

By the Appropriations Committee on Criminal and Civil Justice;
the Committee on Criminal Justice; and Senator Collins

604-03625-25

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A bill to be entitled

An act relating to age as an element of a criminal offense; creating s. 787.001, F.S.; providing that ignorance of a victim's age, misrepresentation of a victim's age, and a bona fide belief concerning a victim's age are not defenses to certain offenses in which the victim's age is an element of the offense; providing an exception; amending s. 787.025, F.S.; revising the age requirements for committing the offenses relating to luring or enticing a child; providing increased criminal penalties; revising an affirmative defense; amending s. 921.0022, F.S.; ranking offenses on the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

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

Section 1. Section 787.001, Florida Statutes, is created to read:

787.001 Victim's age; ignorance and misrepresentation not defenses.—When, in this chapter, the criminality of conduct depends upon the victim being below a certain age, ignorance of the victim's age is not a defense. Misrepresentation of a victim's age by any person or a bona fide belief that a victim is over a specified age is also not a defense. This section does not apply to s. 787.30.

Section 2. Subsection (2) and paragraph (b) of subsection (3) of section 787.025, Florida Statutes, are amended to read:

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787.025 Luring or enticing a child.—

(2)(a) A person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, a child under the age of 14 ~~12~~ into or out of a structure, dwelling, or conveyance for other than a lawful purpose commits a felony ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

(b) A person 18 years of age or older who, having been previously convicted of a violation of paragraph (a), intentionally lures or entices, or attempts to lure or entice, a child under the age of 14 ~~12~~ into or out of a structure, dwelling, or conveyance for other than a lawful purpose commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) A person 18 years of age or older who, having been previously convicted of a violation of chapter 794, s. 800.04, or s. 847.0135(5), or a violation of a similar law of another jurisdiction, intentionally lures or entices, or attempts to lure or entice, a child under the age of 14 ~~12~~ into or out of a structure, dwelling, or conveyance for other than a lawful purpose commits a felony of the second ~~third~~ degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) It is an affirmative defense to a prosecution under this section that:

(b) The person lured or enticed, or attempted to lure or entice, the child under the age of 14 ~~12~~ into or out of a structure, dwelling, or conveyance for a lawful purpose.

Section 3. Paragraphs (f) and (g) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

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921.0022 Criminal Punishment Code; offense severity ranking
chart.—

(3) OFFENSE SEVERITY RANKING CHART

(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized

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person.

69

499.0051(4)

2nd

Knowing sale or transfer
of prescription drug to
unauthorized person.

70

775.0875(1)

3rd

Taking firearm from law
enforcement officer.

71

784.021(1)(a)

3rd

Aggravated assault;
deadly weapon without
intent to kill.

72

784.021(1)(b)

3rd

Aggravated assault;
intent to commit felony.

73

784.041

3rd

Felony battery; domestic
battery by
strangulation.

74

784.048(3)

3rd

Aggravated stalking;
credible threat.

75

784.048(5)

3rd

Aggravated stalking of
person under 16.

76

784.07(2)(c)

2nd

Aggravated assault on
law enforcement officer.

77

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784.074 (1) (b)

2nd

Aggravated assault on
sexually violent
predators facility
staff.

78

784.08 (2) (b)

2nd

Aggravated assault on a
person 65 years of age
or older.

79

784.081 (2)

2nd

Aggravated assault on
specified official or
employee.

80

784.082 (2)

2nd

Aggravated assault by
detained person on
visitor or other
detainee.

81

784.083 (2)

2nd

Aggravated assault on
code inspector.

82

787.02 (2)

3rd

False imprisonment;
restraining with purpose
other than those in s.
787.01.

83

787.025 (2) (a)3rd

Luring or enticing a
child.

84

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790.115 (2) (d)

2nd

Discharging firearm or
weapon on school
property.

790.161 (2)

2nd

Make, possess, or throw
destructive device with
intent to do bodily harm
or damage property.

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.

790.19

2nd

Shooting or throwing
deadly missiles into
dwellings, vessels, or
vehicles.

794.011 (8) (a)

3rd

Solicitation of minor to
participate in sexual
activity by custodial
adult.

794.05 (1)

2nd

Unlawful sexual activity
with specified minor.

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90	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.
91	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
92	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
93	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
94	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
95	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in

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2nd degree.

812.014 (2) (c) 5.

3rd

Grand theft; third
degree; firearm.

812.014 (6)

2nd

Theft; property stolen
\$3,000 or more;
coordination of others.

812.015 (9) (a)

2nd

Retail theft; property
stolen \$750 or more;
second or subsequent
conviction.

812.015 (9) (b)

2nd

Retail theft; aggregated
property stolen within
120 days is \$3,000 or
more; coordination of
others.

812.015 (9) (d)

2nd

Retail theft; multiple
thefts within specified
period.

812.015 (9) (e)

2nd

Retail theft; committed
with specified number of
other persons and use of
social media platform.

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812.13 (2) (c)

2nd

Robbery, no firearm or
other weapon (strong-arm
robbery).

103

817.4821 (5)

2nd

Possess cloning
paraphernalia with
intent to create cloned
cellular telephones.

104

817.49 (2) (b) 2.

2nd

Willful making of a
false report of a crime
resulting in death.

105

817.505 (4) (b)

2nd

Patient brokering; 10 or
more patients.

106

817.5695 (3) (b)

2nd

Exploitation of person
65 years of age or
older, value \$10,000 or
more, but less than
\$50,000.

107

825.102 (1)

3rd

Abuse of an elderly
person or disabled
adult.

108

825.102 (3) (c)

3rd

Neglect of an elderly
person or disabled
adult.

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109	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
110	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
111	827.03 (2) (c)	3rd	Abuse of a child.
112	827.03 (2) (d)	3rd	Neglect of a child.
113	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
114	828.126 (3)	3rd	Sexual activities involving animals.
115	836.05	2nd	Threats; extortion.
116	836.10	2nd	Written or electronic threats to kill, do

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			bodily injury, or
			conduct a mass shooting
			or an act of terrorism.
117			
	843.12	3rd	Aids or assists person
			to escape.
118			
	847.011	3rd	Distributing, offering
			to distribute, or
			possessing with intent
			to distribute obscene
			materials depicting
			minors.
119			
	847.012	3rd	Knowingly using a minor
			in the production of
			materials harmful to
			minors.
120			
	847.0135(2)	3rd	Facilitates sexual
			conduct of or with a
			minor or the visual
			depiction of such
			conduct.
121			
	893.131	2nd	Distribution of
			controlled substances
			resulting in overdose or
			serious bodily injury.

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122

914.23

2nd

Retaliation against a witness, victim, or informant, with bodily injury.

123

918.13 (2) (b)

2nd

Tampering with or
fabricating physical
evidence relating to a
capital felony.

124

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.

125

944.40

2nd

Escapes .

126

944.46

3rd

Harboring, concealing,
aiding escaped
prisoners.

127

944.47 (1) (a) 5.

2nd

Introduction of
contraband (firearm,
weapon, or explosive)

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into correctional
facility.

951.22 (1) (i)

3rd

Firearm or weapon
introduced into county
detention facility.

(g) LEVEL 7

Florida
Statute

Felony
Degree

Description

316.027 (2) (c)

1st

Accident involving death,
failure to stop; leaving scene.

316.193 (3) (c) 2.

3rd

DUI resulting in serious bodily
injury.

316.1935 (3) (b)

1st

Causing serious bodily injury
or death to another person;
driving at high speed or with
wanton disregard for safety
while fleeing or attempting to
elude law enforcement officer
who is in a patrol vehicle with
siren and lights activated.

327.35 (3) (c) 2.

3rd

Vessel BUI resulting in serious
bodily injury.

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136

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

137

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

138

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

139

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

140

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

141

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

142

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

143

460.411(1) 3rd Practicing chiropractic

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medicine without a license.

144

461.012(1)

3rd

Practicing podiatric medicine
without a license.

145

462.17

3rd

Practicing naturopathy without
a license.

146

463.015(1)

3rd

Practicing optometry without a
license.

147

464.016(1)

3rd

Practicing nursing without a
license.

148

465.015(2)

3rd

Practicing pharmacy without a
license.

149

466.026(1)

3rd

Practicing dentistry or dental
hygiene without a license.

150

467.201

3rd

Practicing midwifery without a
license.

151

468.366

3rd

Delivering respiratory care
services without a license.

152

483.828(1)

3rd

Practicing as clinical
laboratory personnel without a
license.

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153

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

154

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

155

484.053 3rd Dispensing hearing aids without
a license.

156

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.

157

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.

158

560.125(5)(a) 3rd Money services business by
unauthorized person, currency
or payment instruments
exceeding \$300 but less than
\$20,000.

159

655.50(10)(b)1. 3rd Failure to report financial

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transactions exceeding \$300 but
less than \$20,000 by financial
institution.

160

775.21(10)(a)

3rd

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

161

775.21(10)(b)

3rd

Sexual predator working where
children regularly congregate.

162

775.21(10)(g)

3rd

Failure to report or providing
false information about a
sexual predator; harbor or
conceal a sexual predator.

163

782.051(3)

2nd

Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

164

782.07(1)

2nd

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

165

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166	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
167	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
168	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
169	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
170	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
171	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
172	784.048 (7)	3rd	Aggravated stalking; violation of court order.
	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.

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173

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

174

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

175

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

176

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

177

784.083 (1) 1st Aggravated battery on code
inspector.

178

787.025 (2) (b) 2nd Luring or enticing a child;
second or subsequent offense.

179

787.025 (2) (c) 2nd Luring or enticing a child with
a specified prior conviction.

180

787.06 (3) (a) 2. 1st Human trafficking using
coercion for labor and services
of an adult.

181

787.06 (3) (e) 2. 1st Human trafficking using

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coercion for labor and services
by the transfer or transport of
an adult from outside Florida
to within the state.

182

790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).

183

790.16(1) 1st Discharge of a machine gun
under specified circumstances.

184

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

185

790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

186

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

187

790.166(4) 2nd Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting

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to commit a felony.

188

790.23 1st, PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

189

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.

190

796.05 (1) 1st Live on earnings of a
prostitute; 2nd offense.

191

796.05 (1) 1st Live on earnings of a
prostitute; 3rd and subsequent
offense.

192

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation;
victim younger than 12 years of
age; offender younger than 18
years of age.

193

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

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or older.

194

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.

195

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

196

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

197

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

198

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

199

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

200

812.014(2)(a)1. 1st Property stolen, valued at
\$100,000 or more or a
semitrailer deployed by a law

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enforcement officer; property
stolen while causing other
property damage; 1st degree
grand theft.

201

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

202

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

203

812.014 (2) (b) 4. 2nd Property stolen, law
enforcement equipment from
authorized emergency vehicle.

204

812.014 (2) (g) 2nd Grand theft; second degree;
firearm with previous
conviction of s.
812.014 (2) (c) 5.

205

812.0145 (2) (a) 1st Theft from person 65 years of
age or older; \$50,000 or more.

206

812.019 (2) 1st Stolen property; initiates,
organizes, plans, etc., the
theft of property and traffics
in stolen property.

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207

812.131 (2) (a) 2nd Robbery by sudden snatching.

208

812.133 (2) (b) 1st Carjacking; no firearm, deadly
weapon, or other weapon.

209

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

210

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

211

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

212

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

213

817.2341 1st Making false entries of
(2) (b) & material fact or false
(3) (b) statements regarding property
values relating to the solvency
of an insuring entity which are
a significant cause of the
insolvency of that entity.

214

817.418 (2) (a) 3rd Offering for sale or

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advertising personal protective
equipment with intent to
defraud.

215

817.504 (1) (a) 3rd Offering or advertising a
vaccine with intent to defraud.

216

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

217

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

218

825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

219

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.

220

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

221

827.04 (3) 3rd Impregnation of a child under

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16 years of age by person 21
years of age or older.

827.071(2) & (3)

2nd

Use or induce a child in a
sexual performance, or promote
or direct such performance.

827.071(4)

2nd

Possess with intent to promote
any photographic material,
motion picture, etc., which
includes child pornography.

837.05(2)

3rd

Giving false information about
alleged capital felony to a law
enforcement officer.

838.015

2nd

Bribery.

838.016

2nd

Unlawful compensation or reward
for official behavior.

838.021(3) (a)

2nd

Unlawful harm to a public
servant.

838.22

2nd

Bid tampering.

843.0855(2)

3rd

Impersonation of a public
officer or employee.

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843.0855(3)

3rd

Unlawful simulation of legal
process.

231

843.0855(4)

3rd

Intimidation of a public
officer or employee.

232

847.0135(3)

3rd

Solicitation of a child, via a
computer service, to commit an
unlawful sex act.

233

847.0135(4)

2nd

Traveling to meet a minor to
commit an unlawful sex act.

234

872.06

2nd

Abuse of a dead human body.

235

874.05(2)(b)

1st

Encouraging or recruiting
person under 13 to join a
criminal gang; second or
subsequent offense.

236

874.10

1st, PBL

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

237

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),

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(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.

238

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.

239

893.13 (4) (a)

1st

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

240

893.135 (1) (a) 1.

1st

Trafficking in cannabis, more
 than 25 lbs., less than 2,000
 lbs.

241

893.135

1st

(1) (b) 1.a.

Trafficking in cocaine, more
 than 28 grams, less than 200
 grams.

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

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

893.135 1st Trafficking in hydrocodone, 50
 (1) (c) 2.b. grams or more, less than 100
 grams.

893.135 1st Trafficking in oxycodone, 7
 (1) (c) 3.a. grams or more, less than 14
 grams.

893.135 1st Trafficking in oxycodone, 14
 (1) (c) 3.b. grams or more, less than 25
 grams.

893.135 1st Trafficking in fentanyl, 4
 (1) (c) 4.b. (I) grams or more, less than 14
 grams.

893.135 1st Trafficking in phencyclidine,
 (1) (d) 1.a. 28 grams or more, less than 200
 grams.

893.135 (1) (e) 1. 1st Trafficking in methaqualone,

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200 grams or more, less than 5
kilograms.

250

893.135 (1) (f) 1. 1st Trafficking in amphetamine, 14
grams or more, less than 28
grams.

251

893.135 1st Trafficking in flunitrazepam, 4
(1) (g) 1.a. grams or more, less than 14
grams.

252

893.135 1st Trafficking in gamma-
(1) (h) 1.a. hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

253

893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.a. 1 kilogram or more, less than 5
kilograms.

254

893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.a. 10 grams or more, less than 200
grams.

255

893.135 1st Trafficking in synthetic
(1) (m) 2.a. cannabinoids, 280 grams or
more, less than 500 grams.

256

893.135 1st Trafficking in synthetic

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(1) (m) 2.b.

cannabinoids, 500 grams or
more, less than 1,000 grams.

893.135

1st

(1) (n) 2.a.

Trafficking in n-benzyl
phenethylamines, 14 grams or
more, less than 100 grams.

893.1351(2)

2nd

Possession of place for
trafficking in or manufacturing
of controlled substance.

896.101(5) (a)

3rd

Money laundering, financial
transactions exceeding \$300 but
less than \$20,000.

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.

943.0435(8)

2nd

Sexual offender; remains in
state after indicating intent
to leave; failure to comply

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with reporting requirements.

263

943.0435(9)(a)

3rd

Sexual offender; failure to
comply with reporting
requirements.

264

943.0435(13)

3rd

Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

265

943.0435(14)

3rd

Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

266

944.607(9)

3rd

Sexual offender; failure to
comply with reporting
requirements.

267

944.607(10)(a)

3rd

Sexual offender; failure to
submit to the taking of a
digitized photograph.

268

944.607(12)

3rd

Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

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269

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

270

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

271

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

272

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

273

274

Section 4. This act shall take effect October 1, 2025.