

1                                   A bill to be entitled  
 2           An act relating to false reports of crimes; amending  
 3           s. 817.49, F.S.; providing a definition; providing  
 4           enhanced criminal penalties for the willful making of  
 5           false reports of crimes in certain circumstances;  
 6           requiring a court to order restitution; amending s.  
 7           921.0022, F.S.; ranking offenses on the offense  
 8           severity ranking chart of the Criminal Punishment  
 9           Code; providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

12  
 13           Section 1. Section 817.49, Florida Statutes, is amended to  
 14 read:

15           817.49 False reports of commission of crimes; penalty.—

16           (1) Except as provided in subsection (2), whoever  
 17 willfully imparts, conveys, or causes to be imparted or conveyed  
 18 to a any law enforcement officer or employee of a public safety  
 19 agency false information or reports concerning the alleged  
 20 commission of any crime under the laws of this state, knowing  
 21 such information or report to be false, when ~~in that~~ no such  
 22 crime has ~~had~~ actually been committed, commits ~~shall upon~~  
 23 ~~conviction thereof be guilty of~~ a misdemeanor of the first  
 24 degree, punishable as provided in s. 775.082 or s. 775.083.

25           (2) (a) As used in this section, the term "public safety

26 agency" means a law enforcement agency, professional or  
27 volunteer fire department, emergency medical service, ambulance  
28 service, or other public entity that dispatches or provides  
29 first responder services to respond to crimes, to assist victims  
30 of crimes, or to apprehend offenders.

31 (b) If the willful making of a false report of a crime as  
32 set forth in this section results in a response by a federal,  
33 state, district, municipal, or other public safety agency and  
34 the response results in:

35 1. A combined cost incurred by all responding agencies  
36 that exceeds \$2,000, the person making such report commits a  
37 felony of the third degree, punishable as provided in s.  
38 775.082, s. 775.083, or s. 775.084.

39 2. Great bodily harm, permanent disfigurement, or  
40 permanent disability to any person as a proximate result of  
41 lawful conduct arising out of a response, the person making such  
42 report commits a felony of the second degree, punishable as  
43 provided in s. 775.082, s. 775.083, or s. 775.084.

44 3. Death to any person as a proximate result of lawful  
45 conduct arising out of a response, the person making such report  
46 commits a felony of the first degree, punishable as provided in  
47 s. 775.082, s. 775.083, or s. 775.084.

48 (3) A court shall order any person convicted of violating  
49 this section to pay restitution, which shall include full  
50 payment for any cost incurred by a responding public safety

51 agency.

52 Section 2. Paragraphs (c), (f), and (h) of subsection (3)  
 53 of section 921.0022, Florida Statutes, are amended to read:

54 921.0022 Criminal Punishment Code; offense severity  
 55 ranking chart.—

56 (3) OFFENSE SEVERITY RANKING CHART

57 (c) LEVEL 3

58

Florida	Felony	
Statute	Degree	Description

59

119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
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60

316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
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61

316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
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62

316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
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63

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64	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
65	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
66	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
67	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
68	327.35 (2) (b)	3rd	Felony BUI.
69	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit

70			or wrong ID number.
	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
71			
	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.
72			
	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.
73			
	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a

			violation of the Marine Turtle Protection Act.
74	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
75	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
76	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
77	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
78	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
79			

80	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
81	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
82	697.08	3rd	Equity skimming.
83	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
84	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
85	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous

			weapon.
86	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
87	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
88	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
89	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
90	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
91	817.233	3rd	Burning to defraud insurer.
92	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.



93	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
94	817.236	3rd	Filing a false motor vehicle insurance application.
95	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
96	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
97	<u>817.49 (2) (b) 1.</u>	<u>3rd</u>	<u>Willful making of a false report of a crime causing financial costs in excess of \$2,000.</u>
98	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.

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99	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
100	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
101	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
102	860.15 (3)	3rd	Overcharging for repairs and parts.
103	870.01 (2)	3rd	Riot; inciting or encouraging.
104	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) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs).
105	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver

s. 893.03(1)(c), (2)(c)1.,  
 (2)(c)2., (2)(c)3., (2)(c)6.,  
 (2)(c)7., (2)(c)8., (2)(c)9.,  
 (2)(c)10., (3), or (4) drugs  
 within 1,000 feet of  
 university.

106

893.13(1)(f)2.            2nd    Sell, manufacture, or deliver  
 s. 893.03(1)(c), (2)(c)1.,  
 (2)(c)2., (2)(c)3., (2)(c)6.,  
 (2)(c)7., (2)(c)8., (2)(c)9.,  
 (2)(c)10., (3), or (4) drugs  
 within 1,000 feet of public  
 housing facility.

107

893.13(4)(c)            3rd    Use or hire of minor; deliver  
 to minor other controlled  
 substances.

108

893.13(6)(a)            3rd    Possession of any controlled  
 substance other than felony  
 possession of cannabis.

109

893.13(7)(a)8.           3rd    Withhold information from  
 practitioner regarding previous

receipt of or prescription for  
a controlled substance.

110

893.13(7)(a)9. 3rd

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

111

893.13(7)(a)10. 3rd

Affix false or forged label to  
package of controlled  
substance.

112

893.13(7)(a)11. 3rd

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

113

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.

114	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.
115	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
116	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.
117	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
118	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.

119

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

120

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

121

122                      (f)    LEVEL 6

123

Florida Statute	Felony Degree	Description
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124

316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
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125

316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
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126

400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
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127	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
128	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
129	499.0051 (4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
130	775.0875 (1)	3rd	Taking firearm from law enforcement officer.
131	784.021 (1) (a)	3rd	Aggravated assault; deadly weapon without intent to kill.
132	784.021 (1) (b)	3rd	Aggravated assault; intent to commit felony.
133	784.041	3rd	Felony battery; domestic battery by strangulation.

134	784.048 (3)	3rd	Aggravated stalking; credible threat.
135	784.048 (5)	3rd	Aggravated stalking of person under 16.
136	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
137	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
138	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
139	784.081 (2)	2nd	Aggravated assault on specified official or employee.
140	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
141	784.083 (2)	2nd	Aggravated assault on code



inspector.

142

787.02 (2) 3rd False imprisonment; restraining with purpose other than those in s. 787.01.

143

790.115 (2) (d) 2nd Discharging firearm or weapon on school property.

144

790.161 (2) 2nd Make, possess, or throw destructive device with intent to do bodily harm or damage property.

145

790.164 (1) 2nd False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.

146

790.19 2nd Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.

147

148	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
149	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
150	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
151	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
152	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
153	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
	810.145 (8) (b)	2nd	Video voyeurism; certain minor victims; 2nd or subsequent

offense.

154

812.014 (2) (b) 1.            2nd    Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.

155

812.014 (6)                    2nd    Theft; property stolen \$3,000 or more; coordination of others.

156

812.015 (9) (a)                2nd    Retail theft; property stolen \$750 or more; second or subsequent conviction.

157

812.015 (9) (b)                2nd    Retail theft; aggregated property stolen within 30 days is \$3,000 or more; coordination of others.

158

812.13 (2) (c)                 2nd    Robbery, no firearm or other weapon (strong-arm robbery).

159

817.49 (2) (b) 2.            2nd    Willful making of a false report of a crime causing great bodily harm, permanent

disfigurement, or permanent  
disability.

160

817.4821 (5) 2nd Possess cloning paraphernalia  
with intent to create cloned  
cellular telephones.

161

817.505 (4) (b) 2nd Patient brokering; 10 or more  
patients.

162

825.102 (1) 3rd Abuse of an elderly person or  
disabled adult.

163

825.102 (3) (c) 3rd Neglect of an elderly person or  
disabled adult.

164

825.1025 (3) 3rd Lewd or lascivious molestation  
of an elderly person or  
disabled adult.

165

825.103 (3) (c) 3rd Exploiting an elderly person or  
disabled adult and property is  
valued at less than \$10,000.

166

827.03 (2) (c) 3rd Abuse of a child.

167	827.03 (2) (d)	3rd	Neglect of a child.
168	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
169	836.05	2nd	Threats; extortion.
170	836.10	2nd	Written threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
171	843.12	3rd	Aids or assists person to escape.
172	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
173	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.

174	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
175	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
176	944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
177	944.40	2nd	Escapes.
178	944.46	3rd	Harboring, concealing, aiding escaped prisoners.
179	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
180			

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181	951.22 (1) (i)	3rd	Firearm or weapon introduced into county detention facility.
182	(h) LEVEL 8		
183	Florida	Felony	
184	Statute	Degree	Description
	316.193	2nd	DUI manslaughter.
185	(3) (c) 3.a.		
	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
186			
	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
187			
	499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
188			
	499.0051 (7)	1st	Knowing forgery of prescription labels or prescription drug labels.
189			
	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.

190

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.

191

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

192

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

193

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.

194

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

195

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

196

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

197

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

198

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

199

200	787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
201	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.
202	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.
203	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
	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.

204

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.

205

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.

206

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.

207

794.08 (3)

2nd

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

state.

208

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

209

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

210

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

211

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

212

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

213

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

214

812.014 (2) (a) 2. 1st Property stolen; cargo valued

at \$50,000 or more, grand theft  
in 1st degree.

215

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

216

817.49 (2) (b) 3. 1st Willful making of a false  
report of a crime resulting in  
death.

217

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

218

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

219

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

220

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

221

222	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
223	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.
224	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
225	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
226	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.

227

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

228

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

229

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

230

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

231

860.16 1st Aircraft piracy.

232

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).

233

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

234

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

235

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

236

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

237

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

238

893.135(1)(c)2.c. 1st Trafficking in hydrocodone, 100 grams or more, less than 300 grams.



239	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
240	893.135 (1) (c) 4.b. (II)	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
241	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
242	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
243	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
244	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
245			

246	893.135 (1) (h) 1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
247	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
248	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
249	893.135 (1) (m) 2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
250	893.135 (1) (n) 2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.

251	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
252	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
253	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
254	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
255	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.

256

257

Section 3. This act shall take effect upon becoming a law.