

1 A bill to be entitled
2 An act relating to drug trafficking offenses; amending
3 s. 893.135, F.S.; revising the minimum and maximum
4 quantities for certain trafficking offenses; renaming
5 certain offenses; removing specified offenses;
6 providing that courts may depart from mandatory
7 minimum sentences for certain offenses if specified
8 findings are made; amending s. 921.0022, F.S.;
9 conforming provisions to changes made by the act;
10 authorizing certain persons to petition for
11 resentencing under amended provisions; providing an
12 effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsection (1) of section 893.135, Florida
17 Statutes, is amended, and subsection (8) is added to that
18 section, to read:

19 893.135 Trafficking; mandatory sentences; suspension or
20 reduction of sentences; conspiracy to engage in trafficking.—

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

23 (a) Any person who knowingly sells, purchases,
24 manufactures, delivers, or brings into this state, or who is
25 knowingly in actual or constructive possession of, in excess of

26 | 25 pounds of cannabis, or 300 or more cannabis plants, commits a
27 | felony of the first degree, which felony shall be known as
28 | "trafficking in cannabis," punishable as provided in s. 775.082,
29 | s. 775.083, or s. 775.084. If the quantity of cannabis involved:

30 | 1. Is in excess of 25 pounds, but less than 2,000 pounds,
31 | or is 300 or more cannabis plants, but not more than 2,000
32 | cannabis plants, such person shall be sentenced to a mandatory
33 | minimum term of imprisonment of 3 years, and the defendant shall
34 | be ordered to pay a fine of \$25,000. However, the court may
35 | depart from the mandatory minimum term of imprisonment if it
36 | makes written findings as provided in subsection (8).

37 | 2. Is 2,000 pounds or more, but less than 10,000 pounds,
38 | or is 2,000 or more cannabis plants, but not more than 10,000
39 | cannabis plants, such person shall be sentenced to a mandatory
40 | minimum term of imprisonment of 7 years, and the defendant shall
41 | be ordered to pay a fine of \$50,000. However, the court may
42 | depart from the mandatory minimum term of imprisonment if it
43 | makes written findings as provided in subsection (8).

44 | 3. Is 10,000 pounds or more, or is 10,000 or more cannabis
45 | plants, such person shall be sentenced to a mandatory minimum
46 | term of imprisonment of 15 calendar years and pay a fine of
47 | \$200,000.

48 |
49 | For the purpose of this paragraph, a plant, including, but not
50 | limited to, a seedling or cutting, is a "cannabis plant" if it

51 has some readily observable evidence of root formation, such as
52 root hairs. To determine if a piece or part of a cannabis plant
53 severed from the cannabis plant is itself a cannabis plant, the
54 severed piece or part must have some readily observable evidence
55 of root formation, such as root hairs. Callous tissue is not
56 readily observable evidence of root formation. The viability and
57 sex of a plant and the fact that the plant may or may not be a
58 dead harvested plant are not relevant in determining if the
59 plant is a "cannabis plant" or in the charging of an offense
60 under this paragraph. Upon conviction, the court shall impose
61 the longest term of imprisonment provided for in this paragraph.

62 (b)1. Any person who knowingly sells, purchases,
63 manufactures, delivers, or brings into this state, or who is
64 knowingly in actual or constructive possession of, 50 ~~28~~ grams
65 or more of cocaine, as described in s. 893.03(2)(a)4., or of any
66 mixture containing cocaine, but less than 150 kilograms of
67 cocaine or any such mixture, commits a felony of the first
68 degree, which felony shall be known as "trafficking in cocaine,"
69 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
70 If the quantity involved:

71 a. Is 50 ~~28~~ grams or more, but less than 250 ~~200~~ grams,
72 such person shall be sentenced to a mandatory minimum term of
73 imprisonment of 3 years, and the defendant shall be ordered to
74 pay a fine of \$50,000. However, the court may depart from the
75 mandatory minimum term of imprisonment if it makes written

76 findings as provided in subsection (8).

77 b. Is 250 ~~200~~ grams or more, but less than 500 ~~400~~ grams,
78 such person shall be sentenced to a mandatory minimum term of
79 imprisonment of 7 years, and the defendant shall be ordered to
80 pay a fine of \$100,000. However, the court may depart from the
81 mandatory minimum term of imprisonment if it makes written
82 findings as provided in subsection (8).

83 c. Is 500 ~~400~~ grams or more, but less than 150 kilograms,
84 such person shall be sentenced to a mandatory minimum term of
85 imprisonment of 15 calendar years and pay a fine of \$250,000.

86 2. Any person who knowingly sells, purchases,
87 manufactures, delivers, or brings into this state, or who is
88 knowingly in actual or constructive possession of, 150 kilograms
89 or more of cocaine, as described in s. 893.03(2)(a)4., commits
90 the first degree felony of trafficking in cocaine. A person who
91 has been convicted of the first degree felony of trafficking in
92 cocaine under this subparagraph shall be punished by life
93 imprisonment and is ineligible for any form of discretionary
94 early release except pardon or executive clemency or conditional
95 medical release under s. 947.149. However, if the trier of fact
96 ~~court~~ determines that, in addition to committing any act
97 specified in this paragraph:

98 a. The person intentionally killed an individual or
99 counseled, commanded, induced, procured, or caused the
100 intentional killing of an individual and such killing was the

101 result; or

102 b. The person's conduct in committing that act led to a
 103 natural, though not inevitable, lethal result,

104
 105 such person commits the capital felony of trafficking in
 106 cocaine, punishable as provided in ss. 775.082 and 921.142. Any
 107 person sentenced for a capital felony under this paragraph shall
 108 also be sentenced to pay the maximum fine provided under
 109 subparagraph 1.

110 3. Any person who knowingly brings into this state 300
 111 kilograms or more of cocaine, as described in s. 893.03(2)(a)4.,
 112 and who knows that the probable result of such importation would
 113 be the death of any person, commits capital importation of
 114 cocaine, a capital felony punishable as provided in ss. 775.082
 115 and 921.142. Any person sentenced for a capital felony under
 116 this paragraph shall also be sentenced to pay the maximum fine
 117 provided under subparagraph 1.

118 (c)1. A person who knowingly sells, purchases,
 119 manufactures, delivers, or brings into this state, or who is
 120 knowingly in actual or constructive possession of, 4 grams or
 121 more of any morphine, opium, ~~hydromorphone~~, or any salt,
 122 derivative, isomer, or salt of an isomer thereof, including
 123 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or
 124 (3)(c)4., or 4 grams or more of any mixture containing any such
 125 substance, but less than 30 kilograms of such substance or

126 mixture, commits a felony of the first degree, which felony
127 shall be known as "trafficking in illegal opioids ~~drugs~~,"
128 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
129 If the quantity involved:

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

133 b. Is 14 grams or more, but less than 28 grams, such
134 person shall be sentenced to a mandatory minimum term of
135 imprisonment of 15 years and shall be ordered to pay a fine of
136 \$100,000.

137 c. Is 28 grams or more, but less than 30 kilograms, such
138 person shall be sentenced to a mandatory minimum term of
139 imprisonment of 25 years and shall be ordered to pay a fine of
140 \$500,000.

141 2. A person who knowingly sells, purchases, manufactures,
142 delivers, or brings into this state, or who is knowingly in
143 actual or constructive possession of, 60 ~~28~~ grams or more of
144 hydromorphone, as described in 893.03(2)(a)1.l., oxycodone, as
145 described in s. 893.03(2)(a)1.q., hydrocodone, as described in
146 s. 893.03(2)(a)1.k., codeine, as described in s.
147 893.03(2)(a)1.g., or any salt thereof, or 60 ~~28~~ grams or more of
148 any mixture containing any such substance, commits a felony of
149 the first degree, which felony shall be known as "trafficking in
150 prescription drugs ~~hydrocodone~~," punishable as provided in s.

151 775.082, s. 775.083, or s. 775.084. If the quantity involved:

152 a. Is 60 ~~20~~ grams or more, but less than 100 ~~50~~ grams,
153 such person shall be sentenced to a mandatory minimum term of
154 imprisonment of 3 years and shall be ordered to pay a fine of
155 \$50,000. However, the court may depart from the mandatory
156 minimum term of imprisonment if it makes written findings as
157 provided in subsection (8).

158 b. Is 100 ~~50~~ grams or more, but less than 250 ~~100~~ grams,
159 such person shall be sentenced to a mandatory minimum term of
160 imprisonment of 7 years and shall be ordered to pay a fine of
161 \$100,000. However, the court may depart from the mandatory
162 minimum term of imprisonment if it makes written findings as
163 provided in subsection (8).

164 c. Is 250 ~~100~~ grams or more, but less than 30 kilograms
165 ~~300 grams~~, such person shall be sentenced to a mandatory minimum
166 term of imprisonment of 15 years and shall be ordered to pay a
167 fine of \$500,000.

168 ~~d. Is 300 grams or more, but less than 30 kilograms, such~~
169 ~~person shall be sentenced to a mandatory minimum term of~~
170 ~~imprisonment of 25 years and shall be ordered to pay a fine of~~
171 ~~\$750,000.~~

172 ~~3. A person who knowingly sells, purchases, manufactures,~~
173 ~~delivers, or brings into this state, or who is knowingly in~~
174 ~~actual or constructive possession of, 7 grams or more of~~
175 ~~oxycodone, as described in s. 893.03(2)(a)1.g., or any salt~~

176 ~~thereof, or 7 grams or more of any mixture containing any such~~
177 ~~substance, commits a felony of the first degree, which felony~~
178 ~~shall be known as "trafficking in oxycodone," punishable as~~
179 ~~provided in s. 775.082, s. 775.083, or s. 775.084. If the~~
180 ~~quantity involved:~~

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

184 ~~b. Is 14 grams or more, but less than 25 grams, such~~
185 ~~person shall be sentenced to a mandatory minimum term of~~
186 ~~imprisonment of 7 years and shall be ordered to pay a fine of~~
187 ~~\$100,000.~~

188 ~~e. Is 25 grams or more, but less than 100 grams, such~~
189 ~~person shall be sentenced to a mandatory minimum term of~~
190 ~~imprisonment of 15 years and shall be ordered to pay a fine of~~
191 ~~\$500,000.~~

192 ~~d. Is 100 grams or more, but less than 30 kilograms, such~~
193 ~~person shall be sentenced to a mandatory minimum term of~~
194 ~~imprisonment of 25 years and shall be ordered to pay a fine of~~
195 ~~\$750,000.~~

196 3.a.4.a. A person who knowingly sells, purchases,
197 manufactures, delivers, or brings into this state, or who is
198 knowingly in actual or constructive possession of, 4 grams or
199 more of:

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

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

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

203 (IV) Sufentanil, as described in s. 893.03(2)(b)30.;

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

205 893.03(1)(a)62.;

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

207 893.0356, of any substance described in sub-sub-subparagraphs

208 (I)-(V); or

209 (VII) A mixture containing any substance described in sub-

210 sub-subparagraphs (I)-(VI),

211

212 commits a felony of the first degree, which felony shall be

213 known as "trafficking in fentanyl," punishable as provided in s.

214 775.082, s. 775.083, or s. 775.084.

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

216 (I) Is 4 grams or more, but less than 14 grams, such

217 person shall be sentenced to a mandatory minimum term of

218 imprisonment of 3 years, and shall be ordered to pay a fine of

219 \$50,000.

220 (II) Is 14 grams or more, but less than 28 grams, such

221 person shall be sentenced to a mandatory minimum term of

222 imprisonment of 15 years, and shall be ordered to pay a fine of

223 \$100,000.

224 (III) Is 28 grams or more, such person shall be sentenced

225 to a mandatory minimum term of imprisonment of 25 years, and

226 shall be ordered to pay a fine of \$500,000.

227 ~~4.5-~~ A person who knowingly sells, purchases,
 228 manufactures, delivers, or brings into this state, or who is
 229 knowingly in actual or constructive possession of, 30 kilograms
 230 or more of any morphine, opium, oxycodone, hydrocodone, codeine,
 231 hydromorphone, or any salt, derivative, isomer, or salt of an
 232 isomer thereof, including heroin, as described in s.
 233 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
 234 more of any mixture containing any such substance, commits the
 235 first degree felony of trafficking in illegal drugs. A person
 236 who has been convicted of the first degree felony of trafficking
 237 in illegal drugs under this subparagraph shall be punished by
 238 life imprisonment and is ineligible for any form of
 239 discretionary early release except pardon or executive clemency
 240 or conditional medical release under s. 947.149. However, if the
 241 trier of fact ~~court~~ determines that, in addition to committing
 242 any act specified in this paragraph:

243 a. The person intentionally killed an individual or
 244 counseled, commanded, induced, procured, or caused the
 245 intentional killing of an individual and such killing was the
 246 result; or

247 b. The person's conduct in committing that act led to a
 248 natural, though not inevitable, lethal result,

249
 250 such person commits the capital felony of trafficking in illegal

251 | drugs, punishable as provided in ss. 775.082 and 921.142. A
252 | person sentenced for a capital felony under this paragraph shall
253 | also be sentenced to pay the maximum fine provided under
254 | subparagraph 1.

255 | ~~5.6.~~ A person who knowingly brings into this state 60
256 | kilograms or more of any morphine, opium, oxycodone,
257 | hydrocodone, codeine, hydromorphone, or any salt, derivative,
258 | isomer, or salt of an isomer thereof, including heroin, as
259 | described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
260 | 60 kilograms or more of any mixture containing any such
261 | substance, and who knows that the probable result of such
262 | importation would be the death of a person, commits capital
263 | importation of illegal drugs, a capital felony punishable as
264 | provided in ss. 775.082 and 921.142. A person sentenced for a
265 | capital felony under this paragraph shall also be sentenced to
266 | pay the maximum fine provided under subparagraph 1.

267 | (d)1. Any person who knowingly sells, purchases,
268 | manufactures, delivers, or brings into this state, or who is
269 | knowingly in actual or constructive possession of, 28 grams or
270 | more of phencyclidine, as described in s. 893.03(2)(b)23., a
271 | substituted phenylcyclohexylamine, as described in s.
272 | 893.03(1)(c)195., or a substance described in s.
273 | 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture
274 | containing phencyclidine, as described in s. 893.03(2)(b)23., a
275 | substituted phenylcyclohexylamine, as described in s.

276 893.03(1)(c)195., or a substance described in s.
277 893.03(1)(c)13., 32., 38., 103., or 146., commits a felony of
278 the first degree, which felony shall be known as "trafficking in
279 phencyclidine," punishable as provided in s. 775.082, s.
280 775.083, or s. 775.084. If the quantity involved:
281 a. Is 28 grams or more, but less than 200 grams, such
282 person shall be sentenced to a mandatory minimum term of
283 imprisonment of 3 years, and the defendant shall be ordered to
284 pay a fine of \$50,000. However, the court may depart from the
285 mandatory minimum term of imprisonment if it makes written
286 findings as provided in subsection (8).
287 b. Is 200 grams or more, but less than 400 grams, such
288 person shall be sentenced to a mandatory minimum term of
289 imprisonment of 7 years, and the defendant shall be ordered to
290 pay a fine of \$100,000. However, the court may depart from the
291 mandatory minimum term of imprisonment if it makes written
292 findings as provided in subsection (8).
293 c. Is 400 grams or more, such person shall be sentenced to
294 a mandatory minimum term of imprisonment of 15 calendar years
295 and pay a fine of \$250,000.
296 2. Any person who knowingly brings into this state 800
297 grams or more of phencyclidine, as described in s.
298 893.03(2)(b)23., a substituted phenylcyclohexylamine, as
299 described in s. 893.03(1)(c)195., or a substance described in s.
300 893.03(1)(c)13., 32., 38., 103., or 146., or of any mixture

301 containing phencyclidine, as described in s. 893.03(2)(b)23., a
302 substituted phenylcyclohexylamine, as described in s.
303 893.03(1)(c)195., or a substance described in s.
304 893.03(1)(c)13., 32., 38., 103., or 146., and who knows that the
305 probable result of such importation would be the death of any
306 person commits capital importation of phencyclidine, a capital
307 felony punishable as provided in ss. 775.082 and 921.142. Any
308 person sentenced for a capital felony under this paragraph shall
309 also be sentenced to pay the maximum fine provided under
310 subparagraph 1.

311 (e)1. Any person who knowingly sells, purchases,
312 manufactures, delivers, or brings into this state, or who is
313 knowingly in actual or constructive possession of, 200 grams or
314 more of methaqualone or of any mixture containing methaqualone,
315 as described in s. 893.03(1)(d), commits a felony of the first
316 degree, which felony shall be known as "trafficking in
317 methaqualone," punishable as provided in s. 775.082, s. 775.083,
318 or s. 775.084. If the quantity involved:

319 a. Is 200 grams or more, but less than 5 kilograms, such
320 person shall be sentenced to a mandatory minimum term of
321 imprisonment of 3 years, and the defendant shall be ordered to
322 pay a fine of \$50,000. However, the court may depart from the
323 mandatory minimum term of imprisonment if it makes written
324 findings as provided in subsection (8).

325 b. Is 5 kilograms or more, but less than 25 kilograms,

326 such person shall be sentenced to a mandatory minimum term of
327 imprisonment of 7 years, and the defendant shall be ordered to
328 pay a fine of \$100,000. However, the court may depart from the
329 mandatory minimum term of imprisonment if it makes written
330 findings as provided in subsection (8).

331 c. Is 25 kilograms or more, such person shall be sentenced
332 to a mandatory minimum term of imprisonment of 15 calendar years
333 and pay a fine of \$250,000.

334 2. Any person who knowingly brings into this state 50
335 kilograms or more of methaqualone or of any mixture containing
336 methaqualone, as described in s. 893.03(1)(d), and who knows
337 that the probable result of such importation would be the death
338 of any person commits capital importation of methaqualone, a
339 capital felony punishable as provided in ss. 775.082 and
340 921.142. Any person sentenced for a capital felony under this
341 paragraph shall also be sentenced to pay the maximum fine
342 provided under subparagraph 1.

343 (f)1. Any person who knowingly sells, purchases,
344 manufactures, delivers, or brings into this state, or who is
345 knowingly in actual or constructive possession of, 14 grams or
346 more of amphetamine, as described in s. 893.03(2)(c)2., or
347 methamphetamine, as described in s. 893.03(2)(c)5., or of any
348 mixture containing amphetamine or methamphetamine, or
349 phenylacetone, phenylacetic acid, pseudoephedrine, or ephedrine
350 in conjunction with other chemicals and equipment utilized in

351 the manufacture of amphetamine or methamphetamine, commits a
352 felony of the first degree, which felony shall be known as
353 "trafficking in amphetamine," punishable as provided in s.
354 775.082, s. 775.083, or s. 775.084. If the quantity involved:

355 a. Is 14 grams or more, but less than 28 grams, such
356 person shall be sentenced to a mandatory minimum term of
357 imprisonment of 3 years, and the defendant shall be ordered to
358 pay a fine of \$50,000. However, the court may depart from the
359 mandatory minimum term of imprisonment if it makes written
360 findings as provided in subsection (8).

361 b. Is 28 grams or more, but less than 200 grams, such
362 person shall be sentenced to a mandatory minimum term of
363 imprisonment of 7 years, and the defendant shall be ordered to
364 pay a fine of \$100,000. However, the court may depart from the
365 mandatory minimum term of imprisonment if it makes written
366 findings as provided in subsection (8).

367 c. Is 200 grams or more, such person shall be sentenced to
368 a mandatory minimum term of imprisonment of 15 calendar years
369 and pay a fine of \$250,000.

370 2. Any person who knowingly manufactures or brings into
371 this state 400 grams or more of amphetamine, as described in s.
372 893.03(2)(c)2., or methamphetamine, as described in s.
373 893.03(2)(c)5., or of any mixture containing amphetamine or
374 methamphetamine, or phenylacetone, phenylacetic acid,
375 pseudoephedrine, or ephedrine in conjunction with other

376 chemicals and equipment used in the manufacture of amphetamine
377 or methamphetamine, and who knows that the probable result of
378 such manufacture or importation would be the death of any person
379 commits capital manufacture or importation of amphetamine, a
380 capital felony punishable as provided in ss. 775.082 and
381 921.142. Any person sentenced for a capital felony under this
382 paragraph shall also be sentenced to pay the maximum fine
383 provided under subparagraph 1.

384 (g)1. Any person who knowingly sells, purchases,
385 manufactures, delivers, or brings into this state, or who is
386 knowingly in actual or constructive possession of, 4 grams or
387 more of flunitrazepam or any mixture containing flunitrazepam as
388 described in s. 893.03(1)(a) commits a felony of the first
389 degree, which felony shall be known as "trafficking in
390 flunitrazepam," punishable as provided in s. 775.082, s.
391 775.083, or s. 775.084. If the quantity involved:

392 a. Is 4 grams or more but less than 14 grams, such person
393 shall be sentenced to a mandatory minimum term of imprisonment
394 of 3 years, and the defendant shall be ordered to pay a fine of
395 \$50,000. However, the court may depart from the mandatory
396 minimum term of imprisonment if it makes written findings as
397 provided in subsection (8).

398 b. Is 14 grams or more but less than 28 grams, such person
399 shall be sentenced to a mandatory minimum term of imprisonment
400 of 7 years, and the defendant shall be ordered to pay a fine of

401 \$100,000. However, the court may depart from the mandatory
402 minimum term of imprisonment if it makes written findings as
403 provided in subsection (8).

404 c. Is 28 grams or more but less than 30 kilograms, such
405 person shall be sentenced to a mandatory minimum term of
406 imprisonment of 25 calendar years and pay a fine of \$500,000.

407 2. Any person who knowingly sells, purchases,
408 manufactures, delivers, or brings into this state or who is
409 knowingly in actual or constructive possession of 30 kilograms
410 or more of flunitrazepam or any mixture containing flunitrazepam
411 as described in s. 893.03(1)(a) commits the first degree felony
412 of trafficking in flunitrazepam. A person who has been convicted
413 of the first degree felony of trafficking in flunitrazepam under
414 this subparagraph shall be punished by life imprisonment and is
415 ineligible for any form of discretionary early release except
416 pardon or executive clemency or conditional medical release
417 under s. 947.149. However, if the trier of fact ~~court~~ determines
418 that, in addition to committing any act specified in this
419 paragraph:

420 a. The person intentionally killed an individual or
421 counseled, commanded, induced, procured, or caused the
422 intentional killing of an individual and such killing was the
423 result; or

424 b. The person's conduct in committing that act led to a
425 natural, though not inevitable, lethal result,

426
427 such person commits the capital felony of trafficking in
428 flunitrazepam, punishable as provided in ss. 775.082 and
429 921.142. Any person sentenced for a capital felony under this
430 paragraph shall also be sentenced to pay the maximum fine
431 provided under subparagraph 1.

432 (h)1. Any person who knowingly sells, purchases,
433 manufactures, delivers, or brings into this state, or who is
434 knowingly in actual or constructive possession of, 1 kilogram or
435 more of gamma-hydroxybutyric acid (GHB), as described in s.
436 893.03(1)(d), or any mixture containing gamma-hydroxybutyric
437 acid (GHB), commits a felony of the first degree, which felony
438 shall be known as "trafficking in gamma-hydroxybutyric acid
439 (GHB)," punishable as provided in s. 775.082, s. 775.083, or s.
440 775.084. If the quantity involved:

441 a. Is 1 kilogram or more but less than 5 kilograms, such
442 person shall be sentenced to a mandatory minimum term of
443 imprisonment of 3 years, and the defendant shall be ordered to
444 pay a fine of \$50,000. However, the court may depart from the
445 mandatory minimum term of imprisonment if it makes written
446 findings as provided in subsection (8).

447 b. Is 5 kilograms or more but less than 10 kilograms, such
448 person shall be sentenced to a mandatory minimum term of
449 imprisonment of 7 years, and the defendant shall be ordered to
450 pay a fine of \$100,000. However, the court may depart from the

451 mandatory minimum term of imprisonment if it makes written
452 findings as provided in subsection (8).

453 c. Is 10 kilograms or more, such person shall be sentenced
454 to a mandatory minimum term of imprisonment of 15 calendar years
455 and pay a fine of \$250,000.

456 2. Any person who knowingly manufactures or brings into
457 this state 150 kilograms or more of gamma-hydroxybutyric acid
458 (GHB), as described in s. 893.03(1)(d), or any mixture
459 containing gamma-hydroxybutyric acid (GHB), and who knows that
460 the probable result of such manufacture or importation would be
461 the death of any person commits capital manufacture or
462 importation of gamma-hydroxybutyric acid (GHB), a capital felony
463 punishable as provided in ss. 775.082 and 921.142. Any person
464 sentenced for a capital felony under this paragraph shall also
465 be sentenced to pay the maximum fine provided under subparagraph
466 1.

467 (i)1. Any person who knowingly sells, purchases,
468 manufactures, delivers, or brings into this state, or who is
469 knowingly in actual or constructive possession of, 1 kilogram or
470 more of gamma-butyrolactone (GBL), as described in s.
471 893.03(1)(d), or any mixture containing gamma-butyrolactone
472 (GBL), commits a felony of the first degree, which felony shall
473 be known as "trafficking in gamma-butyrolactone (GBL),"
474 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
475 If the quantity involved:

476 a. Is 1 kilogram or more but less than 5 kilograms, such
477 person shall be sentenced to a mandatory minimum term of
478 imprisonment of 3 years, and the defendant shall be ordered to
479 pay a fine of \$50,000. However, the court may depart from the
480 mandatory minimum term of imprisonment if it makes written
481 findings as provided in subsection (8).

482 b. Is 5 kilograms or more but less than 10 kilograms, such
483 person shall be sentenced to a mandatory minimum term of
484 imprisonment of 7 years, and the defendant shall be ordered to
485 pay a fine of \$100,000. However, the court may depart from the
486 mandatory minimum term of imprisonment if it makes written
487 findings as provided in subsection (8).

488 c. Is 10 kilograms or more, such person shall be sentenced
489 to a mandatory minimum term of imprisonment of 15 calendar years
490 and pay a fine of \$250,000.

491 2. Any person who knowingly manufactures or brings into
492 the state 150 kilograms or more of gamma-butyrolactone (GBL), as
493 described in s. 893.03(1)(d), or any mixture containing gamma-
494 butyrolactone (GBL), and who knows that the probable result of
495 such manufacture or importation would be the death of any person
496 commits capital manufacture or importation of gamma-
497 butyrolactone (GBL), a capital felony punishable as provided in
498 ss. 775.082 and 921.142. Any person sentenced for a capital
499 felony under this paragraph shall also be sentenced to pay the
500 maximum fine provided under subparagraph 1.

501 (j)1. Any person who knowingly sells, purchases,
502 manufactures, delivers, or brings into this state, or who is
503 knowingly in actual or constructive possession of, 1 kilogram or
504 more of 1,4-Butanediol as described in s. 893.03(1)(d), or of
505 any mixture containing 1,4-Butanediol, commits a felony of the
506 first degree, which felony shall be known as "trafficking in
507 1,4-Butanediol," punishable as provided in s. 775.082, s.
508 775.083, or s. 775.084. If the quantity involved:

509 a. Is 1 kilogram or more, but less than 5 kilograms, such
510 person shall be sentenced to a mandatory minimum term of
511 imprisonment of 3 years, and the defendant shall be ordered to
512 pay a fine of \$50,000. However, the court may depart from the
513 mandatory minimum term of imprisonment if it makes written
514 findings as provided in subsection (8).

515 b. Is 5 kilograms or more, but less than 10 kilograms,
516 such person shall be sentenced to a mandatory minimum term of
517 imprisonment of 7 years, and the defendant shall be ordered to
518 pay a fine of \$100,000. However, the court may depart from the
519 mandatory minimum term of imprisonment if it makes written
520 findings as provided in subsection (8).

521 c. Is 10 kilograms or more, such person shall be sentenced
522 to a mandatory minimum term of imprisonment of 15 calendar years
523 and pay a fine of \$500,000.

524 2. Any person who knowingly manufactures or brings into
525 this state 150 kilograms or more of 1,4-Butanediol as described

526 | in s. 893.03(1)(d), or any mixture containing 1,4-Butanediol,
527 | and who knows that the probable result of such manufacture or
528 | importation would be the death of any person commits capital
529 | manufacture or importation of 1,4-Butanediol, a capital felony
530 | punishable as provided in ss. 775.082 and 921.142. Any person
531 | sentenced for a capital felony under this paragraph shall also
532 | be sentenced to pay the maximum fine provided under subparagraph
533 | 1.

534 | (k)1. A person who knowingly sells, purchases,
535 | manufactures, delivers, or brings into this state, or who is
536 | knowingly in actual or constructive possession of, 10 grams or
537 | more of a:

538 | a. Substance described in s. 893.03(1)(c)4., 5., 10., 11.,
539 | 15., 17., 21.-27., 29., 39., 40.-45., 58., 72.-80., 81.-86.,
540 | 90.-102., 104.-108., 110.-113., 143.-145., 148.-150., 160.-163.,
541 | 165., or 187.-189., a substituted cathinone, as described in s.
542 | 893.03(1)(c)191., or substituted phenethylamine, as described in
543 | s. 893.03(1)(c)192.;

544 | b. Mixture containing any substance described in sub-
545 | subparagraph a.; or

546 | c. Salt, isomer, ester, or ether or salt of an isomer,
547 | ester, or ether of a substance described in sub-subparagraph a.,

548 |
549 | commits a felony of the first degree, which felony shall be
550 | known as "trafficking in phenethylamines," punishable as

551 provided in s. 775.082, s. 775.083, or s. 775.084.

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

553 a. Is 20 ~~40~~ grams or more, but less than 200 grams, such
554 person shall be sentenced to a mandatory minimum term of
555 imprisonment of 3 years and shall be ordered to pay a fine of
556 \$50,000. However, the court may depart from the mandatory
557 minimum term of imprisonment if it makes written findings as
558 provided in subsection (8).

559 b. Is 200 grams or more, but less than 400 grams, such
560 person shall be sentenced to a mandatory minimum term of
561 imprisonment of 7 years and shall be ordered to pay a fine of
562 \$100,000. However, the court may depart from the mandatory
563 minimum term of imprisonment if it makes written findings as
564 provided in subsection (8).

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

568 3. A person who knowingly manufactures or brings into this
569 state 30 kilograms or more of a substance described in sub-
570 subparagraph 1.a., a mixture described in sub-subparagraph 1.b.,
571 or a salt, isomer, ester, or ether or a salt of an isomer,
572 ester, or ether described in sub-subparagraph 1.c., and who
573 knows that the probable result of such manufacture or
574 importation would be the death of any person commits capital
575 manufacture or importation of phenethylamines, a capital felony

576 punishable as provided in ss. 775.082 and 921.142. A person
577 sentenced for a capital felony under this paragraph shall also
578 be sentenced to pay the maximum fine under subparagraph 2.

579 (1)1. Any person who knowingly sells, purchases,
580 manufactures, delivers, or brings into this state, or who is
581 knowingly in actual or constructive possession of, 3 grams ~~±~~
582 ~~gram~~ or more of lysergic acid diethylamide (LSD) as described in
583 s. 893.03(1)(c), or of any mixture containing lysergic acid
584 diethylamide (LSD), commits a felony of the first degree, which
585 felony shall be known as "trafficking in lysergic acid
586 diethylamide (LSD)," punishable as provided in s. 775.082, s.
587 775.083, or s. 775.084. If the quantity involved:

588 a. Is 3 grams ~~±~~ ~~gram~~ or more, but less than 10 ~~5~~ grams,
589 such person shall be sentenced to a mandatory minimum term of
590 imprisonment of 3 years, and the defendant shall be ordered to
591 pay a fine of \$50,000. However, the court may depart from the
592 mandatory minimum term of imprisonment if it makes written
593 findings as provided in subsection (8).

594 b. Is 10 ~~5~~ grams or more, but less than 15 ~~7~~ grams, such
595 person shall be sentenced to a mandatory minimum term of
596 imprisonment of 7 years, and the defendant shall be ordered to
597 pay a fine of \$100,000. However, the court may depart from the
598 mandatory minimum term of imprisonment if it makes written
599 findings as provided in subsection (8).

600 c. Is 15 ~~7~~ grams or more, such person shall be sentenced

601 to a mandatory minimum term of imprisonment of 15 calendar years
602 and pay a fine of \$500,000.

603 2. Any person who knowingly manufactures or brings into
604 this state 15 7 grams or more of lysergic acid diethylamide
605 (LSD) as described in s. 893.03(1)(c), or any mixture containing
606 lysergic acid diethylamide (LSD), and who knows that the
607 probable result of such manufacture or importation would be the
608 death of any person commits capital manufacture or importation
609 of lysergic acid diethylamide (LSD), a capital felony punishable
610 as provided in ss. 775.082 and 921.142. Any person sentenced for
611 a capital felony under this paragraph shall also be sentenced to
612 pay the maximum fine provided under subparagraph 1.

613 (m)1. A person who knowingly sells, purchases,
614 manufactures, delivers, or brings into this state, or who is
615 knowingly in actual or constructive possession of, 280 grams or
616 more of a:

617 a. Substance described in s. 893.03(1)(c)30., 46.-50.,
618 114.-142., 151.-156., 166.-173., or 176.-186. or a synthetic
619 cannabinoid, as described in s. 893.03(1)(c)190.; or

620 b. Mixture containing any substance described in sub-
621 subparagraph a.,

622
623 commits a felony of the first degree, which felony shall be
624 known as "trafficking in synthetic cannabinoids," punishable as
625 provided in s. 775.082, s. 775.083, or s. 775.084.

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

627 a. Is 280 grams or more, but less than 500 grams, such

628 person shall be sentenced to a mandatory minimum term of

629 imprisonment of 3 years, and the defendant shall be ordered to

630 pay a fine of \$50,000. However, the court may depart from the

631 mandatory minimum term of imprisonment if it makes written

632 findings as provided in subsection (8).

633 b. Is 500 grams or more, but less than 1 kilogram ~~1,000~~

634 ~~grams~~, such person shall be sentenced to a mandatory minimum

635 term of imprisonment of 7 years, and the defendant shall be

636 ordered to pay a fine of \$100,000. However, the court may depart

637 from the mandatory minimum term of imprisonment if it makes

638 written findings as provided in subsection (8).

639 c. Is 1 kilogram ~~1,000 grams~~ or more, but less than 30

640 kilograms, such person shall be sentenced to a mandatory minimum

641 term of imprisonment of 15 years, and the defendant shall be

642 ordered to pay a fine of \$200,000.

643 d. Is 30 kilograms or more, such person shall be sentenced

644 to a mandatory minimum term of imprisonment of 25 years, and the

645 defendant shall be ordered to pay a fine of \$750,000.

646 (n)1. A person who knowingly sells, purchases,

647 manufactures, delivers, or brings into this state, or who is

648 knowingly in actual or constructive possession of, 14 grams or

649 more of:

650 a. A substance described in s. 893.03(1)(c)164., 174., or

651 175., a n-benzyl phenethylamine compound, as described in s.
652 893.03(1)(c)193.; or

653 b. A mixture containing any substance described in sub-
654 subparagraph a.,

655

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

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

660 a. Is 14 grams or more, but less than 100 grams, such
661 person shall be sentenced to a mandatory minimum term of
662 imprisonment of 3 years, and the defendant shall be ordered to
663 pay a fine of \$50,000. However, the court may depart from the
664 mandatory minimum term of imprisonment if it makes written
665 findings as provided in subsection (8).

666 b. Is 100 grams or more, but less than 200 grams, such
667 person shall be sentenced to a mandatory minimum term of
668 imprisonment of 7 years, and the defendant shall be ordered to
669 pay a fine of \$100,000. However, the court may depart from the
670 mandatory minimum term of imprisonment if it makes written
671 findings as provided in subsection (8).

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

675 3. A person who knowingly manufactures or brings into this

676 | state 400 grams or more of a substance described in sub-
677 | subparagraph 1.a. or a mixture described in sub-subparagraph
678 | 1.b., and who knows that the probable result of such manufacture
679 | or importation would be the death of any person commits capital
680 | manufacture or importation of a n-benzyl phenethylamine
681 | compound, a capital felony punishable as provided in ss. 775.082
682 | and 921.142. A person sentenced for a capital felony under this
683 | paragraph shall also be sentenced to pay the maximum fine under
684 | subparagraph 2.

685 | (8) The court may depart from the mandatory minimum term
686 | of imprisonment if the departure is specifically authorized and
687 | the court makes the following written findings:

688 | (a) The defendant has no previous conviction for a
689 | forcible felony as defined in s. 776.08.

690 | (b) The defendant did not use violence or credible threats
691 | of violence or possess a firearm or other dangerous weapon, or
692 | induce another participant to do so, in connection with the
693 | offense.

694 | (c) The offense did not result in death or serious bodily
695 | injury to any person.

696 | (d) The defendant was not an organizer, leader, manager,
697 | or supervisor of others in the offense, and was not engaged in a
698 | continuing criminal enterprise, as described in s. 893.20.

699 | (e) No later than the time of the sentencing hearing, the
700 | defendant has truthfully provided to the state all information

701 and evidence the defendant has concerning the offense or
 702 offenses that were part of the same course of conduct or of a
 703 common scheme or plan. The fact that the defendant has no
 704 relevant or useful information shall not preclude a
 705 determination by the court that the defendant has complied with
 706 this requirement.

707 Section 2. Paragraphs (g), (h), and (i) of subsection (3)
 708 of section 921.0022, Florida Statutes, are amended to read:

709 921.0022 Criminal Punishment Code; offense severity
 710 ranking chart.—

711 (3) OFFENSE SEVERITY RANKING CHART

712 (g) LEVEL 7

713

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

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wanton disregard for safety
 while fleeing or attempting to
 elude law enforcement officer
 who is in a patrol vehicle with
 siren and lights activated.

717

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

718

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

719

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

720

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

721

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

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723	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
724	458.327 (1)	3rd	Practicing medicine without a license.
725	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
726	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
727	461.012 (1)	3rd	Practicing podiatric medicine without a license.
728	462.17	3rd	Practicing naturopathy without a license.
729	463.015 (1)	3rd	Practicing optometry without a license.
	464.016 (1)	3rd	Practicing nursing without a license.

730	465.015 (2)	3rd	Practicing pharmacy without a license.
731	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
732	467.201	3rd	Practicing midwifery without a license.
733	468.366	3rd	Delivering respiratory care services without a license.
734	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
735	483.901 (7)	3rd	Practicing medical physics without a license.
736	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
737	484.053	3rd	Dispensing hearing aids without a license.

738	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.
739	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.
740	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
741	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
742	775.21(10)(a)	3rd	Sexual predator; failure to

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

743

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

744

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

745

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

746

782.07(1) 2nd Killing of a human being by the
 act, procurement, or culpable
 negligence of another
 (manslaughter).

747

782.071 2nd Killing of a human being or

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

748 782.072 2nd Killing of a human being by the
operation of a vessel in a
reckless manner (vessel
homicide).

749 784.045 (1) (a) 1. 2nd Aggravated battery;
intentionally causing great
bodily harm or disfigurement.

750 784.045 (1) (a) 2. 2nd Aggravated battery; using
deadly weapon.

751 784.045 (1) (b) 2nd Aggravated battery; perpetrator
aware victim pregnant.

752 784.048 (4) 3rd Aggravated stalking; violation
of injunction or court order.

753 784.048 (7) 3rd Aggravated stalking; violation
of court order.

754	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
755	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
756	784.08(2)(a)	1st	Aggravated battery on a person 65 years of age or older.
757	784.081(1)	1st	Aggravated battery on specified official or employee.
758	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
759	784.083(1)	1st	Aggravated battery on code inspector.
760	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
761			

762	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.
763	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
764	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
765	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
766	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.

767	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
768	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
769	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.
770	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
771	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
772			

773	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
774	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.
775	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.
776	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
777	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
	810.02 (3) (b)	2nd	Burglary of unoccupied

dwelling; unarmed; no assault
or battery.

778

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

779

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

780

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.

781

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

782

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

783	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
784	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
785	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
786	812.131 (2) (a)	2nd	Robbery by sudden snatching.
787	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
788	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
789	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
790			

791	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
792	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
793	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.
794	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
795	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or

disfigurement.

796

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.

797

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

798

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

799

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

800

838.015 2nd Bribery.

801

838.016 2nd Unlawful compensation or reward for official behavior.

802

838.021 (3) (a) 2nd Unlawful harm to a public

servant.

803

838.22 2nd Bid tampering.

804

843.0855(2) 3rd Impersonation of a public officer or employee.

805

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

806

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

807

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

808

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

809

872.06 2nd Abuse of a dead human body.

810

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

subsequent offense.

811

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

812

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)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

813

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)5., within 1,000 feet of property

used for religious services or
a specified business site.

814

893.13(4)(a) 1st Use or hire of minor; deliver
to minor other controlled
substance.

815

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

816

893.135 1st Trafficking in cocaine, more
(1)(b)1.a. than 50 ~~28~~ grams, less than 250
200 grams.

817

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

818

893.135 1st Trafficking in prescription
(1)(c)2.a. drugs hydrocodone, 60 ~~28~~ grams
or more, less than 100 ~~50~~
grams.

819

893.135 1st Trafficking in prescription

820	(1) (c) 2.b.		<p><u>drugs hydrocodone</u>, <u>100</u> 50 grams or more, less than <u>250</u> 100 grams.</p>
821	893.135 (1) (c) 3.a.	1st	<p>Trafficking in oxycodone, 7 grams or more, less than 14 grams.</p>
822	893.135 (1) (c) 3.b.	1st	<p>Trafficking in oxycodone, 14 grams or more, less than 25 grams.</p>
823	<u>893.135</u> <u>(1) (c) 3.b. (I)</u> 893.135 (1) (c) 4.b. (I)	1st	<p>Trafficking in fentanyl, 4 grams or more, less than 14 grams.</p>
824	893.135 (1) (d) 1.a.	1st	<p>Trafficking in phencyclidine, 28 grams or more, less than 200 grams.</p>
825	893.135 (1) (e) 1.	1st	<p>Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.</p>

826	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
827	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
828	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
829	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
830	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, <u>20</u> 10 grams or more, less than 200 grams.
831	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.

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832	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than <u>1 kilogram</u> 1,000 grams .
833	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
834	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
835	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
836	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration 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.

837

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

838

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

839

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

840

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

841

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

requirements.

842

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

843

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

844

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

845

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

846

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

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847	985.4815 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
848			
849	(h) LEVEL 8		
850			
	Florida	Felony	
	Statute	Degree	Description
851	316.193	2nd	DUI manslaughter.
	(3) (c) 3.a.		
852	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
853	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
854	499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
855	499.0051 (7)	1st	Knowing forgery of prescription

labels or prescription drug labels.

856

560.123 (8) (b) 2. 2nd Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.

857

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.

858

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

859

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

860

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.

861 782.051(2) 1st Attempted felony murder while
perpetrating or attempting to
perpetrate a felony not
enumerated in s. 782.04(3).

862 782.071(1)(b) 1st Committing vehicular homicide
and failing to render aid or
give information.

863 782.072(2) 1st Committing vessel homicide and
failing to render aid or give
information.

864 787.06(3)(a)1. 1st Human trafficking for labor and
services of a child.

865

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866	787.06(3)(b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
867	787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
868	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.
869	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.
870	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.

871	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.
872	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.
873	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.
	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.

874	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
875	800.04 (4) (b)	2nd	Lewd or lascivious battery.
876	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
877	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
878	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
879	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
880	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural

damage or \$1,000 or more
property damage.

881

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

882

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

883

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

884

817.505 (4) (c) 1st Patient brokering; 20 or more
patients.

885

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

886

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

887

888	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
889	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.
890	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
891	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
892	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled

adult.

893 825.103 (3) (a) 1st Exploiting an elderly person or
disabled adult and property is
valued at \$50,000 or more.

894 837.02 (2) 2nd Perjury in official proceedings
relating to prosecution of a
capital felony.

895 837.021 (2) 2nd Making contradictory statements
in official proceedings
relating to prosecution of a
capital felony.

896 860.121 (2) (c) 1st Shooting at or throwing any
object in path of railroad
vehicle resulting in great
bodily harm.

897 860.16 1st Aircraft piracy.

898 893.13 (1) (b) 1st Sell or deliver in excess of 10
grams of any substance
specified in s. 893.03(1) (a) or

(b) .

899

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

900

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

901

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

902

893.135 (1) (b) 1.b. 1st Trafficking in cocaine, more than 250 ~~200~~ grams, less than 500 ~~400~~ grams.

903

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

904

893.135 (1) (c) 2.c. 1st Trafficking in prescription ~~drugs~~ hydrocodone, 250 ~~100~~ grams or more, less than 30

kilograms ~~300 grams~~.

905

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

906

893.135 (1) (c) 3. b. (II) 1st Trafficking in fentanyl, 14
~~893.135 (1) (c) 4. b. (II)~~ grams or more, less than 28
grams.

907

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

908

893.135 1st Trafficking in methaqualone, 5
(1) (e) 1. b. kilograms or more, less than 25
kilograms.

909

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

910

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

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911	893.135 (1) (h) 1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
912	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
913	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
914	893.135 (1) (m) 2.c.	1st	Trafficking in synthetic cannabinoids, <u>1 kilogram</u> 1,000 grams or more, less than 30 kilograms.
915	893.135 (1) (n) 2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
916	893.1351 (3)	1st	Possession of a place used to manufacture controlled

substance when minor is present
or resides there.

917

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

918

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

919

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

920

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

921

896.104(4)(a)2. 2nd Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or

exceeding \$20,000 but less than \$100,000.

922

923 (i) LEVEL 9

924

Florida	Felony	
Statute	Degree	Description

925

316.193	1st	DUI manslaughter; failing to render aid or give information.
(3) (c) 3.b.		

926

327.35	1st	BUI manslaughter; failing to render aid or give information.
(3) (c) 3.b.		

927

409.920	1st	Medicaid provider fraud;
(2) (b) 1.c.		\$50,000 or more.

928

499.0051 (8)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
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929

560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
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930	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding \$100,000.
931	655.50 (10) (b) 3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
932	775.0844	1st	Aggravated white collar crime.
933	782.04 (1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
934	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.
935	782.051 (1)	1st	Attempted felony murder while

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

936

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

937

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

938

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

939

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

940

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.

941 787.06(3)(c)1. 1st Human trafficking for labor and
services of an unauthorized
alien child.

942 787.06(3)(d) 1st Human trafficking using
coercion for commercial sexual
activity of an unauthorized
adult alien.

943 787.06(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.

944 790.161 1st Attempted capital destructive
device offense.

945 790.166(2) 1st,PBL Possessing, selling, using, or
attempting to use a weapon of
mass destruction.

946	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
947	794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
948	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.
949	794.011(4)(b)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.
950	794.011(4)(c)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.

951	794.011 (4) (d)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
952	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.
953	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
954	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
955	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
956	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.

957	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
958	817.535 (3) (b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.
959	817.535 (4) (a) 2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
960	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.
961	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of

18 by his or her parent, legal guardian, or person exercising custodial authority.

962

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

963

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

964

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

965

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.

966

893.135 1st Attempted capital trafficking offense.

967

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968	893.135 (1) (a) 3.	1st	Trafficking in cannabis, more than 10,000 lbs.
969	893.135 (1) (b) 1.c.	1st	Trafficking in cocaine, more than <u>500</u> 400 grams, less than 150 kilograms.
970	893.135 (1) (c) 1.c.	1st	Trafficking in illegal <u>opioids</u> drugs , more than 28 grams, less than 30 kilograms.
971	893.135 (1) (c) 2.d.	1st	Trafficking in hydrocodone, 300 grams or more, less than 30 kilograms.
972	893.135 (1) (c) 3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
	<u>893.135</u> <u>(1) (c) 3.b. (III)</u>	1st	Trafficking in fentanyl, 28 grams or more.
	893.135 (1) (c) 4.b. (III)		

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973	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, 400 grams or more.
974	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, 25 kilograms or more.
975	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, 200 grams or more.
976	893.135 (1) (h) 1.c.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 10 kilograms or more.
977	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
978	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
979	893.135 (1) (m) 2.d.	1st	Trafficking in synthetic cannabinoids, 30 kilograms or more.
980	893.135	1st	Trafficking in n-benzyl

981 (1) (n) 2.c. phenethylamines, 200 grams or
more.

982 896.101 (5) (c) 1st Money laundering, financial
instruments totaling or
exceeding \$100,000.

983 896.104 (4) (a) 3. 1st Structuring transactions to
evade reporting or registration
requirements, financial
transactions totaling or
exceeding \$100,000.

984 Section 3. A person sentenced under s. 893.135, Florida
985 Statutes, before the effective date of this act may petition the
986 court of original sentencing jurisdiction for resentencing
987 consistent with the amendments made to that section by this act.

988 Section 4. This act shall take effect July 1, 2020.