

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Criminal Justice
 2 Subcommittee

3 Representative Campbell offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 893.13 Prohibited acts; penalties.—

10 (1)

11 (c) Except as authorized by this chapter, a person may not
 12 sell, manufacture, or deliver, or possess with intent to sell,
 13 manufacture, or deliver, a controlled substance in, on, or
 14 within 1,000 feet of the real property comprising a child care
 15 facility as defined in s. 402.302 or a public or private
 16 elementary, middle, or secondary school during the hours of

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17 operation of the child care facility or school, including when
18 the child care facility or school is providing services to
19 children or students outside of normal hours of operation
20 ~~between the hours of 6 a.m. and 12 midnight,~~ or at any time in,
21 on, or within 1,000 feet of real property comprising a state,
22 county, or municipal park, a community center, or a publicly
23 owned recreational facility. As used in this paragraph, the term
24 "community center" means a facility operated by a nonprofit
25 community-based organization for the provision of recreational,
26 social, or educational services to the public. A person who
27 violates this paragraph with respect to:

28 1. A controlled substance named or described in s.
29 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
30 commits a felony of the first degree, punishable as provided in
31 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
32 sentenced to a minimum term of imprisonment of 3 calendar years
33 unless the offense was committed within 1,000 feet of the real
34 property comprising a child care facility as defined in s.
35 402.302.

36 2. A controlled substance named or described in s.
37 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
38 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
39 the second degree, punishable as provided in s. 775.082, s.
40 775.083, or s. 775.084.

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41 3. Any other controlled substance, except as lawfully
42 sold, manufactured, or delivered, must be sentenced to pay a
43 \$500 fine and to serve 100 hours of public service in addition
44 to any other penalty prescribed by law.

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

53 (e) Except as authorized by this chapter, a person may not
54 sell, manufacture, or deliver, or possess with intent to sell,
55 manufacture, or deliver, a controlled substance not authorized
56 by law in, on, or within 1,000 feet of a physical place for
57 worship at which a church or religious organization regularly
58 conducts religious services when such church or religious
59 organization is conducting religious services or activities or
60 within 1,000 feet of a convenience business as defined in s.
61 812.171. A person who violates this paragraph with respect to:

62 1. A controlled substance named or described in s.
63 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5.
64 commits a felony of the first degree, punishable as provided in
65 s. 775.082, s. 775.083, or s. 775.084.

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66 2. A controlled substance named or described in s.
67 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7.,
68 (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of
69 the second degree, punishable as provided in s. 775.082, s.
70 775.083, or s. 775.084.

71 3. Any other controlled substance, except as lawfully
72 sold, manufactured, or delivered, must be sentenced to pay a
73 \$500 fine and to serve 100 hours of public service in addition
74 to any other penalty prescribed by law.

75 Section 2. This act shall take effect July 1, 2023.

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

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Remove lines 3-6 and insert:

81

893.13, F.S.; revising certain drug-enhancement zones;

82

providing an effective date.