



736902

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2018	.	
	.	
	.	
	.	

The Committee on Criminal Justice (Bracy) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraphs (c), (d), (e), (f), and (h) of
subsection (1) of section 893.13, Florida Statutes, are amended
to read:

893.13 Prohibited acts; penalties.—

(1)

(c) Except as authorized by this chapter, a person may not



736902

11 ~~sell, or~~ manufacture, ~~or deliver, or possess with intent to~~
12 ~~sell, manufacture, or deliver,~~ a controlled substance in, on, or
13 within 1,000 feet of the real property comprising a child care
14 facility as defined in s. 402.302 or a public or private
15 elementary, middle, or secondary school between the hours of 6
16 a.m. and 12 midnight, or at any time in, on, or within 250 ~~1,000~~
17 feet of real property comprising a state, county, or municipal
18 park, a community center, or a publicly owned recreational
19 facility. As used in this paragraph, the term "community center"
20 means a facility operated by a nonprofit community-based
21 organization for the provision of recreational, social, or
22 educational services to the public. A person who violates this
23 paragraph with respect to:

24 1. A controlled substance named or described in s.
25 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
26 commits a felony of the first degree, punishable as provided in
27 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
28 sentenced to a minimum term of imprisonment of 3 calendar years
29 unless the offense was committed within 1,000 feet of the real
30 property comprising a child care facility as defined in s.
31 402.302.

32 2. A controlled substance named or described in s.
33 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
34 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
35 the second degree, punishable as provided in s. 775.082, s.
36 775.083, or s. 775.084.

37 3. Any other controlled substance, except as lawfully sold,
38 or manufactured, ~~or delivered,~~ must be sentenced to pay a \$500
39 fine and to serve 100 hours of public service in addition to any



736902

40 other penalty prescribed by law.

41
42 This paragraph does not apply to a child care facility unless
43 the owner or operator of the facility posts a sign that is not
44 less than 2 square feet in size with a word legend identifying
45 the facility as a licensed child care facility and that is
46 posted on the property of the child care facility in a
47 conspicuous place where the sign is reasonably visible to the
48 public.

49 (d) Except as authorized by this chapter, a person may not
50 ~~sell, or manufacture, or deliver, or possess with intent to~~
51 ~~sell, manufacture, or deliver,~~ a controlled substance in, on, or
52 within 250 ~~1,000~~ feet of the real property comprising a public
53 or private college, university, or other postsecondary
54 educational institution. A person who violates this paragraph
55 with respect to:

56 1. A controlled substance named or described in s.
57 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
58 commits a felony of the first degree, punishable as provided in
59 s. 775.082, s. 775.083, or s. 775.084.

60 2. A controlled substance named or described in s.
61 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
62 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
63 the second degree, punishable as provided in s. 775.082, s.
64 775.083, or s. 775.084.

65 3. Any other controlled substance, except as lawfully sold,
66 ~~or manufactured, or delivered,~~ must be sentenced to pay a \$500
67 fine and to serve 100 hours of public service in addition to any
68 other penalty prescribed by law.



736902

69 (e) Except as authorized by this chapter, a person may not
70 ~~sell, or manufacture, or deliver, or possess with intent to~~
71 ~~sell, manufacture, or deliver,~~ a controlled substance not
72 authorized by law in, on, or within 1,000 feet of a physical
73 place for worship at which a church or religious organization
74 regularly conducts religious services or within 250 ~~1,000~~ feet
75 of a convenience business as defined in s. 812.171. A person who
76 violates this paragraph with respect to:

77 1. A controlled substance named or described in s.
78 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
79 commits a felony of the first degree, punishable as provided in
80 s. 775.082, s. 775.083, or s. 775.084.

81 2. A controlled substance named or described in s.
82 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
83 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
84 the second degree, punishable as provided in s. 775.082, s.
85 775.083, or s. 775.084.

86 3. Any other controlled substance, except as lawfully sold,
87 ~~or manufactured, or delivered,~~ must be sentenced to pay a \$500
88 fine and to serve 100 hours of public service in addition to any
89 other penalty prescribed by law.

90 (f) Except as authorized by this chapter, a person may not
91 ~~sell, or manufacture, or deliver, or possess with intent to~~
92 ~~sell, manufacture, or deliver,~~ a controlled substance in, on, or
93 within 250 ~~1,000~~ feet of the real property comprising a public
94 housing facility at any time. As used in this section, the term
95 "real property comprising a public housing facility" means real
96 property, as defined in s. 421.03(12), of a public corporation
97 created as a housing authority pursuant to part I of chapter



736902

98 421. A person who violates this paragraph with respect to:

99 1. A controlled substance named or described in s.

100 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.

101 commits a felony of the first degree, punishable as provided in
102 s. 775.082, s. 775.083, or s. 775.084.

103 2. A controlled substance named or described in s.

104 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,

105 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of

106 the second degree, punishable as provided in s. 775.082, s.

107 775.083, or s. 775.084.

108 3. Any other controlled substance, except as lawfully sold,

109 or manufactured, ~~or delivered,~~ must be sentenced to pay a \$500

110 fine and to serve 100 hours of public service in addition to any
111 other penalty prescribed by law.

112 (h) Except as authorized by this chapter, a person may not

113 sell, or manufacture, ~~or deliver, or possess with intent to~~

114 ~~sell, manufacture, or deliver,~~ a controlled substance in, on, or

115 within 1,000 feet of the real property comprising an assisted

116 living facility, as that term is used in chapter 429. A person

117 who violates this paragraph with respect to:

118 1. A controlled substance named or described in s.

119 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.

120 commits a felony of the first degree, punishable as provided in
121 s. 775.082, s. 775.083, or s. 775.084.

122 2. A controlled substance named or described in s.

123 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,

124 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of

125 the second degree, punishable as provided in s. 775.082, s.

126 775.083, or s. 775.084.



736902

127 3. Any other controlled substance, except as lawfully sold,
128 or manufactured, ~~or delivered~~, must be sentenced to pay a \$500
129 fine and to serve 100 hours of public service in addition to any
130 other penalty prescribed by law.

131 Section 2. Paragraphs (c), (e), and (g) of subsection (3)
132 of section 921.0022, Florida Statutes, are amended to read:

133 921.0022 Criminal Punishment Code; offense severity ranking
134 chart.—

135 (3) OFFENSE SEVERITY RANKING CHART

136 (c) LEVEL 3

137

Florida Statute	Felony Degree	Description
138 119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
139 316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
140 316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
141 316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.



736902

142	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
143	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
144	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
145	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
146	327.35(2)(b)	3rd	Felony BUI.
147	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
148	328.07(4)	3rd	Manufacture, exchange, or



736902

149

376.302 (5)

3rd

possess vessel with
counterfeit or wrong ID
number.

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

150

379.2431
(1) (e) 5.

3rd

Taking, disturbing,
mutilating, destroying,
causing to be destroyed,
transferring, selling,
offering to sell,
molesting, or harassing
marine turtles, marine
turtle eggs, or marine
turtle nests in violation
of the Marine Turtle
Protection Act.

151

379.2431
(1) (e) 6.

3rd

Possessing any marine
turtle species or
hatchling, or parts
thereof, or the nest of any
marine turtle species
described in the Marine
Turtle Protection Act.

152



736902

153	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
154	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
155	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
156	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
157	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of



736902

158			authority.
	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
159			
	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
160			
	697.08	3rd	Equity skimming.
161			
	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
162			
	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
163			
	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
164			
	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with



736902

165			firearm or dangerous weapon.
166	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
167	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
168	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
169	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
170	817.233	3rd	Burning to defraud insurer.
171	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
172	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
	817.236	3rd	Filing a false motor



736902

173			vehicle insurance application.
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
174			
	817.413 (2)	3rd	Sale of used goods as new.
175			
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
176			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
177			
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
178			
	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
179			



736902

180	843.19	3rd	Injure, disable, or kill police dog or horse.
181	860.15 (3)	3rd	Overcharging for repairs and parts.
182	870.01 (2)	3rd	Riot; inciting or encouraging.
183	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).
184	893.13 (1) (d) 2.	2nd	Sell, <u>or</u> 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 <u>250</u> 1,000 feet of university.
	893.13 (1) (f) 2.	2nd	Sell, <u>or</u> manufacture, or deliver s. 893.03 (1) (c),



736902

			(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 <u>250</u> 1,000 feet of public housing facility.
185	893.13 (4) (c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
186	893.13 (6) (a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
187	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
188	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
189	893.13 (7) (a) 10.	3rd	Affix false or forged label



736902

to package of controlled
substance.

190

893.13(7)(a)11.

3rd

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

191

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.

192

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.

193

893.13(8)(a)3.

3rd

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



736902

194

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.

195

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

196

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

197

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

198

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

199

200

201

(e) LEVEL 5

202



736902

	Florida Statute	Felony Degree	Description
203	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
204	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
205	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
206	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
207	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
208	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



736902

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.

209

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

210

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

211

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

212

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

213

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

214

440.381(2) 2nd Submission of false, misleading, or incomplete information with the



736902

223	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
224	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
225	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
226	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
227	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
228	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
229	812.131 (2) (b)	3rd	Robbery by sudden snatching.
230	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
231	817.034 (4) (a) 2.	2nd	Communications fraud, value



736902

\$20,000 to \$50,000.

232

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

233

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

234

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.

235

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

236

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

237

825.1025(4) 3rd Lewd or lascivious exhibition in



the presence of an elderly person
or disabled adult.

238

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

239

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

240

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.

241

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

242

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

243

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



736902

244	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
245	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
246	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
247	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).
248	893.13 (1) (c) 2.	2nd	Sell, <u>or</u> 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, <u>or</u> school, or <u>within 250 feet of a state, county, or municipal park or publicly owned recreational facility or community center.</u>



249	893.13(1)(d)1.	1st	Sell, <u>or</u> 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 <u>250</u> 1,000 feet of university.
250	893.13(1)(e)2.	2nd	Sell, <u>or</u> manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or <u>within 250 feet of</u> a specified business site.
251	893.13(1)(f)1.	1st	Sell, <u>or</u> 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 <u>250</u> 1,000 feet of public housing facility.
252	893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
253	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of



736902

controlled substance.

254
255
256
257

(g) LEVEL 7

258
259
260

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent

261
262



736902

disfiguration, permanent
disability, or death.

263

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

264

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

265

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

266

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

267

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

268

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

269

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

270

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

271

462.17 3rd Practicing naturopathy without a



736902

license.

272

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

273

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

274

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

275

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

276

467.201 3rd Practicing midwifery without a
license.

277

468.366 3rd Delivering respiratory care
services without a license.

278

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

279

483.901 (7) 3rd Practicing medical physics without
a license.

280

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

281



282	484.053	3rd	Dispensing hearing aids without a license.
283	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.
284	560.123(8)(b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
285	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
286	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
287	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.



736902

288	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
289	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
290	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
291	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
292	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
293	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or



736902

disfigurement.

294

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

295

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

296

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

297

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

298

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

299

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

300

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

301

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

302

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



736902

303	784.083(1)	1st	Aggravated battery on code inspector.
304	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
305	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.
306	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
307	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
308	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
309	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
310			



736902

311	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
312	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
313	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
314	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.
315	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
316	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
	800.04(5)(c)1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18



736902

years of age.

317

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.

318

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.

319

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

320

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

321

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

322

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

323

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

324



736902

- 325 812.014 (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.
- 326 812.014 (2) (b) 2. 2nd Property stolen, cargo valued at
less than \$50,000, grand theft in
2nd degree.
- 327 812.014 (2) (b) 3. 2nd Property stolen, emergency medical
equipment; 2nd degree grand theft.
- 328 812.014 (2) (b) 4. 2nd Property stolen, law enforcement
equipment from authorized
emergency vehicle.
- 329 812.0145 (2) (a) 1st Theft from person 65 years of age
or older; \$50,000 or more.
- 330 812.019 (2) 1st Stolen property; initiates,
organizes, plans, etc., the theft
of property and traffics in stolen
property.
- 331 812.131 (2) (a) 2nd Robbery by sudden snatching.
- 812.133 (2) (b) 1st Carjacking; no firearm, deadly



736902

weapon, or other weapon.

332

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

333

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

334

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

335

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

336

817.2341 1st Making false entries of material
(2)(b) & (3)(b) 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.

337

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

338

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



736902

339	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
340	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.
341	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
342	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
343	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
344	838.015	2nd	Bribery.
345	838.016	2nd	Unlawful compensation or reward for official behavior.
346	838.021 (3) (a)	2nd	Unlawful harm to a public servant.



736902

347	838.22	2nd	Bid tampering.
348	843.0855 (2)	3rd	Impersonation of a public officer or employee.
349	843.0855 (3)	3rd	Unlawful simulation of legal process.
350	843.0855 (4)	3rd	Intimidation of a public officer or employee.
351	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
352	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
353	872.06	2nd	Abuse of a dead human body.
354	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
355	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.



736902

361	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
362	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
363	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
364	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
365	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
366	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
367	893.135 (1) (d) 1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
368	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
369	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.



736902

370	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
371	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
372	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
373	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
374	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
375	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
376	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
377			



736902

378	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
379	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
380	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
381	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
382	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
383	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a



736902

sexual offender.

384

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

385

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

386

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

387

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

388

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

389

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

390

985.4815(12) 3rd Failure to report or providing



736902

false information about a sexual
offender; harbor or conceal a
sexual offender.

391

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

392

393

394 Section 3. This act shall take effect October 1, 2018.

395

396 ===== T I T L E A M E N D M E N T =====

397 And the title is amended as follows:

398 Delete everything before the enacting clause
399 and insert:

400 A bill to be entitled
401 An act relating to sentencing; amending s. 893.13,
402 F.S., reducing the distance applicable to certain
403 controlled substance offenses committed within certain
404 drug free zones; providing that only offenses
405 involving sale or manufacturing of a controlled
406 substance are subject to enhanced penalties when
407 committed within a drug free zone; amending s.
408 921.0024, F.S., conforming descriptions of drug free
409 zone offenses in the offense severity ranking chart of
410 the Criminal Punishment Code to reflect amendments to
411 those offenses in s. 893.13, F.S.; providing an
412 effective date.