3rd Practicing a health care
profession without a license.

456.065 (2) 2nd Practicing a health care

590-04115-17

2017150c2

			profession without a license which results in serious bodily injury.
1901	458.327(1)	3rd	Practicing medicine without a license.
1902	459.013(1)	3rd	Practicing osteopathic medicine without a license.
1903	460.411(1)	3rd	Practicing chiropractic medicine without a license.
1904	461.012(1)	3rd	Practicing podiatric medicine without a license.
1905	462.17	3rd	Practicing naturopathy without a license.
1906	463.015(1)	3rd	Practicing optometry without a license.
1907	464.016(1)	3rd	Practicing nursing without a license.
1908	465.015(2)	3rd	Practicing pharmacy without a license.
1909	466.026(1)	3rd	Practicing dentistry or dental

590-04115-17

2017150c2

1910			hygiene without a license.
	467.201	3rd	Practicing midwifery without a license.
1911			
	468.366	3rd	Delivering respiratory care services without a license.
1912			
	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1913			
	483.901 (7)	3rd	Practicing medical physics without a license.
1914			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1915			
	484.053	3rd	Dispensing hearing aids without a license.
1916			
	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.
1917			
	560.123 (8) (b) 1.	3rd	Failure to report currency or

590-04115-17

2017150c2

1918

payment instruments exceeding \$300 but less than \$20,000 by a money services business.

560.125 (5) (a)

3rd

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

1919

655.50 (10) (b) 1.

3rd

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

1920

775.21 (10) (a)

3rd

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

1921

775.21 (10) (b)

3rd

Sexual predator working where children regularly congregate.

1922

775.21 (10) (g)

3rd

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

1923

590-04115-17

2017150c2

1924	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1925	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1926	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1927	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1928	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1929	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.

				2017150c2
	590-04115-17			
1930	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.	
1931	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.	
1932	784.048 (7)	3rd	Aggravated stalking; violation of court order.	
1933	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.	
1934	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.	
1935	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.	
1936	784.081 (1)	1st	Aggravated battery on specified official or employee.	
1937	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.	
1938	784.083 (1)	1st	Aggravated battery on code inspector.	

590-04115-17

2017150c2

1939

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

1940

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.

1941

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

1942

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

1943

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

1944

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

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

590-04115-17

2017150c2

1945

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

1946

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

1947

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.

1948

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

1949

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

1950

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

590-04115-17

2017150c2

1951

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.

1952

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.

1953

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

1954

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

1955

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

1956

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

1957

810.02 (3) (e) 2nd Burglary of authorized

590-04115-17

2017150c2

1958			emergency vehicle.
	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
1959			
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1960			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1961			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1962			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1963			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

590-04115-17

2017150c2

1964	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1965	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1966	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1967	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1968	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1969	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1970	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.
1971	817.535 (2) (a)	3rd	Filing false lien or other

590-04115-17

2017150c2

1972

unauthorized document.

817.611 (2) (b)

2nd

Traffic in or possess 15 to 49 counterfeit credit cards or related documents.

1973

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

1974

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.

1975

827.03 (2) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

1976

827.04 (3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

1977

837.05 (2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

1978

838.015

2nd

Bribery.

590-04115-17

2017150c2

1979	838.016	2nd	Unlawful compensation or reward for official behavior.
1980	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1981	838.22	2nd	Bid tampering.
1982	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1983	843.0855 (3)	3rd	Unlawful simulation of legal process.
1984	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1985	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1986	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1987	872.06	2nd	Abuse of a dead human body.
1988	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a

590-04115-17

2017150c2

1989

criminal gang; second or subsequent offense.

874.10

1st, PBL

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

1990

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.

1991

893.13(1)(e)1.

1st

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

1992

590-04115-17 2017150c2

1993	893.13 (4) (a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1994	893.135 (1) (a) 1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1995	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1996	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1997	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1998	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1999	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
	893.135	1st	Trafficking in oxycodone, 14

	590-04115-17		2017150c2
2000	(1) (c) 3.b.		grams or more, less than 25 grams.
2001	<u>893.135</u> <u>(1) (c) 4.b. (I)</u>	<u>1st</u>	<u>Trafficking in fentanyl, 4 grams or more, less than 14 grams.</u>
2002	<u>893.135 (1) (d) 1.a.</u> 893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams <u>or more</u> , less than 200 grams.
2003	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams <u>or more</u> , less than 5 kilograms.
2004	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams <u>or more</u> , less than 28 grams.
2005	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2006	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
	893.135	1st	Trafficking in 1,4-Butanediol,

	590-04115-17		2017150c2
2007	(1) (j) 1.a.		1 kilogram or more, less than 5 kilograms.
2008	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
2009	<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>
2010	<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>
2011	<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>
2012	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
2013	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration

590-04115-17

2017150c2

2014

requirements, financial transactions exceeding \$300 but less than \$20,000.

943.0435 (4) (c)

2nd

Sexual offender vacating permanent residence; failure to comply with reporting requirements.

2015

943.0435 (8)

2nd

Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

2016

943.0435 (9) (a)

3rd

Sexual offender; failure to comply with reporting requirements.

2017

943.0435 (13)

3rd

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

2018

943.0435 (14)

3rd

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

2019

	590-04115-17			2017150c2
2020	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.	
2021	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.	
2022	944.607(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.	
2023	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.	
2024	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.	
2025	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.	
	985.4815(13)	3rd	Sexual offender; failure to	

590-04115-17

2017150c2

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

2026

2027 (h) LEVEL 8

2028

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

2029

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

2030

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

2031

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

2032

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

2033

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

2034

560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less
--------------------	-----	--

590-04115-17

2017150c2

2035

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.

2036

655.50 (10) (b) 2.

2nd

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

2037

777.03 (2) (a)

1st

Accessory after the fact, capital felony.

2038

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.

2039

782.051 (2)

1st

Attempted felony murder while

590-04115-17

2017150c2

2040

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

782.071(1)(b)

1st

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

2041

782.072(2)

1st

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

2042

787.06(3)(a)1.

1st

Human trafficking for labor and
services of a child.

2043

787.06(3)(b)

1st

Human trafficking using
coercion for commercial sexual
activity of an adult.

2044

787.06(3)(c)2.

1st

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

2045

787.06(3)(e)1.

1st

Human trafficking for labor and
services by the transfer or
transport of a child from
outside Florida to within the
state.

2046

590-04115-17

2017150c2

2047

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.

2048

790.161(3)

1st

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

2049

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.

2050

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.

794.011(5)(c)

2nd

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

590-04115-17

2017150c2

2051

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.

2052

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

2053

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

2054

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

2055

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

2056

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

2057

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

590-04115-17

2017150c2

2058

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

2059

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

2060

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

2061

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

2062

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

2063

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

2064

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

590-04115-17

2017150c2

2065

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.

2066

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

2067

817.611 (2) (c) 1st Traffic in or possess 50 or
more counterfeit credit cards
or related documents.

2068

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

2069

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

2070

825.103 (3) (a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$50,000 or more.

2071

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

590-04115-17

2017150c2

2072

capital felony.

837.021(2)

2nd

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

2073

860.121(2)(c)

1st

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

2074

860.16

1st

Aircraft piracy.

2075

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).

2076

893.13(2)(b)

1st

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

2077

893.13(6)(c)

1st

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

2078

893.135(1)(a)2.

1st

Trafficking in cannabis, more than 2,000 lbs., less than

590-04115-17

2017150c2

2079

10,000 lbs.

893.135
(1) (b) 1.b.

1st

Trafficking in cocaine, more than 200 grams, less than 400 grams.

2080

893.135
(1) (c) 1.b.

1st

Trafficking in illegal drugs, more than 14 grams, less than 28 grams.

2081

893.135
(1) (c) 2.c.

1st

Trafficking in hydrocodone, 50 grams or more, less than 200 grams.

2082

893.135
(1) (c) 3.c.

1st

Trafficking in oxycodone, 25 grams or more, less than 100 grams.

2083

893.135
(1) (c) 4.b. (II)

1st

Trafficking in fentanyl, 14 grams or more, less than 28 grams.

2084

893.135
(1) (d) 1.b.

1st

Trafficking in phencyclidine, ~~more than~~ 200 grams or more, less than 400 grams.

2085

893.135
(1) (e) 1.b.

1st

Trafficking in methaqualone, ~~more than~~ 5 kilograms or more, less than 25 kilograms.

590-04115-17

2017150c2

2086

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

2087

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

2088

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

2089

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

2090

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

2091

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

2092

893.135 (1) (n) 2.b. 1st Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.

590-04115-17

2017150c2

2093

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

2094

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

2095

895.03(2) 1st Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

2096

895.03(3) 1st Conduct or participate in any enterprise through pattern of racketeering activity.

2097

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

2098

896.104(4)(a)2. 2nd Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than

590-04115-17

2017150c2

\$100,000.

2099
2100
2101

2102

2103

2104

2105

2106

2107

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

590-04115-17

2017150c2

2108

655.50(10)(b)3. 1st Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.

2109

775.0844 1st Aggravated white collar crime.

2110

782.04(1) 1st Attempt, conspire, or solicit to commit premeditated murder.

2111

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.

2112

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

2113

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

2114

787.01(1)(a)1. 1st,PBL Kidnapping; hold for ransom or

590-04115-17

2017150c2

2115

reward or as a shield or
hostage.

787.01(1)(a)2.

1st,PBL

Kidnapping with intent to
commit or facilitate commission
of any felony.

2116

787.01(1)(a)4.

1st,PBL

Kidnapping with intent to
interfere with performance of
any governmental or political
function.

2117

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.

2118

787.06(3)(c)1.

1st

Human trafficking for labor and
services of an unauthorized
alien child.

2119

787.06(3)(d)

1st

Human trafficking using
coercion for commercial sexual
activity of an unauthorized
adult alien.

2120

590-04115-17

2017150c2

2121 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.

2122 790.161 1st Attempted capital destructive
device offense.

2123 790.166(2) 1st,PBL Possessing, selling, using, or
attempting to use a weapon of
mass destruction.

2124 794.011(2) 1st Attempted sexual battery;
victim less than 12 years of
age.

2125 794.011(2) Life Sexual battery; offender
younger than 18 years and
commits sexual battery on a
person less than 12 years.

2126 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.

794.011(4)(b) 1st Sexual battery, certain

590-04115-17

2017150c2

			circumstances; victim and offender 18 years of age or older.
2127	794.011 (4) (c)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.
2128	794.011 (4) (d)	1st,PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
2129	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.
2130	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
2131	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
2132	812.13 (2) (a)	1st,PBL	Robbery with firearm or other

590-04115-17

2017150c2

2133			deadly weapon.
2134	812.133(2)(a)	1st, PBL	Carjacking; firearm or other deadly weapon.
2135	812.135(2)(b)	1st	Home-invasion robbery with weapon.
2136	817.535(3)(b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
2137	817.535(4)(a)2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
2138	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.
	817.568(7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of

590-04115-17

2017150c2

			18 by his or her parent, legal guardian, or person exercising custodial authority.
2139	827.03 (2) (a)	1st	Aggravated child abuse.
2140	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
2141	847.0145 (2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
2142	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.
2143	893.135	1st	Attempted capital trafficking offense.
2144	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
2145	893.135	1st	Trafficking in cocaine, more

590-04115-17 2017150c2

2146 (1) (b) 1.c. than 400 grams, less than 150 kilograms.

2147 893.135 1st Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
 (1) (c) 1.c.

2148 893.135 1st Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms.
 (1) (c) 2.d.

2149 893.135 1st Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
 (1) (c) 3.d.

2150 893.135 1st Trafficking in fentanyl, 28
(1) (c) 4.b. (III) grams or more.

2151 893.135 1st Trafficking in phencyclidine, ~~more than~~ 400 grams or more.
 (1) (d) 1.c.

2152 893.135 1st Trafficking in methaqualone, ~~more than~~ 25 kilograms or more.
 (1) (e) 1.c.

2153 893.135 1st Trafficking in amphetamine, ~~more than~~ 200 grams or more.
 (1) (f) 1.c.

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

590-04115-17

2017150c2

2154

kilograms or more.

893.135
(1) (j) 1.c.

1st Trafficking in 1,4-Butanediol,
10 kilograms or more.

2155

893.135
(1) (k) 2.c.

1st Trafficking in Phenethylamines,
400 grams or more.

2156

893.135
(1) (m) 2.d.

1st Trafficking in synthetic
cannabinoids, 30 kilograms or
more.

2157

893.135 (1) (n) 2.c.

1st Trafficking in n-benzyl
phenethylamines, 200 grams or
more.

2158

896.101 (5) (c)

1st Money laundering, financial
instruments totaling or
exceeding \$100,000.

2159

896.104 (4) (a) 3.

1st Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$100,000.

2160

2161 Section 8. Present subsection (11) of section 775.082,
2162 Florida Statutes, is redesignated as subsection (12), and a new
2163 subsection (11) is added to that section, to read:

590-04115-17

2017150c2

2164 775.082 Penalties; applicability of sentencing structures;
2165 mandatory minimum sentences for certain reoffenders previously
2166 released from prison.—

2167 (11) If a defendant is sentenced for a primary offense of
2168 possession of a controlled substance committed on or after
2169 October 1, 2017, and if the total sentence points pursuant to s.
2170 921.0024 are 60 points or fewer, the court must sentence the
2171 offender to a nonstate prison sanction. However, if the court
2172 makes written findings that a nonstate prison sanction could
2173 present a danger to the public, the court may sentence the
2174 offender to a state correctional facility pursuant to this
2175 section. As used in this subsection, the term "possession of a
2176 controlled substance" means possession of a controlled substance
2177 in violation of s. 893.13, but does not include possession with
2178 intent to sell, manufacture, or deliver a controlled substance
2179 or possession of a controlled substance in violation of s.
2180 893.135.

2181 Section 9. Section 921.0026, Florida Statutes, is amended
2182 to read:

2183 921.0026 Mitigating circumstances.—This section applies to
2184 any felony offense, except any capital felony, committed on or
2185 after October 1, 1998.

2186 (1) A downward departure from the lowest permissible
2187 sentence, as calculated according to the total sentence points
2188 pursuant to s. 921.0024, is prohibited unless there are
2189 circumstances or factors that reasonably justify the downward
2190 departure. Mitigating factors to be considered include, but are
2191 not limited to, those listed in subsection (2). The imposition
2192 of a sentence below the lowest permissible sentence is subject

590-04115-17

2017150c2

2193 to appellate review under chapter 924, but the extent of
2194 downward departure is not subject to appellate review.

2195 (2) Mitigating circumstances under which a departure from
2196 the lowest permissible sentence is reasonably justified include,
2197 but are not limited to:

2198 (a) The departure results from a legitimate, uncoerced plea
2199 bargain.

2200 (b) The defendant was an accomplice to the offense and was
2201 a relatively minor participant in the criminal conduct.

2202 (c) The capacity of the defendant to appreciate the
2203 criminal nature of the conduct or to conform that conduct to the
2204 requirements of law was substantially impaired.

2205 (d) For an offense committed on or after October 1, 1998,
2206 but before October 1, 2017, the defendant requires specialized
2207 treatment for a mental disorder that is unrelated to substance
2208 abuse or addiction or for a physical disability, and the
2209 defendant is amenable to treatment.

2210 (e) For an offense committed on or after October 1, 2017,
2211 the defendant requires specialized treatment for an addiction, a
2212 mental disorder, or a physical disability, and the defendant is
2213 amenable to treatment.

2214 (f) ~~(e)~~ The need for payment of restitution to the victim
2215 outweighs the need for a prison sentence.

2216 (g) ~~(f)~~ The victim was an initiator, willing participant,
2217 aggressor, or provoker of the incident.

2218 (h) ~~(g)~~ The defendant acted under extreme duress or under
2219 the domination of another person.

2220 (i) ~~(h)~~ Before the identity of the defendant was determined,
2221 the victim was substantially compensated.

590-04115-17

2017150c2

2222 (j)~~(i)~~ The defendant cooperated with the state to resolve
2223 the current offense or any other offense.

2224 (k)~~(j)~~ The offense was committed in an unsophisticated
2225 manner and was an isolated incident for which the defendant has
2226 shown remorse.

2227 (l)~~(k)~~ At the time of the offense the defendant was too
2228 young to appreciate the consequences of the offense.

2229 (m)~~(l)~~ The defendant is to be sentenced as a youthful
2230 offender.

2231 (n)~~(m)~~ The defendant's offense is a nonviolent felony, the
2232 defendant's Criminal Punishment Code scoresheet total sentence
2233 points under s. 921.0024 are 60 points or fewer, and the court
2234 determines that the defendant is amenable to the services of a
2235 postadjudicatory treatment-based drug court program and is
2236 otherwise qualified to participate in the program as part of the
2237 sentence. Except as provided in this paragraph, the defendant's
2238 substance abuse or addiction, including intoxication at the time
2239 of the offense, is not a mitigating factor for an offense
2240 committed on or after October 1, 1998, but before October 1,
2241 2017, and does not, under any circumstance, justify a downward
2242 departure from the permissible sentencing range ~~For purposes of~~
2243 ~~this paragraph, the term "nonviolent felony" has the same~~
2244 ~~meaning as provided in s. 948.08(6).~~

2245 (o)~~(n)~~ The defendant was making a good faith effort to
2246 obtain or provide medical assistance for an individual
2247 experiencing a drug-related overdose.

2248 (3) As used in subsection (2), the term "nonviolent felony"
2249 has the same meaning as provided in s. 948.08 ~~Except as provided~~
2250 ~~in paragraph (2) (m), the defendant's substance abuse or~~

590-04115-17

2017150c2

2251 ~~addiction, including intoxication at the time of the offense, is~~
2252 ~~not a mitigating factor under subsection (2) and does not, under~~
2253 ~~any circumstances, justify a downward departure from the~~
2254 ~~permissible sentencing range.~~

2255 Section 10. Subsection (7) of section 948.01, Florida
2256 Statutes, is amended to read:

2257 948.01 When court may place defendant on probation or into
2258 community control.-

2259 (7) (a) Notwithstanding s. 921.0024 and effective for
2260 offenses committed on or after July 1, 2009, the sentencing
2261 court may place the defendant into a postadjudicatory treatment-
2262 based drug court program if the defendant's Criminal Punishment
2263 Code scoresheet total sentence points under s. 921.0024 are 60
2264 points or fewer, the offense is a nonviolent felony, the
2265 defendant is amenable to substance abuse treatment, and the
2266 defendant otherwise qualifies under s. 397.334(3). The
2267 satisfactory completion of the program shall be a condition of
2268 the defendant's probation or community control. ~~As used in this~~
2269 ~~subsection, the term "nonviolent felony" means a third degree~~
2270 ~~felony violation under chapter 810 or any other felony offense~~
2271 ~~that is not a forcible felony as defined in s. 776.08.~~

2272 (b) Notwithstanding s. 921.0024 and effective for offenses
2273 committed on or after October 1, 2017, the sentencing court must
2274 place the defendant into a postadjudicatory treatment-based drug
2275 court program, into residential drug treatment, or on drug
2276 offender probation if the defendant's Criminal Punishment Code
2277 scoresheet total sentence points under s. 921.0024 are 60 points
2278 or fewer, the offense is a nonviolent felony, the defendant is
2279 amenable to substance abuse treatment, the defendant's criminal

590-04115-17

2017150c2

2280 behavior is related to substance abuse or addiction, and the
2281 defendant otherwise qualifies under s. 397.334(3). The
2282 satisfactory completion of the program must be a condition of
2283 the defendant's probation or community control.

2284 (c) ~~(b)~~ In order to be placed in a postadjudicatory
2285 treatment-based drug court program under paragraph (a) or
2286 paragraph (b), the defendant must be fully advised of the
2287 purpose of the program, and the defendant must agree to enter
2288 the program. The original sentencing court shall relinquish
2289 jurisdiction of the defendant's case to the postadjudicatory
2290 drug court program until the defendant is no longer active in
2291 the program, the case is returned to the sentencing court due to
2292 the defendant's termination from the program for failure to
2293 comply with the terms thereof, or the defendant's sentence is
2294 completed.

2295 (d) As used in this subsection, the term "nonviolent
2296 felony" means a third degree felony violation under chapter 810
2297 or any other felony offense that is not a forcible felony as
2298 defined in s. 776.08.

2299 Section 11. For the purpose of incorporating the amendment
2300 made by this act to section 921.0026, Florida Statutes, in
2301 references thereto, paragraphs (b) and (c) of subsection (1) of
2302 section 775.08435, Florida Statutes, are reenacted to read:

2303 775.08435 Prohibition on withholding adjudication in felony
2304 cases.—

2305 (1) Notwithstanding the provisions of s. 948.01, the court
2306 may not withhold adjudication of guilt upon the defendant for:

2307 (b) A second degree felony offense unless:

2308 1. The state attorney requests in writing that adjudication

590-04115-17

2017150c2

2309 be withheld; or

2310 2. The court makes written findings that the withholding of
2311 adjudication is reasonably justified based on circumstances or
2312 factors in accordance with those set forth in s. 921.0026.

2313

2314 Notwithstanding any provision of this section, no adjudication
2315 of guilt shall be withheld for a second degree felony offense if
2316 the defendant has a prior withholding of adjudication for a
2317 felony that did not arise from the same transaction as the
2318 current felony offense.

2319 (c) A third degree felony offense if the defendant has a
2320 prior withholding of adjudication for a felony offense that did
2321 not arise from the same transaction as the current felony
2322 offense unless:

2323 1. The state attorney requests in writing that adjudication
2324 be withheld; or

2325 2. The court makes written findings that the withholding of
2326 adjudication is reasonably justified based on circumstances or
2327 factors in accordance with those set forth in s. 921.0026.

2328

2329 Notwithstanding any provision of this section, no adjudication
2330 of guilt shall be withheld for a third degree felony offense if
2331 the defendant has two or more prior withholdings of adjudication
2332 for a felony that did not arise from the same transaction as the
2333 current felony offense.

2334 Section 12. For the purpose of incorporating the amendment
2335 made by this act to section 921.0026, Florida Statutes, in a
2336 reference thereto, subsection (3) of section 921.002, Florida
2337 Statutes, is reenacted to read:

590-04115-17

2017150c2

2338 921.002 The Criminal Punishment Code.—The Criminal
2339 Punishment Code shall apply to all felony offenses, except
2340 capital felonies, committed on or after October 1, 1998.

2341 (3) A court may impose a departure below the lowest
2342 permissible sentence based upon circumstances or factors that
2343 reasonably justify the mitigation of the sentence in accordance
2344 with s. 921.0026. The level of proof necessary to establish
2345 facts supporting the mitigation of a sentence is a preponderance
2346 of the evidence. When multiple reasons exist to support the
2347 mitigation, the mitigation shall be upheld when at least one
2348 circumstance or factor justifies the mitigation regardless of
2349 the presence of other circumstances or factors found not to
2350 justify mitigation. Any sentence imposed below the lowest
2351 permissible sentence must be explained in writing by the trial
2352 court judge.

2353 Section 13. For the purpose of incorporating the amendment
2354 made by this act to section 921.0026, Florida Statutes, in a
2355 reference thereto, subsection (1) of section 921.00265, Florida
2356 Statutes, is reenacted to read:

2357 921.00265 Recommended sentences; departure sentences;
2358 mandatory minimum sentences.—This section applies to any felony
2359 offense, except any capital felony, committed on or after
2360 October 1, 1998.

2361 (1) The lowest permissible sentence provided by
2362 calculations from the total sentence points pursuant to s.
2363 921.0024(2) is assumed to be the lowest appropriate sentence for
2364 the offender being sentenced. A departure sentence is prohibited
2365 unless there are mitigating circumstances or factors present as
2366 provided in s. 921.0026 which reasonably justify a departure.

590-04115-17

2017150c2

2367 Section 14. For the purpose of incorporating the amendment
2368 made by this act to section 948.01, Florida Statutes, in
2369 references thereto, subsection (2) and paragraph (a) of
2370 subsection (4) of section 394.47892, Florida Statutes, are
2371 reenacted to read:

2372 394.47892 Mental health court programs.—

2373 (2) Mental health court programs may include pretrial
2374 intervention programs as provided in ss. 948.08, 948.16, and
2375 985.345, postadjudicatory mental health court programs as
2376 provided in ss. 948.01 and 948.06, and review of the status of
2377 compliance or noncompliance of sentenced defendants through a
2378 mental health court program.

2379 (4) (a) Entry into a postadjudicatory mental health court
2380 program as a condition of probation or community control
2381 pursuant to s. 948.01 or s. 948.06 must be based upon the
2382 sentencing court's assessment of the defendant's criminal
2383 history, mental health screening outcome, amenability to the
2384 services of the program, and total sentence points; the
2385 recommendation of the state attorney and the victim, if any; and
2386 the defendant's agreement to enter the program.

2387 Section 15. For the purpose of incorporating the amendment
2388 made by this act to section 948.01, Florida Statutes, in
2389 references thereto, paragraph (a) of subsection (3) and
2390 subsection (5) of section 397.334, Florida Statutes, are
2391 reenacted to read:

2392 397.334 Treatment-based drug court programs.—

2393 (3) (a) Entry into any postadjudicatory treatment-based drug
2394 court program as a condition of probation or community control
2395 pursuant to s. 948.01, s. 948.06, or s. 948.20 must be based

590-04115-17

2017150c2

2396 upon the sentencing court's assessment of the defendant's
2397 criminal history, substance abuse screening outcome, amenability
2398 to the services of the program, total sentence points, the
2399 recommendation of the state attorney and the victim, if any, and
2400 the defendant's agreement to enter the program.

2401 (5) Treatment-based drug court programs may include
2402 pretrial intervention programs as provided in ss. 948.08,
2403 948.16, and 985.345, treatment-based drug court programs
2404 authorized in chapter 39, postadjudicatory programs as provided
2405 in ss. 948.01, 948.06, and 948.20, and review of the status of
2406 compliance or noncompliance of sentenced offenders through a
2407 treatment-based drug court program. While enrolled in a
2408 treatment-based drug court program, the participant is subject
2409 to a coordinated strategy developed by a drug court team under
2410 subsection (4). The coordinated strategy may include a protocol
2411 of sanctions that may be imposed upon the participant for
2412 noncompliance with program rules. The protocol of sanctions may
2413 include, but is not limited to, placement in a substance abuse
2414 treatment program offered by a licensed service provider as
2415 defined in s. 397.311 or in a jail-based treatment program or
2416 serving a period of secure detention under chapter 985 if a
2417 child or a period of incarceration within the time limits
2418 established for contempt of court if an adult. The coordinated
2419 strategy must be provided in writing to the participant before
2420 the participant agrees to enter into a treatment-based drug
2421 court program.

2422 Section 16. For the purpose of incorporating the amendment
2423 made by this act to section 948.01, Florida Statutes, in a
2424 reference thereto, paragraph (a) of subsection (5) of section

590-04115-17

2017150c2

2425 910.035, Florida Statutes, is reenacted to read:

2426 910.035 Transfer from county for plea, sentence, or
2427 participation in a problem-solving court.—

2428 (5) TRANSFER FOR PARTICIPATION IN A PROBLEM-SOLVING COURT.—

2429 (a) For purposes of this subsection, the term “problem-
2430 solving court” means a drug court pursuant to s. 948.01, s.
2431 948.06, s. 948.08, s. 948.16, or s. 948.20; a military veterans’
2432 and servicemembers’ court pursuant to s. 394.47891, s. 948.08,
2433 s. 948.16, or s. 948.21; a mental health court program pursuant
2434 to s. 394.47892, s. 948.01, s. 948.06, s. 948.08, or s. 948.16;
2435 or a delinquency pretrial intervention court program pursuant to
2436 s. 985.345.

2437 Section 17. For the purpose of incorporating the amendment
2438 made by this act to section 948.01, Florida Statutes, in a
2439 reference thereto, paragraph (c) of subsection (1) of section
2440 921.187, Florida Statutes, is reenacted to read:

2441 921.187 Disposition and sentencing; alternatives;
2442 restitution.—

2443 (1) The alternatives provided in this section for the
2444 disposition of criminal cases shall be used in a manner that
2445 will best serve the needs of society, punish criminal offenders,
2446 and provide the opportunity for rehabilitation. If the offender
2447 does not receive a state prison sentence, the court may:

2448 (c) Place the offender on probation with or without an
2449 adjudication of guilt pursuant to s. 948.01.

2450 Section 18. For the purpose of incorporating the amendment
2451 made by this act to section 948.01, Florida Statutes, in a
2452 reference thereto, section 943.04352, Florida Statutes, is
2453 reenacted to read:

590-04115-17

2017150c2

2454 943.04352 Search of registration information regarding
2455 sexual predators and sexual offenders required when placement on
2456 misdemeanor probation.—When the court places a defendant on
2457 misdemeanor probation pursuant to ss. 948.01 and 948.15, the
2458 public or private entity providing probation services must
2459 conduct a search of the probationer's name or other identifying
2460 information against the registration information regarding
2461 sexual predators and sexual offenders maintained by the
2462 Department of Law Enforcement under s. 943.043. The probation
2463 services provider may conduct the search using the Internet site
2464 maintained by the Department of Law Enforcement. Also, a
2465 national search must be conducted through the Dru Sjodin
2466 National Sex Offender Public Website maintained by the United
2467 States Department of Justice.

2468 Section 19. For the purpose of incorporating the amendment
2469 made by this act to section 782.04, Florida Statutes, in a
2470 reference thereto, paragraph (d) of subsection (1) of section
2471 39.806, Florida Statutes, is reenacted to read:

2472 39.806 Grounds for termination of parental rights.—

2473 (1) Grounds for the termination of parental rights may be
2474 established under any of the following circumstances:

2475 (d) When the parent of a child is incarcerated and either:

2476 1. The period of time for which the parent is expected to
2477 be incarcerated will constitute a significant portion of the
2478 child's minority. When determining whether the period of time is
2479 significant, the court shall consider the child's age and the
2480 child's need for a permanent and stable home. The period of time
2481 begins on the date that the parent enters into incarceration;

2482 2. The incarcerated parent has been determined by the court

590-04115-17

2017150c2

2483 to be a violent career criminal as defined in s. 775.084, a
2484 habitual violent felony offender as defined in s. 775.084, or a
2485 sexual predator as defined in s. 775.21; has been convicted of
2486 first degree or second degree murder in violation of s. 782.04
2487 or a sexual battery that constitutes a capital, life, or first
2488 degree felony violation of s. 794.011; or has been convicted of
2489 an offense in another jurisdiction which is substantially
2490 similar to one of the offenses listed in this paragraph. As used
2491 in this section, the term "substantially similar offense" means
2492 any offense that is substantially similar in elements and
2493 penalties to one of those listed in this subparagraph, and that
2494 is in violation of a law of any other jurisdiction, whether that
2495 of another state, the District of Columbia, the United States or
2496 any possession or territory thereof, or any foreign
2497 jurisdiction; or

2498 3. The court determines by clear and convincing evidence
2499 that continuing the parental relationship with the incarcerated
2500 parent would be harmful to the child and, for this reason, that
2501 termination of the parental rights of the incarcerated parent is
2502 in the best interest of the child. When determining harm, the
2503 court shall consider the following factors:

2504 a. The age of the child.

2505 b. The relationship between the child and the parent.

2506 c. The nature of the parent's current and past provision
2507 for the child's developmental, cognitive, psychological, and
2508 physical needs.

2509 d. The parent's history of criminal behavior, which may
2510 include the frequency of incarceration and the unavailability of
2511 the parent to the child due to incarceration.

590-04115-17

2017150c2

2512 e. Any other factor the court deems relevant.

2513 Section 20. For the purpose of incorporating the amendment
2514 made by this act to section 782.04, Florida Statutes, in a
2515 reference thereto, paragraph (b) of subsection (4) of section
2516 63.089, Florida Statutes, is reenacted to read:

2517 63.089 Proceeding to terminate parental rights pending
2518 adoption; hearing; grounds; dismissal of petition; judgment.—

2519 (4) FINDING OF ABANDONMENT.—A finding of abandonment
2520 resulting in a termination of parental rights must be based upon
2521 clear and convincing evidence that a parent or person having
2522 legal custody has abandoned the child in accordance with the
2523 definition contained in s. 63.032. A finding of abandonment may
2524 also be based upon emotional abuse or a refusal to provide
2525 reasonable financial support, when able, to a birth mother
2526 during her pregnancy or on whether the person alleged to have
2527 abandoned the child, while being able, failed to establish
2528 contact with the child or accept responsibility for the child's
2529 welfare.

2530 (b) The child has been abandoned when the parent of a child
2531 is incarcerated on or after October 1, 2001, in a federal,
2532 state, or county correctional institution and:

2533 1. The period of time for which the parent has been or is
2534 expected to be incarcerated will constitute a significant
2535 portion of the child's minority. In determining whether the
2536 period of time is significant, the court shall consider the
2537 child's age and the child's need for a permanent and stable
2538 home. The period of time begins on the date that the parent
2539 enters into incarceration;

2540 2. The incarcerated parent has been determined by a court

590-04115-17

2017150c2

2541 of competent jurisdiction to be a violent career criminal as
2542 defined in s. 775.084, a habitual violent felony offender as
2543 defined in s. 775.084, convicted of child abuse as defined in s.
2544 827.03, or a sexual predator as defined in s. 775.21; has been
2545 convicted of first degree or second degree murder in violation
2546 of s. 782.04 or a sexual battery that constitutes a capital,
2547 life, or first degree felony violation of s. 794.011; or has
2548 been convicted of a substantially similar offense in another
2549 jurisdiction. As used in this section, the term "substantially
2550 similar offense" means any offense that is substantially similar
2551 in elements and penalties to one of those listed in this
2552 subparagraph, and that is in violation of a law of any other
2553 jurisdiction, whether that of another state, the District of
2554 Columbia, the United States or any possession or territory
2555 thereof, or any foreign jurisdiction; or

2556 3. The court determines by clear and convincing evidence
2557 that continuing the parental relationship with the incarcerated
2558 parent would be harmful to the child and, for this reason,
2559 termination of the parental rights of the incarcerated parent is
2560 in the best interests of the child.

2561 Section 21. For the purpose of incorporating the amendment
2562 made by this act to section 782.04, Florida Statutes, in a
2563 reference thereto, subsection (10) of section 95.11, Florida
2564 Statutes, is reenacted to read:

2565 95.11 Limitations other than for the recovery of real
2566 property.—Actions other than for recovery of real property shall
2567 be commenced as follows:

2568 (10) FOR INTENTIONAL TORTS RESULTING IN DEATH FROM ACTS
2569 DESCRIBED IN S. 782.04 OR S. 782.07.—Notwithstanding paragraph

590-04115-17

2017150c2

2570 (4) (d), an action for wrongful death seeking damages authorized
2571 under s. 768.21 brought against a natural person for an
2572 intentional tort resulting in death from acts described in s.
2573 782.04 or s. 782.07 may be commenced at any time. This
2574 subsection shall not be construed to require an arrest, the
2575 filing of formal criminal charges, or a conviction for a
2576 violation of s. 782.04 or s. 782.07 as a condition for filing a
2577 civil action.

2578 Section 22. For the purpose of incorporating the amendment
2579 made by this act to section 782.04, Florida Statutes, in
2580 references thereto, paragraph (b) of subsection (1) and
2581 paragraphs (a), (b), and (c) of subsection (3) of section
2582 775.082, Florida Statutes, are reenacted to read:

2583 775.082 Penalties; applicability of sentencing structures;
2584 mandatory minimum sentences for certain reoffenders previously
2585 released from prison.—

2586 (1)

2587 (b)1. A person who actually killed, intended to kill, or
2588 attempted to kill the victim and who is convicted under s.
2589 782.04 of a capital felony, or an offense that was reclassified
2590 as a capital felony, which was committed before the person
2591 attained 18 years of age shall be punished by a term of
2592 imprisonment for life if, after a sentencing hearing conducted
2593 by the court in accordance with s. 921.1401, the court finds
2594 that life imprisonment is an appropriate sentence. If the court
2595 finds that life imprisonment is not an appropriate sentence,
2596 such person shall be punished by a term of imprisonment of at
2597 least 40 years. A person sentenced pursuant to this subparagraph
2598 is entitled to a review of his or her sentence in accordance

590-04115-17

2017150c2

2599 with s. 921.1402(2) (a).

2600 2. A person who did not actually kill, intend to kill, or
2601 attempt to kill the victim and who is convicted under s. 782.04
2602 of a capital felony, or an offense that was reclassified as a
2603 capital felony, which was committed before the person attained
2604 18 years of age may be punished by a term of imprisonment for
2605 life or by a term of years equal to life if, after a sentencing
2606 hearing conducted by the court in accordance with s. 921.1401,
2607 the court finds that life imprisonment is an appropriate
2608 sentence. A person who is sentenced to a term of imprisonment of
2609 more than 15 years is entitled to a review of his or her
2610 sentence in accordance with s. 921.1402(2) (c).

2611 3. The court shall make a written finding as to whether a
2612 person is eligible for a sentence review hearing under s.
2613 921.1402(2) (a) or (c). Such a finding shall be based upon
2614 whether the person actually killed, intended to kill, or
2615 attempted to kill the victim. The court may find that multiple
2616 defendants killed, intended to kill, or attempted to kill the
2617 victim.

2618 (3) A person who has been convicted of any other designated
2619 felony may be punished as follows:

2620 (a)1. For a life felony committed before October 1, 1983,
2621 by a term of imprisonment for life or for a term of at least 30
2622 years.

2623 2. For a life felony committed on or after October 1, 1983,
2624 by a term of imprisonment for life or by a term of imprisonment
2625 not exceeding 40 years.

2626 3. Except as provided in subparagraph 4., for a life felony
2627 committed on or after July 1, 1995, by a term of imprisonment

590-04115-17

2017150c2

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

2630 4.a. Except as provided in sub-subparagraph b., for a life
2631 felony committed on or after September 1, 2005, which is a
2632 violation of s. 800.04(5)(b), by:

2633 (I) A term of imprisonment for life; or

2634 (II) A split sentence that is a term of at least 25 years'
2635 imprisonment and not exceeding life imprisonment, followed by
2636 probation or community control for the remainder of the person's
2637 natural life, as provided in s. 948.012(4).

2638 b. For a life felony committed on or after July 1, 2008,
2639 which is a person's second or subsequent violation of s.
2640 800.04(5)(b), by a term of imprisonment for life.

2641 5. Notwithstanding subparagraphs 1.-4., a person who is
2642 convicted under s. 782.04 of an offense that was reclassified as
2643 a life felony which was committed before the person attained 18
2644 years of age may be punished by a term of imprisonment for life
2645 or by a term of years equal to life imprisonment if the judge
2646 conducts a sentencing hearing in accordance with s. 921.1401 and
2647 finds that life imprisonment or a term of years equal to life
2648 imprisonment is an appropriate sentence.

2649 a. A person who actually killed, intended to kill, or
2650 attempted to kill the victim and is sentenced to a term of
2651 imprisonment of more than 25 years is entitled to a review of
2652 his or her sentence in accordance with s. 921.1402(2)(b).

2653 b. A person who did not actually kill, intend to kill, or
2654 attempt to kill the victim and is sentenced to a term of
2655 imprisonment of more than 15 years is entitled to a review of
2656 his or her sentence in accordance with s. 921.1402(2)(c).

590-04115-17

2017150c2

2657 c. The court shall make a written finding as to whether a
2658 person is eligible for a sentence review hearing under s.
2659 921.1402(2)(b) or (c). Such a finding shall be based upon
2660 whether the person actually killed, intended to kill, or
2661 attempted to kill the victim. The court may find that multiple
2662 defendants killed, intended to kill, or attempted to kill the
2663 victim.

2664 6. For a life felony committed on or after October 1, 2014,
2665 which is a violation of s. 787.06(3)(g), by a term of
2666 imprisonment for life.

2667 (b)1. For a felony of the first degree, by a term of
2668 imprisonment not exceeding 30 years or, when specifically
2669 provided by statute, by imprisonment for a term of years not
2670 exceeding life imprisonment.

2671 2. Notwithstanding subparagraph 1., a person convicted
2672 under s. 782.04 of a first degree felony punishable by a term of
2673 years not exceeding life imprisonment, or an offense that was
2674 reclassified as a first degree felony punishable by a term of
2675 years not exceeding life, which was committed before the person
2676 attained 18 years of age may be punished by a term of years
2677 equal to life imprisonment if the judge conducts a sentencing
2678 hearing in accordance with s. 921.1401 and finds that a term of
2679 years equal to life imprisonment is an appropriate sentence.

2680 a. A person who actually killed, intended to kill, or
2681 attempted to kill the victim and is sentenced to a term of
2682 imprisonment of more than 25 years is entitled to a review of
2683 his or her sentence in accordance with s. 921.1402(2)(b).

2684 b. A person who did not actually kill, intend to kill, or
2685 attempt to kill the victim and is sentenced to a term of

590-04115-17

2017150c2

2686 imprisonment of more than 15 years is entitled to a review of
2687 his or her sentence in accordance with s. 921.1402(2)(c).

2688 c. The court shall make a written finding as to whether a
2689 person is eligible for a sentence review hearing under s.
2690 921.1402(2)(b) or (c). Such a finding shall be based upon
2691 whether the person actually killed, intended to kill, or
2692 attempted to kill the victim. The court may find that multiple
2693 defendants killed, intended to kill, or attempted to kill the
2694 victim.

2695 (c) Notwithstanding paragraphs (a) and (b), a person
2696 convicted of an offense that is not included in s. 782.04 but
2697 that is an offense that is a life felony or is punishable by a
2698 term of imprisonment for life or by a term of years not
2699 exceeding life imprisonment, or an offense that was reclassified
2700 as a life felony or an offense punishable by a term of
2701 imprisonment for life or by a term of years not exceeding life
2702 imprisonment, which was committed before the person attained 18
2703 years of age may be punished by a term of imprisonment for life
2704 or a term of years equal to life imprisonment if the judge
2705 conducts a sentencing hearing in accordance with s. 921.1401 and
2706 finds that life imprisonment or a term of years equal to life
2707 imprisonment is an appropriate sentence. A person who is
2708 sentenced to a term of imprisonment of more than 20 years is
2709 entitled to a review of his or her sentence in accordance with
2710 s. 921.1402(2)(d).

2711 Section 23. For the purpose of incorporating the amendment
2712 made by this act to section 782.04, Florida Statutes, in
2713 references thereto, subsections (1) and (2) of section 775.0823,
2714 Florida Statutes, are reenacted to read:

590-04115-17

2017150c2

2715 775.0823 Violent offenses committed against law enforcement
2716 officers, correctional officers, state attorneys, assistant
2717 state attorneys, justices, or judges.—The Legislature does
2718 hereby provide for an increase and certainty of penalty for any
2719 person convicted of a violent offense against any law
2720 enforcement or correctional officer, as defined in s. 943.10(1),
2721 (2), (3), (6), (7), (8), or (9); against any state attorney
2722 elected pursuant to s. 27.01 or assistant state attorney
2723 appointed under s. 27.181; or against any justice or judge of a
2724 court described in Art. V of the State Constitution, which
2725 offense arises out of or in the scope of the officer's duty as a
2726 law enforcement or correctional officer, the state attorney's or
2727 assistant state attorney's duty as a prosecutor or investigator,
2728 or the justice's or judge's duty as a judicial officer, as
2729 follows:

2730 (1) For murder in the first degree as described in s.
2731 782.04(1), if the death sentence is not imposed, a sentence of
2732 imprisonment for life without eligibility for release.

2733 (2) For attempted murder in the first degree as described
2734 in s. 782.04(1), a sentence pursuant to s. 775.082, s. 775.083,
2735 or s. 775.084.

2736

2737 Notwithstanding the provisions of s. 948.01, with respect to any
2738 person who is found to have violated this section, adjudication
2739 of guilt or imposition of sentence shall not be suspended,
2740 deferred, or withheld.

2741 Section 24. For the purpose of incorporating the amendment
2742 made by this act to section 782.04, Florida Statutes, in a
2743 reference thereto, subsection (1) of section 921.16, Florida

590-04115-17

2017150c2

2744 Statutes, is reenacted to read:

2745 921.16 When sentences to be concurrent and when
2746 consecutive.—

2747 (1) A defendant convicted of two or more offenses charged
2748 in the same indictment, information, or affidavit or in
2749 consolidated indictments, informations, or affidavits shall
2750 serve the sentences of imprisonment concurrently unless the
2751 court directs that two or more of the sentences be served
2752 consecutively. Sentences of imprisonment for offenses not
2753 charged in the same indictment, information, or affidavit shall
2754 be served consecutively unless the court directs that two or
2755 more of the sentences be served concurrently. Any sentence for
2756 sexual battery as defined in chapter 794 or murder as defined in
2757 s. 782.04 must be imposed consecutively to any other sentence
2758 for sexual battery or murder which arose out of a separate
2759 criminal episode or transaction.

2760 Section 25. For the purpose of incorporating the amendment
2761 made by this act to section 782.04, Florida Statutes, in a
2762 reference thereto, paragraph (c) of subsection (8) of section
2763 948.06, Florida Statutes, is reenacted to read:

2764 948.06 Violation of probation or community control;
2765 revocation; modification; continuance; failure to pay
2766 restitution or cost of supervision.—

2767 (8)

2768 (c) For purposes of this section, the term "qualifying
2769 offense" means any of the following:

2770 1. Kidnapping or attempted kidnapping under s. 787.01,
2771 false imprisonment of a child under the age of 13 under s.
2772 787.02(3), or luring or enticing a child under s. 787.025(2)(b)

590-04115-17

2017150c2

- 2773 or (c).
- 2774 2. Murder or attempted murder under s. 782.04, attempted
2775 felony murder under s. 782.051, or manslaughter under s. 782.07.
- 2776 3. Aggravated battery or attempted aggravated battery under
2777 s. 784.045.
- 2778 4. Sexual battery or attempted sexual battery under s.
2779 794.011(2), (3), (4), or (8)(b) or (c).
- 2780 5. Lewd or lascivious battery or attempted lewd or
2781 lascivious battery under s. 800.04(4), lewd or lascivious
2782 molestation under s. 800.04(5)(b) or (c)2., lewd or lascivious
2783 conduct under s. 800.04(6)(b), lewd or lascivious exhibition
2784 under s. 800.04(7)(b), or lewd or lascivious exhibition on
2785 computer under s. 847.0135(5)(b).
- 2786 6. Robbery or attempted robbery under s. 812.13, carjacking
2787 or attempted carjacking under s. 812.133, or home invasion
2788 robbery or attempted home invasion robbery under s. 812.135.
- 2789 7. Lewd or lascivious offense upon or in the presence of an
2790 elderly or disabled person or attempted lewd or lascivious
2791 offense upon or in the presence of an elderly or disabled person
2792 under s. 825.1025.
- 2793 8. Sexual performance by a child or attempted sexual
2794 performance by a child under s. 827.071.
- 2795 9. Computer pornography under s. 847.0135(2) or (3),
2796 transmission of child pornography under s. 847.0137, or selling
2797 or buying of minors under s. 847.0145.
- 2798 10. Poisoning food or water under s. 859.01.
- 2799 11. Abuse of a dead human body under s. 872.06.
- 2800 12. Any burglary offense or attempted burglary offense that
2801 is either a first degree felony or second degree felony under s.

590-04115-17

2017150c2

2802 810.02(2) or (3).

2803 13. Arson or attempted arson under s. 806.01(1).

2804 14. Aggravated assault under s. 784.021.

2805 15. Aggravated stalking under s. 784.048(3), (4), (5), or
2806 (7).

2807 16. Aircraft piracy under s. 860.16.

2808 17. Unlawful throwing, placing, or discharging of a
2809 destructive device or bomb under s. 790.161(2), (3), or (4).

2810 18. Treason under s. 876.32.

2811 19. Any offense committed in another jurisdiction which
2812 would be an offense listed in this paragraph if that offense had
2813 been committed in this state.

2814 Section 26. For the purpose of incorporating the amendment
2815 made by this act to section 782.04, Florida Statutes, in a
2816 reference thereto, paragraph (a) of subsection (1) of section
2817 948.062, Florida Statutes, is reenacted to read:

2818 948.062 Reviewing and reporting serious offenses committed
2819 by offenders placed on probation or community control.—

2820 (1) The department shall review the circumstances related
2821 to an offender placed on probation or community control who has
2822 been arrested while on supervision for the following offenses:

2823 (a) Any murder as provided in s. 782.04;

2824 Section 27. For the purpose of incorporating the amendment
2825 made by this act to section 782.04, Florida Statutes, in a
2826 reference thereto, paragraph (b) of subsection (3) of section
2827 985.265, Florida Statutes, is reenacted to read:

2828 985.265 Detention transfer and release; education; adult
2829 jails.—

2830 (3)

590-04115-17

2017150c2

2831 (b) When a juvenile is released from secure detention or
2832 transferred to nonsecure detention, detention staff shall
2833 immediately notify the appropriate law enforcement agency,
2834 school personnel, and victim if the juvenile is charged with
2835 committing any of the following offenses or attempting to commit
2836 any of the following offenses:

- 2837 1. Murder, under s. 782.04;
- 2838 2. Sexual battery, under chapter 794;
- 2839 3. Stalking, under s. 784.048; or
- 2840 4. Domestic violence, as defined in s. 741.28.

2841 Section 28. For the purpose of incorporating the amendment
2842 made by this act to section 782.04, Florida Statutes, in a
2843 reference thereto, paragraph (d) of subsection (1) of section
2844 1012.315, Florida Statutes, is reenacted to read:

2845 1012.315 Disqualification from employment.—A person is
2846 ineligible for educator certification, and instructional
2847 personnel and school administrators, as defined in s. 1012.01,
2848 are ineligible for employment in any position that requires
2849 direct contact with students in a district school system,
2850 charter school, or private school that accepts scholarship
2851 students under s. 1002.39 or s. 1002.395, if the person,
2852 instructional personnel, or school administrator has been
2853 convicted of:

2854 (1) Any felony offense prohibited under any of the
2855 following statutes:

2856 (d) Section 782.04, relating to murder.

2857 Section 29. For the purpose of incorporating the amendment
2858 made by this act to section 782.04, Florida Statutes, in a
2859 reference thereto, paragraph (g) of subsection (2) of section

590-04115-17

2017150c2

2860 1012.467, Florida Statutes, is reenacted to read:

2861 1012.467 Noninstructional contractors who are permitted
2862 access to school grounds when students are present; background
2863 screening requirements.—

2864 (2)

2865 (g) A noninstructional contractor for whom a criminal
2866 history check is required under this section may not have been
2867 convicted of any of the following offenses designated in the
2868 Florida Statutes, any similar offense in another jurisdiction,
2869 or any similar offense committed in this state which has been
2870 redesignated from a former provision of the Florida Statutes to
2871 one of the following offenses:

2872 1. Any offense listed in s. 943.0435(1)(h)1., relating to
2873 the registration of an individual as a sexual offender.

2874 2. Section 393.135, relating to sexual misconduct with
2875 certain developmentally disabled clients and the reporting of
2876 such sexual misconduct.

2877 3. Section 394.4593, relating to sexual misconduct with
2878 certain mental health patients and the reporting of such sexual
2879 misconduct.

2880 4. Section 775.30, relating to terrorism.

2881 5. Section 782.04, relating to murder.

2882 6. Section 787.01, relating to kidnapping.

2883 7. Any offense under chapter 800, relating to lewdness and
2884 indecent exposure.

2885 8. Section 826.04, relating to incest.

2886 9. Section 827.03, relating to child abuse, aggravated
2887 child abuse, or neglect of a child.

2888 Section 30. This act shall take effect October 1, 2017.