



117010

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: WD

.

03/03/2022 04:21 PM

.

.

Senator Pizzo moved the following:

1 **Senate Amendment to Amendment (576340) (with directory and**
2 **title amendments)**

3
4 Delete lines 100 - 292

5 and insert:

6 ~~(f) Except as authorized by this chapter, a person may not~~
7 ~~sell, manufacture, or deliver, or possess with intent to sell,~~
8 ~~manufacture, or deliver, a controlled substance in, on, or~~
9 ~~within 1,000 feet of the real property comprising a public~~
10 ~~housing facility at any time. As used in this section, the term~~
11 ~~"real property comprising a public housing facility" means real~~



117010

12 ~~property, as defined in s. 421.03(12), of a public corporation~~
13 ~~created as a housing authority pursuant to part I of chapter~~
14 ~~421. A person who violates this paragraph with respect to:~~

15 ~~1. A controlled substance named or described in s.~~
16 ~~893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.~~
17 ~~commits a felony of the first degree, punishable as provided in~~
18 ~~s. 775.082, s. 775.083, or s. 775.084.~~

19 ~~2. A controlled substance named or described in s.~~
20 ~~893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,~~
21 ~~(2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of~~
22 ~~the second degree, punishable as provided in s. 775.082, s.~~
23 ~~775.083, or s. 775.084.~~

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

28 ~~(g)(h)~~ Except as authorized by this chapter, a person may
29 not sell, manufacture, or deliver, or possess with intent to
30 sell, manufacture, or deliver, a controlled substance in, on, or
31 within 1,000 feet of the real property comprising a mental
32 health facility, as that term is used in chapter 394; a health
33 care facility licensed under chapter 395 which provides
34 substance abuse treatment; a licensed service provider as
35 defined in s. 397.311; a facility providing services that
36 include clinical treatment, intervention, or prevention as
37 described in s. 397.311(26); a recovery residence as defined in
38 s. 397.311; an assisted living facility, ~~as defined that term is~~
39 ~~used in chapter 429;~~ or a pain management clinic as defined in
40 s. 458.3265(1)(a)1.c. or s. 459.0137(1)(a)1.c. A person who



117010

41 violates this paragraph with respect to:

42 1. A controlled substance named or described in s.
43 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
44 commits a felony of the first degree, punishable as provided in
45 s. 775.082, s. 775.083, or s. 775.084.

46 2. A controlled substance named or described in s.
47 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
48 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
49 the second degree, punishable as provided in s. 775.082, s.
50 775.083, or s. 775.084.

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

55 Section 3. Paragraph (c) of subsection (1) of section
56 893.135, Florida Statutes, is amended to read:

57 893.135 Trafficking; mandatory sentences; suspension or
58 reduction of sentences; conspiracy to engage in trafficking.—

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

61 (c)1. A person who knowingly sells, purchases,
62 manufactures, delivers, or brings into this state, or who is
63 knowingly in actual or constructive possession of, 4 grams or
64 more of any morphine, opium, hydromorphone, or any salt,
65 derivative, isomer, or salt of an isomer thereof, including
66 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or
67 (3)(c)4., or 4 grams or more of any mixture containing any such
68 substance, but less than 30 kilograms of such substance or
69 mixture, commits a felony of the first degree, which felony



117010

70 shall be known as "trafficking in illegal drugs," punishable as
71 provided in s. 775.082, s. 775.083, or s. 775.084. If the
72 quantity involved:

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

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

79 c. Is 28 grams or more, but less than 30 kilograms, such
80 person shall be sentenced to a mandatory minimum term of
81 imprisonment of 25 years and shall be ordered to pay a fine of
82 \$500,000.

83 2. A person who knowingly sells, purchases, manufactures,
84 delivers, or brings into this state, or who is knowingly in
85 actual or constructive possession of, 28 grams or more of
86 hydrocodone, as described in s. 893.03(2)(a)1.k., codeine, as
87 described in s. 893.03(2)(a)1.g., or any salt thereof, or 28
88 grams or more of any mixture containing any such substance,
89 commits a felony of the first degree, which felony shall be
90 known as "trafficking in hydrocodone," punishable as provided in
91 s. 775.082, s. 775.083, or s. 775.084. If the quantity involved:

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

95 b. Is 50 grams or more, but less than 100 grams, such
96 person shall be sentenced to a mandatory minimum term of
97 imprisonment of 7 years and shall be ordered to pay a fine of
98 \$100,000.



117010

99 c. Is 100 grams or more, but less than 300 grams, such
100 person shall be sentenced to a mandatory minimum term of
101 imprisonment of 15 years and shall be ordered to pay a fine of
102 \$500,000.

103 d. Is 300 grams or more, but less than 30 kilograms, such
104 person shall be sentenced to a mandatory minimum term of
105 imprisonment of 25 years and shall be ordered to pay a fine of
106 \$750,000.

107 3. A person who knowingly sells, purchases, manufactures,
108 delivers, or brings into this state, or who is knowingly in
109 actual or constructive possession of, 7 grams or more of
110 oxycodone, as described in s. 893.03(2)(a)1.g., or any salt
111 thereof, or 7 grams or more of any mixture containing any such
112 substance, commits a felony of the first degree, which felony
113 shall be known as "trafficking in oxycodone," punishable as
114 provided in s. 775.082, s. 775.083, or s. 775.084. If the
115 quantity involved:

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

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

122 c. Is 25 grams or more, but less than 100 grams, such
123 person shall be sentenced to a mandatory minimum term of
124 imprisonment of 15 years and shall be ordered to pay a fine of
125 \$500,000.

126 d. Is 100 grams or more, but less than 30 kilograms, such
127 person shall be sentenced to a mandatory minimum term of



117010

128 imprisonment of 25 years and shall be ordered to pay a fine of
129 \$750,000.

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

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

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

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

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

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

138 893.03(1)(a)62.;

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

140 893.0356, of any substance described in sub-sub-subparagraphs

141 (I)-(V); or

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

144

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

146 known as "trafficking in dangerous fentanyl or fentanyl

147 analogues," punishable as provided in s. 775.082, s. 775.083, or

148 s. 775.084.

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

150 (I) Is 4 grams or more, but less than 14 grams, such person
151 shall be sentenced to a mandatory minimum term of imprisonment
152 of 7 ~~3~~ years, and shall be ordered to pay a fine of \$50,000.

153 (II) Is 14 grams or more, but less than 28 grams, such
154 person shall be sentenced to a mandatory minimum term of
155 imprisonment of 20 ~~15~~ years, and shall be ordered to pay a fine
156 of \$100,000.



117010

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

160 5. A person who knowingly sells, purchases, manufactures,
161 delivers, or brings into this state, or who is knowingly in
162 actual or constructive possession of, 30 kilograms or more of
163 any morphine, opium, oxycodone, hydrocodone, codeine,
164 hydromorphone, or any salt, derivative, isomer, or salt of an
165 isomer thereof, including heroin, as described in s.
166 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
167 more of any mixture containing any such substance, commits the
168 first degree felony of trafficking in illegal drugs. A person
169 who has been convicted of the first degree felony of trafficking
170 in illegal drugs under this subparagraph shall be punished by
171 life imprisonment and is ineligible for any form of
172 discretionary early release except pardon or executive clemency
173 or conditional medical release under s. 947.149. However, if the
174 court determines that, in addition to committing any act
175 specified in this paragraph:

176 a. The person intentionally killed an individual or
177 counseled, commanded, induced, procured, or caused the
178 intentional killing of an individual and such killing was the
179 result; or

180 b. The person's conduct in committing that act led to a
181 natural, though not inevitable, lethal result,
182
183 such person commits the capital felony of trafficking in illegal
184 drugs, punishable as provided in ss. 775.082 and 921.142. A
185 person sentenced for a capital felony under this paragraph shall



117010

186 also be sentenced to pay the maximum fine provided under
187 subparagraph 1.

188 6. A person who knowingly brings into this state 60
189 kilograms or more of any morphine, opium, oxycodone,
190 hydrocodone, codeine, hydromorphone, or any salt, derivative,
191 isomer, or salt of an isomer thereof, including heroin, as
192 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
193 60 kilograms or more of any mixture containing any such
194 substance, and who knows that the probable result of such
195 importation would be the death of a person, commits capital
196 importation of illegal drugs, a capital felony punishable as
197 provided in ss. 775.082 and 921.142. A person sentenced for a
198 capital felony under this paragraph shall also be sentenced to
199 pay the maximum fine provided under subparagraph 1.

200 Section 4. Subsection (4) of section 893.145, Florida
201 Statutes, is amended to read:

202 893.145 "Drug paraphernalia" defined.—The term "drug
203 paraphernalia" means all equipment, products, and materials of
204 any kind which are used, intended for use, or designed for use
205 in planting, propagating, cultivating, growing, harvesting,
206 manufacturing, compounding, converting, producing, processing,
207 preparing, testing, analyzing, packaging, repackaging, storing,
208 containing, concealing, transporting, injecting, ingesting,
209 inhaling, or otherwise introducing into the human body a
210 controlled substance in violation of this chapter or s. 877.111.
211 Drug paraphernalia is deemed to be contraband which shall be
212 subject to civil forfeiture. The term includes, but is not
213 limited to:

214 (4) Testing equipment used, intended for use, or designed



117010

215 for use in identifying, or in analyzing the strength,
216 effectiveness, or purity of, controlled substances, excluding
217 narcotic drug testing products that are used to determine
218 whether a controlled substance contains fentanyl as described in
219 s. 893.03(2)(b)9. or a controlled substance analog, as defined
220 in s. 893.0356, of fentanyl.

221 Section 5. Subsection (3) of section 893.149, Florida
222 Statutes, is amended to read:

223 893.149 Unlawful possession of listed chemical.—

224 (3) This section does not apply to a public employee or
225 private contractor authorized to clean up or dispose of
226 hazardous waste or toxic substances resulting from the
227 prohibited activities listed in s. 893.13(1)(f) ~~s. 893.13(1)(g)~~.

228 Section 6. Paragraphs (c) and (e) of subsection (3) of
229 section 921.0022, Florida Statutes, are amended to read:

230 921.0022 Criminal Punishment Code; offense severity ranking
231 chart.—

232 (3) OFFENSE SEVERITY RANKING CHART

233 (c) LEVEL 3

234

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash

236



117010

237			reports.
238	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
239	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
240	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
241	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
242	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
243	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.



117010

244	327.35 (2) (b)	3rd	Felony BUI.
245	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
246	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
247	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
	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.



117010

248	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.
249	379.2431 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
250	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
251	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
252	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.



117010

253	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
254	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
255	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
256	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
257	697.08	3rd	Equity skimming.
258	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
259	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used



117010

260			in firefighting.
	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
261			
	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
262			
	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
263			
	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
264			
	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
265			
	812.081 (2)	3rd	Theft of a trade secret.
266			
	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
267			
	817.034 (4) (a) 3.	3rd	Engages in scheme to



117010

268			defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
269	817.233	3rd	Burning to defraud insurer.
270	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
271	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
272	817.236	3rd	Filing a false motor vehicle insurance application.
273	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
274	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm,



117010

275			permanent disfigurement, or permanent disability.
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
276			
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
277			
	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
278			
	843.19	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
279			
	860.15 (3)	3rd	Overcharging for repairs and parts.
280			
	870.01 (2)	3rd	Riot.
281			
	870.01 (4)	3rd	Inciting a riot.
282			



117010

283	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).
284	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.
285	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.
	893.13(4)(c)	3rd	Use or hire of minor;



117010

286			deliver to minor other controlled substances.
	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
287			
	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
288			
	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
289			
	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
290			
	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
291			
	893.13(8)(a)1.	3rd	Knowingly assist a patient,



117010

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.

292

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.

293

893.13(8)(a)3.

3rd

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

294

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.



117010

295	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
296	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.
297	944.47(1)(c)	2nd	Possess contraband while upon the grounds of a correctional institution.
298	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
299			
300			
301	(e) LEVEL 5		
302			
	Florida	Felony	
	Statute	Degree	Description
303	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
304	316.1935(4)(a)	2nd	Aggravated fleeing or



117010

eluding.

305

316.80 (2)

2nd

Unlawful conveyance of
fuel; obtaining fuel
fraudulently.

306

322.34 (6)

3rd

Careless operation of
motor vehicle with
suspended license,
resulting in death or
serious bodily injury.

307

327.30 (5)

3rd

Vessel accidents
involving personal
injury; leaving scene.

308

379.365 (2) (c) 1.

3rd

Violation of rules
relating to: willful
molestation of stone
crab traps, lines, or
buoys; illegal
bartering, trading, or
sale, conspiring or
aiding in such barter,
trade, or sale, or
supplying, agreeing to
supply, aiding in
supplying, or giving
away stone crab trap



117010

tags or certificates;
making, altering,
forging, counterfeiting,
or reproducing stone
crab trap tags;
possession of forged,
counterfeit, or
imitation stone crab
trap tags; and engaging
in the commercial
harvest of stone crabs
while license is
suspended or revoked.

309

379.367(4)

3rd

Willful molestation of a
commercial harvester's
spiny lobster trap,
line, or buoy.

310

379.407(5)(b)3.

3rd

Possession of 100 or
more undersized spiny
lobsters.

311

381.0041(11)(b)

3rd

Donate blood, plasma, or
organs knowing HIV
positive.

312

440.10(1)(g)

2nd

Failure to obtain
workers' compensation



117010

319	790.162	2nd	Threat to throw or discharge destructive device.
320	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
321	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
322	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
323	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
324	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.



117010

325	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
326	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
327	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
328	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
329	812.081 (3)	2nd	Trafficking in trade secrets.
330	812.131 (2) (b)	3rd	Robbery by sudden snatching.
331	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
332	817.034 (4) (a) 2.	2nd	Communications fraud,



117010

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

333

817.234 (11) (b)

2nd

Insurance fraud;
property value \$20,000
or more but less than
\$100,000.

334

817.2341 (1),
(2) (a) & (3) (a)

3rd

Filing false financial
statements, making false
entries of material fact
or false statements
regarding property
values relating to the
solvency of an insuring
entity.

335

817.568 (2) (b)

2nd

Fraudulent use of
personal identification
information; value of
benefit, services
received, payment
avoided, or amount of
injury or fraud, \$5,000
or more or use of
personal identification
information of 10 or
more persons.

336



117010

337	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
338	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
339	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
340	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual



117010

conduct by a child.

341

828.12(2)

3rd

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

342

839.13(2)(b)

2nd

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

343

843.01

3rd

Resist officer with violence to person; resist arrest with violence.

344

847.0135(5)(b)

2nd

Lewd or lascivious exhibition using computer; offender 18 years or older.

345

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

346



117010

347	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
348	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
349	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
350	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
	893.13 (1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8.,



117010

(2) (c) 9., (2) (c) 10.,
(3), or (4) drugs)
within 1,000 feet of a
child care facility,
school, or state,
county, or municipal
park or publicly owned
recreational facility or
community center.

351

893.13(1)(d)1.

1st

Sell, manufacture, or
deliver cocaine (or
other s. 893.03(1)(a),
(1)(b), (1)(d), (2)(a),
(2)(b), or (2)(c) 5.
drugs) within 1,000 feet
of university.

352

893.13(1)(e)2.

2nd

Sell, manufacture, or
deliver cannabis or
other drug prohibited
under s. 893.03(1)(c),
(2)(c) 1., (2)(c) 2.,
(2)(c) 3., (2)(c) 6.,
(2)(c) 7., (2)(c) 8.,
(2)(c) 9., (2)(c) 10.,
(3), or (4) within 1,000
feet of property used
for religious services



117010

353

~~893.13(1)(f)1.~~

1st

or a specified business site.

~~Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.~~

354

893.13(4)(b)

2nd

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

355

893.1351(1)

3rd

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

356

357

358

=====
D I R E C T O R Y C L A U S E A M E N D M E N T
=====

And the directory clause is amended as follows:

Delete lines 96 - 97

and insert:

Section 7. Paragraphs (f) and (h) of subsection (1) of section 893.13, Florida Statutes, are amended to read:



117010

365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385

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

And the title is amended as follows:

Delete lines 305 - 314

and insert:

893.13, F.S.; deleting specified prohibited activities involving controlled substances within 1,000 feet of a public housing facility; prohibiting specified activities involving controlled substances within 1,000 feet of additional specified facilities; providing criminal penalties; amending s. 893.135, F.S.; renaming what the violation of specified offenses are known as from "trafficking in fentanyl" to "trafficking in dangerous fentanyl or fentanyl analogues"; increasing the mandatory minimum terms of imprisonment for specified offenses; amending s. 893.145, F.S.; revising the definition of the term "drug paraphernalia"; amending s. 893.149, F.S.; conforming a cross-reference; amending s. 921.0022, F.S.; conforming provisions to changes made by the act; providing