

By the Committee on Regulated Industries; and Senator Simon

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1 A bill to be entitled
2 An act relating to gambling; amending s. 16.71, F.S.;
3 deleting obsolete provisions; deleting language
4 concerning factors to be considered in appointments to
5 the Florida Gaming Control Commission; amending s.
6 16.713, F.S.; prohibiting certain employment for a
7 specified timeframe before or during a person's
8 service with the commission; amending s. 16.715, F.S.;
9 revising standards of conduct for the commission;
10 prohibiting certain post-employment activities for
11 former commissioners and employees for a specified
12 period; amending s. 546.10, F.S.; authorizing certain
13 organizations to petition the commission before
14 purchasing, installing, or operating a game or machine
15 on its premises before petitioning for and being
16 issued a specified declaratory statement from the
17 commission if the organization is unsure if such game
18 or machine is an amusement machine; prohibiting such
19 organizations from purchasing or installing a game or
20 machine until an outstanding declaratory statement is
21 issued; prohibiting such organizations from seeking a
22 declaratory statement if the game or machine in
23 question is the subject of a criminal investigation;
24 requiring the commission to issue a declaratory
25 statement within a specified timeframe; prohibiting
26 the commission from denying a petition if it was
27 validly requested; specifying the information that
28 must be included in a request for a declaratory
29 statement; providing that the declaratory statement is

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30 valid only for the game or machine for which it is
31 requested; providing that the declaratory statement is
32 invalid if the specifications for the game or machine
33 have been changed; providing that the declaratory
34 statement is binding on the commission and may be
35 introduced as evidence in subsequent proceedings;
36 providing construction; amending s. 551.104, F.S.;
37 revising hiring and procurement policy and reporting
38 requirements for slot machine gaming licensure;
39 amending s. 838.12, F.S.; prohibiting betting on
40 athletic contests with knowledge that the results are
41 prearranged or predetermined; providing criminal
42 penalties; amending s. 843.08, F.S.; prohibiting false
43 personation of personnel of the commission; providing
44 criminal penalties; amending s. 849.01, F.S.; revising
45 criminal penalties for offenses involving keeping a
46 gambling house; amending s. 849.02, F.S.; increasing
47 criminal penalties for specified offenses by agents or
48 employees of a keeper of a gambling house; amending s.
49 849.03, F.S.; revising criminal penalties for offenses
50 involving renting a house for gambling purposes;
51 amending s. 849.08, F.S.; defining the terms "Internet
52 gambling" and "Internet sports wagering"; prohibiting
53 Internet gambling and Internet sports wagering and
54 related offenses; providing criminal penalties;
55 providing an exception; amending s. 849.086, F.S.;
56 prohibiting specified actions relating to manipulation
57 of card games; providing criminal penalties; creating
58 s. 849.0932, F.S.; defining terms; prohibiting entry

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59 fees collected by noncommercial contest operators from
60 exceeding a specified amount; requiring that all entry
61 fees be returned to contest participants in the form
62 of prizes; requiring the commission to investigate and
63 refer violations to the Attorney General or the state
64 attorney in the circuit in which the violation occurs;
65 authorizing the Attorney General or the state attorney
66 to institute proceedings to enjoin persons found to be
67 in violation of specified provisions of law; providing
68 fines of specified amounts and civil and criminal
69 penalties for specified violations; amending s.
70 849.11, F.S.; prohibiting certain offenses related to
71 games of chance involving the Internet; providing
72 criminal penalties; amending s. 849.13, F.S.;

73 providing enhanced criminal penalties for second or
74 subsequent violations of certain provisions; amending
75 s. 849.14, F.S.; revising the criminal penalties for
76 betting or wagering on certain activities; amending s.
77 849.15, F.S.; defining terms; providing criminal
78 penalties for specified offenses relating to the
79 manufacture, possession, and sale of slot machines or
80 devices; creating s. 849.155, F.S.; prohibiting
81 trafficking in slot machines, devices, or parts
82 thereof; providing criminal penalties; providing for
83 the deposit of fines into a specified trust fund for
84 specified purposes; creating s. 849.157, F.S.;

85 prohibiting the making of a false or misleading
86 statement regarding the legality of slot machines or
87 devices for specified purposes; providing criminal

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88 penalties; repealing s. 849.23, F.S., relating to
89 penalties for violations of specified sections;
90 creating s. 849.47, F.S.; defining the term "illegal
91 gambling"; prohibiting the transportation of specified
92 numbers of persons, persons of certain ages, or a
93 certain number of persons for the purpose of
94 facilitating illegal gambling; providing criminal
95 penalties; creating s. 849.48, F.S.; defining the term
96 "illegal gambling"; prohibiting specified gambling or
97 gaming advertisements; providing criminal penalties;
98 providing construction; creating s. 849.49, F.S.;
99 preempting to the state the regulation of gaming,
100 gambling, lotteries, or any activities described in
101 specified provisions; amending s. 903.046, F.S.;
102 providing for consideration of the amount of currency
103 seized connected to or involved in specified gambling
104 or gaming offenses when determining whether to release
105 a defendant prior to trial; amending s. 921.0022,
106 F.S.; ranking offenses for purposes of the offense
107 severity ranking chart of the Criminal Punishment
108 Code; amending ss. 772.102 and 895.02, F.S.;
109 conforming provisions to changes made by the act;
110 providing an effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Paragraph (a) of subsection (2) of section
115 16.71, Florida Statutes, is amended to read:

116 16.71 Florida Gaming Control Commission; creation;

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117 meetings; membership.-

118 (2) MEMBERSHIP.-

119 (a) The commission shall be composed ~~consist~~ of five
120 members appointed by the Governor, and subject to confirmation
121 by the Senate, for terms of 4 years. ~~Members of the commission~~
122 ~~must be appointed by January 1, 2022. The Governor shall~~
123 ~~consider appointees who reflect Florida's racial, ethnic, and~~
124 ~~gender diversity. Of the initial five members appointed by the~~
125 ~~Governor, and immediately upon appointment, the Governor shall~~
126 ~~appoint one of the members as the initial chair and one of the~~
127 ~~members as the initial vice chair. At the end of the initial~~
128 chair's and vice chair's terms pursuant to subparagraph 1., the
129 commission shall elect one of the members of the commission as
130 chair and one of the members of the commission as vice chair.

131 1. For the purpose of providing staggered terms, of the
132 initial appointments, two members shall be appointed to 4-year
133 terms, two members shall be appointed to 3-year terms, and one
134 member shall be appointed to a 2-year term.

135 2. Of the five members, at least one member must have at
136 least 10 years of experience in law enforcement and criminal
137 investigations, at least one member must be a certified public
138 accountant licensed in this state with at least 10 years of
139 experience in accounting and auditing, and at least one member
140 must be an attorney admitted and authorized to practice law in
141 this state for at least the preceding 10 years.

142 Section 2. Paragraphs (a) and (b) of subsection (2) of
143 section 16.713, Florida Statutes, are amended to read:

144 16.713 Florida Gaming Control Commission; appointment and
145 employment restrictions.-

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146 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS
147 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE
148 COMMISSION.—

149 (a) A person may not, for the 2 years immediately preceding
150 the date of appointment to or employment with the commission and
151 while appointed to or employed with the commission:

152 1. Hold a permit or license issued under chapter 550 or a
153 license issued under chapter 551 or chapter 849; be an officer,
154 official, or employee of such permitholder or licensee; or be an
155 ultimate equitable owner, as defined in s. 550.002(37), of such
156 permitholder or licensee;

157 2. Be an officer, official, employee, or other person with
158 duties or responsibilities relating to a gaming operation owned
159 by an Indian tribe that has a valid and active compact with the
160 state; be a contractor or subcontractor of such tribe or an
161 entity employed, licensed, or contracted by such tribe; or be an
162 ultimate equitable owner, as defined in s. 550.002(37), of such
163 entity;

164 3. Be a registered lobbyist for the executive or
165 legislative branch, except while a commissioner or employee of
166 the commission when officially representing the commission or
167 unless the person registered as a lobbyist for the executive or
168 legislative branch while employed by a state agency as defined
169 in s. 110.107 during the normal course of his or her employment
170 with such agency and he or she has not lobbied on behalf of any
171 entity other than a state agency during the 2 years immediately
172 preceding the date of his or her appointment to or employment
173 with the commission; ~~or~~

174 4. Be a bingo game operator or an employee of a bingo game

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175 operator; or

176 5. Be an employee, an associate, an owner, or a contractor
177 for any person or entity that conducts or facilitates an
178 activity regulated, enforced, or investigated by the commission,
179 including fantasy sports contests and other betting activities.

180 (b) A person is ineligible for appointment to or employment
181 with the commission if, within the 2 years immediately preceding
182 such appointment or employment, he or she violated paragraph (a)
183 or solicited or accepted employment with, acquired any direct or
184 indirect interest in, or had any direct or indirect business
185 association, partnership, or financial relationship with, or is
186 a relative of:

187 1. Any person or entity who is an applicant, licensee, or
188 registrant with the commission; ~~or~~

189 2. Any officer, official, employee, or other person with
190 duties or responsibilities relating to a gaming operation owned
191 by an Indian tribe that has a valid and active compact with the
192 state; any contractor or subcontractor of such tribe or an
193 entity employed, licensed, or contracted by such tribe; or any
194 ultimate equitable owner, as defined in s. 550.002(37), of such
195 entity; or

196 3. Any person or entity that conducts or facilitates an
197 activity regulated, enforced, or investigated by the commission,
198 including fantasy sports contests and other betting activities.

199
200 For the purposes of this subsection, the term "relative" means a
201 spouse, father, mother, son, daughter, grandfather, grandmother,
202 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-
203 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,

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204 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
205 stepbrother, stepsister, half brother, or half sister.

206 Section 3. Paragraph (b) of subsection (1) and paragraphs
207 (b) and (c) of subsection (2) of section 16.715, Florida
208 Statutes, are amended to read:

209 16.715 Florida Gaming Control Commission standards of
210 conduct; ex parte communications.—

211 (1) STANDARDS OF CONDUCT.—

212 (b)1. A commissioner or employee of the commission may not
213 accept anything from any business entity that, either directly
214 or indirectly, owns or controls any person regulated by the
215 commission or from any business entity that, either directly or
216 indirectly, is an affiliate or subsidiary of any person
217 regulated by the commission.

218 2. A commissioner or an employee may attend conferences,
219 along with associated meals and events that are generally
220 available to all conference participants, without payment of any
221 fees in addition to the conference fee. Additionally, while
222 attending a conference, a commissioner or an employee may attend
223 meetings, meals, or events that are not sponsored, in whole or
224 in part, by any representative of any person regulated by the
225 commission and that are limited to commissioners or employees
226 only, committee members, or speakers if the commissioner or
227 employee is a member of a committee of the association of
228 regulatory agencies which organized the conference or is a
229 speaker at the conference. It is not a violation of this
230 subparagraph for a commissioner or an employee to attend a
231 conference for which conference participants who are employed by
232 a person regulated by the commission have paid a higher

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233 conference registration fee than the commissioner or employee,
234 or to attend a meal or event that is generally available to all
235 conference participants without payment of any fees in addition
236 to the conference fee and that is sponsored, in whole or in
237 part, by a person regulated by the commission.

238 3. While employed, and for 2 years after service as a
239 commissioner or for 2 years after employment with the
240 commission, a commissioner or an employee may not accept any
241 form of employment with or engage in any business activity with
242 any business entity that, either directly or indirectly, owns or
243 controls any person regulated by the commission; any person
244 regulated by the commission; or any business entity that, either
245 directly or indirectly, is an affiliate or subsidiary of any
246 person regulated by the commission; or be an employee, an
247 associate, an owner, or a contractor for any person or entity
248 that conducts or facilitates an activity regulated, enforced, or
249 investigated by the commission, including fantasy sports
250 contests and other betting activities.

251 4. While employed, and for 2 years after service as a
252 commissioner or for 2 years after employment with the
253 commission, a commissioner, an employee, or a relative living in
254 the same household as a commissioner or an employee may not have
255 any financial interest, other than shares in a mutual fund, in
256 any person regulated by the commission; in any business entity
257 that, either directly or indirectly, owns or controls any person
258 regulated by the commission; or in any business entity that,
259 either directly or indirectly, is an affiliate or a subsidiary
260 of any person regulated by the commission; or be an employee, an
261 associate, an owner, or a contractor for any person or entity

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262 that conducts or facilitates an activity regulated, enforced, or
263 investigated by the commission, including fantasy sports
264 contests and other betting activities. If a commissioner, an
265 employee, or a relative living in the same household as a
266 commissioner or an employee acquires any financial interest
267 prohibited by this subsection during the commissioner's term of
268 office or the employee's employment with the commission as a
269 result of events or actions beyond the commissioner's, the
270 employee's, or the relative's control, he or she shall
271 immediately sell such financial interest. For the purposes of
272 this subsection, the term "relative" has the same meaning as in
273 s. 16.713(2) (b).

274 5. A commissioner or an employee may not accept anything
275 from a party in a proceeding currently pending before the
276 commission.

277 6. A commissioner may not serve as the representative of
278 any political party or on any executive committee or other
279 governing body of a political party; serve as an executive
280 officer or employee of any political party, committee,
281 organization, or association; receive remuneration for
282 activities on behalf of any candidate for public office; engage
283 on behalf of any candidate for public office in the solicitation
284 of votes or other activities on behalf of such candidacy; or
285 become a candidate for election to any public office without
286 first resigning from office.

287 7. A commissioner, during his or her term of office, may
288 not make any public comment regarding the merits of any
289 proceeding under ss. 120.569 and 120.57 currently pending before
290 the commission.

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291 8. A commissioner or an employee may not act in an
292 unprofessional manner at any time during the performance of
293 official duties.

294 9. A commissioner or an employee must avoid impropriety in
295 all activities and must act at all times in a manner that
296 promotes public confidence in the integrity and impartiality of
297 the commission.

298 10. A commissioner or an employee may not directly or
299 indirectly, through staff or other means, solicit anything of
300 value from any person regulated by the commission, or from any
301 business entity that, whether directly or indirectly, is an
302 affiliate or a subsidiary of any person regulated by the
303 commission, or from any party appearing in a proceeding
304 considered by the commission in the last 2 years.

305 11. A commissioner may not lobby the Governor or any agency
306 of the state, members or employees of the Legislature, or any
307 county or municipal government or governmental agency except to
308 represent the commission in an official capacity.

309 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

310 (b) A commissioner, the executive director, or an employee
311 of the commission may not, for the 2 years immediately following
312 the date of resignation or termination from the commission:

313 1. Hold a permit or license issued under chapter 550, or a
314 license issued under chapter 551 or chapter 849; be an officer,
315 official, or employee of such permitholder or licensee; ~~or~~ be an
316 ultimate equitable owner, as defined in s. 550.002(37), of such
317 permitholder or licensee; or be an employee, an associate, an
318 owner, or a contractor for any person or entity that conducts or
319 facilitates an activity regulated, enforced, or investigated by

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320 the commission, including fantasy sports contests and other
321 betting activities;

322 2. Accept employment by or compensation from a business
323 entity that, directly or indirectly, owns or controls a person
324 regulated by the commission; from a person regulated by the
325 commission; from a business entity which, directly or
326 indirectly, is an affiliate or subsidiary of a person regulated
327 by the commission; ~~or~~ from a business entity or trade
328 association that has been a party to a commission proceeding
329 within the 2 years preceding the member's resignation or
330 termination of service on the commission; from any person or
331 entity that conducts or facilitates an activity regulated,
332 enforced, or investigated by the commission, including fantasy
333 sports contests and other betting activities; or

334 3. Be a bingo game operator or an employee of a bingo game
335 operator.

336 (c) A person employed by the commission may not, for the 2
337 years immediately following the date of termination or
338 resignation from employment with the commission:

339 1. Hold a permit or license issued under chapter 550, or a
340 license issued under chapter 551 or chapter 849; be an officer,
341 official, or employee of such permitholder or licensee; or be an
342 ultimate equitable owner, as defined in s. 550.002(37), of such
343 permitholder or licensee; or be an employee, an associate, an
344 owner, or a contractor for any person or entity that conducts or
345 facilitates an activity regulated, enforced, or investigated by
346 the commission, including fantasy sports contests and other
347 betting activities; or

348 2. Be a bingo game operator or an employee of a bingo game

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349 operator.

350 Section 4. Present subsections (8) and (9) of section
351 546.10, Florida Statutes, are redesignated as subsections (9)
352 and (10), respectively, and a new subsection (8) is added to
353 that section, to read:

354 546.10 Amusement games or machines.—

355 (8) (a) 1. Before purchasing or installing a game or machine
356 on the premises of any veterans' service organization granted a
357 federal charter under Title 36, U.S.C., or a division, a
358 department, a post, or a chapter of such organization, for which
359 an alcoholic beverage license has been issued, and the veterans'
360 service organization is in doubt about whether a machine meets
361 the definition of an amusement machine under this section, the
362 organization may petition the Florida Gaming Control Commission
363 for a declaratory statement under s. 120.565 on whether the
364 operation of the game or machine would be authorized under this
365 section or would be a violation of this section or chapter 849.
366 A game or machine awaiting a declaratory statement from the
367 commission may not be purchased or installed until the
368 declaratory statement is issued.

369 2. If there is a game or machine currently on the premises
370 of any veterans' service organization granted a federal charter
371 under Title 36, U.S.C., or a division, a department, a post, or
372 a chapter of such organization, for which an alcoholic beverage
373 license has been issued and the veterans' service organization
374 is in doubt about whether a machine meets the definition of an
375 amusement machine under this section, the organization may
376 petition the commission for a declaratory statement pursuant to
377 s. 120.565 on whether the operation of the game or machine would

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378 be authorized under this section or would be a violation of this
379 section or chapter 849. If the game, machine, premises, or
380 organization is the subject of an ongoing criminal
381 investigation, the organization may not petition the commission
382 for a declaratory statement under this subsection.

383 3. The commission shall issue a declaratory statement
384 pursuant to this subsection within 60 days after receiving a
385 petition requesting such statement. The commission may not deny
386 a petition that is validly requested pursuant to this subsection
387 and 120.565.

388 (b) A petition made under this subsection must provide
389 enough information for the commission to issue the declaratory
390 statement and must be accompanied by the exact specifications
391 for the type of game or machine that the organization will
392 purchase or install or currently has on the premises. The
393 declaratory statement is valid only for the game or machine for
394 which it is requested and is invalid if the specifications for
395 the game or the machine have been changed.

396 (c) The declaratory statement is binding on the commission
397 and may be introduced in any subsequent proceedings as evidence
398 of a good faith effort to comply with this section or chapter
399 849.

400 (d) This subsection does not prevent the commission or any
401 other criminal justice agency as defined in s. 943.045 from
402 detecting, apprehending, and arresting a person for any alleged
403 violation of this chapter, chapter 24, part II of chapter 285,
404 chapter 550, chapter 551, or chapter 849, or any rule adopted
405 pursuant thereto, or of any law of this state.

406 (e) This subsection does not require an owner or an

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407 operator of an amusement game or machine under this section to
408 request or obtain a declaratory statement in order to operate
409 pursuant to this section.

410 Section 5. Paragraph (i) of subsection (4) of section
411 551.104, Florida Statutes, is amended to read:

412 551.104 License to conduct slot machine gaming.—

413 (4) As a condition of licensure and to maintain continued
414 authority for the conduct of slot machine gaming, the slot
415 machine licensee shall:

416 (i) Create and file with the commission a written policy
417 for:

418 1. Creating opportunities to purchase from vendors in this
419 state, ~~including minority vendors.~~

420 2. Creating opportunities for employment of residents of
421 this state, ~~including minority residents.~~

422 3. Ensuring opportunities for construction services from a
423 small business as defined in s. 288.703 ~~minority contractors.~~

424 4. Ensuring that opportunities for employment are offered
425 on an equal, nondiscriminatory basis.

426 5. Training for employees on responsible gaming and working
427 with a compulsive or addictive gambling prevention program to
428 further its purposes as provided for in s. 551.118.

429 6. The implementation of a drug-testing program that
430 includes, but is not limited to, requiring each employee to sign
431 an agreement that he or she understands that the slot machine
432 facility is a drug-free workplace.

433

434 The slot machine licensee shall use the Internet-based job-
435 listing system of the Department of Commerce in advertising

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436 employment opportunities. ~~Each slot machine licensee shall~~
437 ~~provide an annual report to the Florida Gaming Control~~
438 ~~Commission containing information indicating compliance with~~
439 ~~this paragraph in regard to minority persons.~~

440 Section 6. Section 838.12, Florida Statutes, is amended, to
441 read:

442 838.12 Bribery in athletic contests.—

443 (1) A person who ~~Whoever~~ gives, promises, offers or
444 conspires to give, promise or offer, to anyone who participates
445 or expects to participate in any professional or amateur game,
446 contest, match, race or sport; or to any umpire, referee, judge
447 or other official of such game, contest, match, race or sport;
448 or to any owner, manager, coach or trainer of, or to any
449 relative of, or to any person having any direct, indirect,
450 remote or possible connection with, any team, individual,
451 participant or prospective participant in any such professional
452 or amateur game, contest, match, race or sport, or the officials
453 aforesaid, any bribe, money, goods, present, reward or any
454 valuable thing whatsoever, or any promise, contract or agreement
455 whatsoever, with intent to influence him or her or them to lose
456 or cause to be lost any game, contest, match, race or sport, or
457 to limit his or her or their or any person's or any team's
458 margin of victory in any game, contest, match, race, or sport,
459 or to fix or throw any game, contest, match, race or sport,
460 commits ~~shall be guilty of~~ a felony of the third degree,
461 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

462 (2) A ~~Any~~ participant or prospective participant in any
463 professional or amateur game, contest, match, race or sport; or
464 any umpire, referee, judge or other official of such game,

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465 contest, match, race or sport; or any owner, manager, coach or
466 trainer of, or any relative of, or any person having any direct,
467 indirect, remote or possible connection with, any team,
468 individual, participant or prospective participant in any such
469 professional or amateur game, contest, match, race or sport, or
470 the officials aforesaid; who in any way solicits, receives or
471 accepts, or agrees to receive or accept, or who conspires to
472 receive or accept, any bribe, money, goods, present, reward or
473 any valuable thing whatsoever, or any promise, contract or
474 agreement whatsoever, with intent to lose or cause to be lost
475 any game, contest, match, race or sport, or to limit his, her,
476 their or any person's or any team's margin of victory in any
477 game, contest, match, race or sport, or to fix or throw any
478 game, contest, match, race or sport, ~~commits shall be guilty of~~
479 a felony of the third degree, punishable as provided in s.
480 775.082, s. 775.083, or s. 775.084.

481 (3) A person who stakes, bets, or wagers any money or other
482 thing of value upon the result of any professional or amateur
483 game, contest, match, race, or sport with knowledge that the
484 results of such professional or amateur game, contest, match,
485 race, or sport are prearranged or predetermined as described in
486 subsection (1) or subsection (2) commits a felony of the third
487 degree, punishable as provided in s. 775.082, s. 775.083, or s.
488 775.084.

489 Section 7. Section 843.08, Florida Statutes, is amended to
490 read:

491 843.08 False personation.—A person who falsely assumes or
492 pretends to be a firefighter, a sheriff, an officer of the
493 Florida Highway Patrol, an officer of the Fish and Wildlife

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494 Conservation Commission, an officer of the Department of
495 Environmental Protection, an officer of the Department of
496 Financial Services, any personnel or representative of the
497 Division of Investigative and Forensic Services, any personnel
498 or representative of the Florida Gaming Control Commission, an
499 officer of the Department of Corrections, a correctional
500 probation officer, a deputy sheriff, a state attorney or an
501 assistant state attorney, a statewide prosecutor or an assistant
502 statewide prosecutor, a state attorney investigator, a coroner,
503 a police officer, a lottery special agent or lottery
504 investigator, a beverage enforcement agent, a school guardian as
505 described in s. 30.15(1)(k), a security officer licensed under
506 chapter 493, any member of the Florida Commission on Offender
507 Review or any administrative aide or supervisor employed by the
508 commission, any personnel or representative of the Department of
509 Law Enforcement, or a federal law enforcement officer as defined
510 in s. 901.1505, and takes upon himself or herself to act as
511 such, or to require any other person to aid or assist him or her
512 in a matter pertaining to the duty of any such officer, commits
513 a felony of the third degree, punishable as provided in s.
514 775.082, s. 775.083, or s. 775.084. However, a person who
515 falsely personates any such officer during the course of the
516 commission of a felony commits a felony of the second degree,
517 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
518 If the commission of the felony results in the death or personal
519 injury of another human being, the person commits a felony of
520 the first degree, punishable as provided in s. 775.082, s.
521 775.083, or s. 775.084. In determining whether a defendant has
522 violated this section, the court or jury may consider any

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523 relevant evidence, including, but not limited to, whether the
524 defendant used lights in violation of s. 316.2397 or s. 843.081.

525 Section 8. Section 849.01, Florida Statutes, is amended to
526 read:

527 849.01 Keeping gambling houses, etc.—A person who ~~Whoever~~
528 by herself or himself, her or his servant, clerk or agent, or in
529 any other manner has, keeps, exercises or maintains a gaming
530 table or room, or gaming implements or apparatus, or house,
531 booth, tent, shelter or other place for the purpose of gaming or
532 gambling or in any place of which she or he may directly or
533 indirectly have charge, control or management, either
534 exclusively or with others, procures, suffers or permits any
535 person to play for money or other valuable thing at any game
536 whatever, whether heretofore prohibited or not, commits a felony
537 ~~misdemeanor~~ of the third ~~second~~ degree, punishable as provided
538 in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

539 Section 9. Section 849.02, Florida Statutes, is amended to
540 read:

541 849.02 Agents or employees of keeper of gambling house.—A
542 person who ~~Whoever~~ acts as servant, clerk, agent, or employee of
543 any person in the violation of s. 849.01 commits:

544 (1) For a first offense, a misdemeanor of the first degree,
545 punishable as provided in s. 775.082 or s. 775.083.

546 (2) For a second offense, a felony of the third degree,
547 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

548 (3) For a third or subsequent offense, a felony of the
549 second degree, punishable as provided in s. 775.082, s. 775.083,
550 or s. 775.084 ~~shall be punished in the manner and to the extent~~
551 ~~therein mentioned.~~

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552 Section 10. Section 849.03, Florida Statutes, is amended to
553 read:

554 849.03 Renting house for gambling purposes.—A person who
555 ~~Whoever~~, whether as owner or agent, knowingly rents to another a
556 house, room, booth, tent, shelter or place for the purpose of
557 gaming commits:

558 (1) For a first offense, a felony of the third degree,
559 punishable as provided in s. 775.082, s. 775.083, or s. 775.084
560 ~~shall be punished in the manner and to the extent mentioned in~~
561 ~~s. 849.01.~~

562 (2) For a second or subsequent violation, a felony of the
563 second degree, punishable as provided in s. 775.082, s. 775.083,
564 or s. 775.084.

565 Section 11. Section 849.08, Florida Statutes, is amended to
566 read:

567 849.08 Gambling.—

568 (1) As used in this section, the term:

569 (a) "Internet gambling" means to play or engage in any game
570 in which money or other thing of value is awarded based on
571 chance, regardless of any application of skill, that is
572 available on the Internet and accessible on a mobile device,
573 computer terminal, or other similar access device and simulates
574 casino-style gaming, including, but not limited to, slot
575 machines, video poker, and table games.

576 (b) "Internet sports wagering" means to stake, bet, or
577 wager any money or other thing of value upon the result of any
578 trial or contest of skill, speed, power, or endurance of human
579 or beast that is available on the Internet and accessible on a
580 mobile device, computer terminal, or other similar access

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581 device. The term does not include fantasy sports contests as
582 defined in s. 849.0932.

583 (2) A person who ~~whoever~~ plays or engages in Internet
584 gambling, any game at cards, keno, roulette, faro or other game
585 of chance, at any place, by any device whatever, for money or
586 other thing of value, commits ~~shall be guilty of~~ a misdemeanor
587 of the second degree, punishable as provided in s. 775.082 or s.
588 775.083.

589 (3) A person who plays or engages in Internet sports
590 wagering commits:

591 (a) For a first offense, a misdemeanor of the second
592 degree, punishable as provided in s. 775.082 or s. 775.083.

593 (b) For a second or subsequent violation, a misdemeanor of
594 the first degree, punishable as provided in s. 775.082 or s.
595 775.083.

596 (4) A person who operates, conducts, or promotes Internet
597 gambling or Internet sports wagering, or receives in any manner
598 whatsoever any money or other thing of value offered for the
599 purpose of Internet gambling or Internet sports wagering, or who
600 knowingly becomes the custodian or depositary of any money or
601 other thing of value so offered, or who aids, assists, abets, or
602 influences in any manner in any of such acts, all of which are
603 hereby forbidden, commits a felony of the third degree,
604 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

605 (5) This section does not apply to participation in, or the
606 conduct of, any gaming activities authorized under s.
607 285.710(13) and conducted pursuant to a gaming compact ratified
608 and approved under s. 285.710(3).

609 Section 12. Paragraph (e) is added to subsection (12) of

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610 section 849.086, Florida Statutes, to read:

611 849.086 Cardrooms authorized.—

612 (12) PROHIBITED ACTIVITIES.—

613 (e) A person who manipulates or attempts to manipulate the
614 playing cards, outcome, or payoff of a card game in a licensed
615 cardroom by physical tampering or by use of any object,
616 instrument, or device, whether mechanical, electrical, magnetic,
617 or involving other means, commits a felony of the third degree,
618 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

619 Section 13. Section 849.0932, Florida Statutes, is created
620 to read:

621 849.0932 Fantasy sports contests; conditions for conduct.—

622 (1) As used in this section, the term:

623 (a) "Commission" means the Florida Gaming Control
624 Commission.

625 (b) "Confidential information" means information related to
626 the playing of fantasy sports contests by contest participants
627 which is obtained solely as a result of a person's employment
628 with, or work as an agent of, a contest operator.

629 (c) "Contest operator" means a person or an entity that
630 offers fantasy sports contests for a cash prize to members of
631 the public. The term does not include a noncommercial contest
632 operator in this state.

633 (d) "Contest participant" means a person who pays an entry
634 fee for the ability to participate in a fantasy or simulation
635 sports game or contest offered by a contest operator or
636 noncommercial contest operator.

637 (e) "Entry fee" means the cash or cash equivalent amount
638 that a person is required to pay to a contest operator or

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639 noncommercial contest operator to participate in a fantasy
640 sports contest.

641 (f) "Fantasy sports contest" means a fantasy or simulation
642 sports game or contest offered by a contest operator or a
643 noncommercial contest operator in which a contest participant
644 manages a fantasy or simulation sports team composed of athletes
645 from a professional sports organization and which meets each of
646 the following requirements:

647 1. All prizes and awards offered to winning contest
648 participants are established and made known to the contest
649 participants in advance of the game or contest, and their value
650 is not determined by the number of contest participants or the
651 amount of any fees paid by those contest participants.

652 2. All winning outcomes reflect the relative knowledge and
653 skill of the contest participants and are determined
654 predominantly by accumulated statistical results of the
655 performance of individuals, including athletes in the case of
656 sporting events.

657 3. No winning outcome is based on the score, point spread,
658 or any performance or performances of any single actual team or
659 combination of such teams; solely on any single performance of
660 an individual athlete or player in a single actual event; on a
661 pari-mutuel event, as the term "pari-mutuel" is defined in s.
662 550.002; on a game of poker or other card game; or on the
663 performances of participants in collegiate, high school, or
664 youth sporting events.

665 4. No casino graphics, themes, or titles, including, but
666 not limited to, depictions of slot machine-style symbols, cards,
667 dice, craps, roulette, or lotto, are displayed or depicted.

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668 (g) "Noncommercial contest operator" means a natural person
669 who organizes and conducts a fantasy or simulation sports game
670 in which contest participants are charged entry fees for the
671 right to participate; and who collects, maintains, and
672 distributes such entry fees;

673 (2) The total entry fees collected, maintained, and
674 distributed by a noncommercial contest operator for a fantasy
675 sports contest may not exceed \$1,500 per season or a total of
676 \$10,000 per calendar year. All entry fees must be returned to
677 the contest participants in the form of prizes.

678 (3) The Florida Gaming Control Commission shall investigate
679 violations of this section and refer them to the Attorney
680 General or the state attorney in the circuit in which the
681 violation occurs. The Attorney General or state attorney may
682 also institute proceedings to enjoin any person found to be
683 violating this section.

684 (4) (a) A violation of this section is punishable by a fine
685 of \$1,000 in addition to civil and criminal penalties.

686 (b) An operator or owner of any website, platform, or
687 application that offers fantasy sports contests in violation of
688 this section is subject to a fine of up to \$100,000 per
689 violation.

690 (5) (a) A person who willfully and knowingly violates this
691 section commits a misdemeanor of the first degree, punishable as
692 provided in s. 775.082 or s. 775.083.

693 (b) An operator or owner of any application, platform, or
694 website that offers fantasy sports contests in violation of this
695 section commits a felony of the third degree, punishable as
696 provided in s. 775.082, s. 775.083, or s. 775.084.

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697 Section 14. Section 849.11, Florida Statutes, is amended to
698 read:

699 849.11 Plays at games of chance by lot.-

700 (1) A person who ~~Whoever sets up, promotes or plays in~~
701 person or by the use, at least in part, of the Internet, at any
702 game of chance by lot or with dice, cards, numbers, hazards or
703 any other gambling device whatever for, or for the disposal of
704 money or other thing of value or under the pretext of a sale,
705 gift or delivery thereof, or for any right, share or interest
706 therein, commits ~~shall be guilty of~~ a misdemeanor of the second
707 degree, punishable as provided in s. 775.082 or s. 775.083.

708 (2) A person who sets up, operates, conducts, promotes, or
709 receives in any manner whatsoever any money or other thing of
710 value offered for the purpose of conduct prohibited in
711 subsection (1), or who knowingly becomes the custodian or
712 depository of any money or other thing of value so offered, or
713 who aids, assists, abets, or influences in any manner in any of
714 such acts, commits a felony of the third degree, punishable as
715 provided in s. 775.082, s. 775.083, or s. 775.084.

716 Section 15. Section 849.13, Florida Statutes, is amended to
717 read:

718 849.13 ~~Punishment on~~ Second or subsequent conviction.-A
719 person who commits a second or subsequent violation of the same
720 ~~Whoever, after being convicted of an offense forbidden by law in~~
721 connection with lotteries for which there is no penalty
722 specified for a second or subsequent violation, shall have the
723 offense reclassified to an offense of the next higher degree,
724 ~~commits the like offense, shall be guilty of a misdemeanor of~~
725 ~~the first degree,~~ punishable as provided in s. 775.082, ~~or~~ s.

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726 775.083, or s. 775.084. For purposes of sentencing under chapter
727 921, a felony offense that is reclassified under this subsection
728 is ranked one level above the ranking under s. 921.0022 or s.
729 921.0023 of the felony offense committed.

730 Section 16. Section 849.14, Florida Statutes, is amended to
731 read:

732 849.14 Unlawful to bet on result of trial or contest of
733 skill, etc.—A person who ~~whoever~~ stakes, bets, or wagers any
734 money or other thing of value upon the result of any trial or
735 contest of skill, speed or power or endurance of human or beast,
736 or who ~~whoever~~ receives in any manner whatsoever any money or
737 other thing of value staked, bet, or wagered, or offered for the
738 purpose of being staked, bet, or wagered, by or for any other
739 person upon any such result, or who ~~whoever~~ knowingly becomes
740 the custodian or depositary of any money or other thing of value
741 so staked, bet, or wagered upon any such result, or who ~~whoever~~
742 aids, or assists, or abets, or influences in any manner in any
743 of such acts all of which are hereby forbidden, commits a felony
744 of the third degree, punishable as provided in s. 775.082, ~~or~~ s.
745 775.083, or s. 775.084.

746 Section 17. Section 849.15, Florida Statutes, is amended to
747 read:

748 849.15 Manufacture, sale, possession, etc., of slot
749 machines or devices prohibited.—

750 (1) As used in this section, the term:

751 (a) "Conviction" means a determination of guilt that is the
752 result of a plea or a trial, regardless of whether adjudication
753 is withheld or a plea of nolo contendere is entered.

754 (b) "Person of authority" means a person who, at any

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755 business, establishment, premises, or other location at which a
756 slot machine or device is offered for play, has:

757 1. Actual authority to act on behalf of the business,
758 establishment, premises, or other location where a slot machine
759 or device is offered for play; or

760 2. Any ownership interest in the business, establishment,
761 premises, or other location. The term "ownership interest"
762 includes being an officer, a director, or a managing member of
763 the business, establishment, premises, or other location.

764 (2)~~(1)~~ It is unlawful:

765 (a) To manufacture, own, store, keep, possess, sell, rent,
766 lease, let on shares, lend or give away, transport, or expose
767 for sale or lease, or to offer to sell, rent, lease, let on
768 shares, lend or give away, or permit the operation of, or for
769 any person to permit to be placed, maintained, or used or kept
770 in any room, space, or building owned, leased or occupied by the
771 person or under the person's management or control, any slot
772 machine or device or any part thereof; or

773 (b) To make or to permit to be made with any person any
774 agreement with reference to any slot machine or device, pursuant
775 to which the user thereof, as a result of any element of chance
776 or other outcome unpredictable to him or her, may become
777 entitled to receive any money, credit, allowance, or thing of
778 value or additional chance or right to use such machine or
779 device, or to receive any check, slug, token or memorandum
780 entitling the holder to receive any money, credit, allowance or
781 thing of value.

782 (3) (a) Except as provided in paragraphs (b) and (c), a
783 person who violates subsection (2) commits a misdemeanor of the

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784 first degree, punishable as provided in s. 775.082 or s.
785 775.083.

786 (b) A person commits a felony of the third degree,
787 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
788 if he or she violates subsection (2), and:

789 1. At the time of the violation, the person was a person of
790 authority; or

791 2. The person has one prior conviction for a violation of
792 this section.

793 (c) A person commits a felony of the second degree,
794 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
795 if he or she violates subsection (2), and:

796 1.a. At the time of the violation, the person was a person
797 of authority; and

798 b. The violation involves five or more slot machines or
799 devices; or

800 2. The person has two or more prior convictions for a
801 violation of this section.

802 (4)(2) Pursuant to section 2 of that chapter of the
803 Congress of the United States entitled "An act to prohibit
804 transportation of gaming devices in interstate and foreign
805 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.
806 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State
807 of Florida, acting by and through the duly elected and qualified
808 members of its Legislature, does hereby in this section, and in
809 accordance with and in compliance with the provisions of section
810 2 of such chapter of Congress, declare and proclaim that any
811 county of the State of Florida within which slot machine gaming
812 is authorized pursuant to chapter 551 is exempt from the

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813 provisions of section 2 of that chapter of the Congress of the
814 United States entitled "An act to prohibit transportation of
815 gaming devices in interstate and foreign commerce," designated
816 as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All
817 shipments of gaming devices, including slot machines, into any
818 county of this state within which slot machine gaming is
819 authorized pursuant to chapter 551 and the registering,
820 recording, and labeling of which have been duly performed by the
821 manufacturer or distributor thereof in accordance with sections
822 3 and 4 of that chapter of the Congress of the United States
823 entitled "An act to prohibit transportation of gaming devices in
824 interstate and foreign commerce," approved January 2, 1951,
825 being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.
826 ss. 1171-1177, shall be deemed legal shipments thereof into this
827 state provided the destination of such shipments is an eligible
828 facility as defined in s. 551.102 or the facility of a slot
829 machine manufacturer or slot machine distributor as provided in
830 s. 551.109(2) (a).

831 (5) All shipments of legal gaming devices, including legal
832 slot machines, into Indian lands located within this state shall
833 be deemed legal shipments thereof provided that such Indian
834 lands are held in federal trust for the benefit of a federally
835 recognized Indian tribe that is a party to a tribal-state
836 compact with the state pursuant to the federal Indian Gaming
837 Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C.
838 ss. 2701 et seq.

839 Section 18. Section 849.155, Florida Statutes, is created
840 to read:

841 849.155 Trafficking in slot machines, devices, or parts.—

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842 Any person who knowingly sells, purchases, manufactures,
843 transports, delivers, or brings into this state more than 15
844 slot machines or devices or any parts thereof commits a felony
845 of the first degree, punishable as provided in s. 775.082, s.
846 775.083, or s. 775.084. If the quantity of slot machines or
847 devices or any parts thereof involved is:

848 (1) More than 15 slot machines or devices or any parts
849 thereof, but less than 25 slot machines or devices or any parts
850 thereof, such person must be fined \$100,000.

851 (2) Twenty-five slot machines or devices or any parts
852 thereof or more, but less than 50 slot machines or devices or
853 any parts thereof, such person must be fined \$250,000.

854 (3) Fifty slot machines or devices or any parts thereof or
855 more, such person must be fined \$500,000.

856 (4) Pursuant to section 2 of the chapter of the Congress of
857 the United States entitled "An act to prohibit transportation of
858 gaming devices in interstate and foreign commerce," approved
859 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
860 designated as 15 U.S.C. ss. 1171-1177, the State of Florida,
861 acting by and through the duly elected and qualified members of
862 its Legislature, does hereby in this section, and in accordance
863 with and in compliance with section 2 of such chapter of
864 Congress, declare and proclaim that any county of the State of
865 Florida within which slot machine gaming is authorized pursuant
866 to chapter 551 is exempt from section 2 of that chapter of the
867 Congress of the United States entitled "An act to prohibit
868 transportation of gaming devices in interstate and foreign
869 commerce," designated as 15 U.S.C. ss. 1171-1177, approved
870 January 2, 1951. All shipments of gaming devices, including slot

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871 machines, into any county of this state within which slot
872 machine gaming is authorized pursuant to chapter 551 and the
873 registering, recording, and labeling of which have been duly
874 performed by the manufacturer or distributor thereof in
875 accordance with sections 3 and 4 of that chapter of the Congress
876 of the United States entitled "An act to prohibit transportation
877 of gaming devices in interstate and foreign commerce," approved
878 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
879 designated as 15 U.S.C. ss. 1171-1177, shall be deemed legal
880 shipments thereof into this state provided the destination of
881 such shipments is an eligible facility as defined in s. 551.102
882 or the facility of a slot machine manufacturer or slot machine
883 distributor as provided in s. 551.109(2)(a).

884 (5) All shipments of legal gaming devices, including legal
885 slot machines, into Indian lands located within the state shall
886 be deemed legal shipments thereof provided that such Indian
887 lands are held in federal trust for the benefit of a federally
888 recognized Indian tribe that is a party to a tribal-state
889 compact with the state pursuant to the federal Indian Gaming
890 Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C.
891 ss. 2701 et seq.

892

893 Notwithstanding any other law, all fines imposed and collected
894 pursuant to this section must be deposited into the Pari-mutuel
895 Wagering Trust Fund and may be used for the enforcement of this
896 chapter and chapters 546, 550, and 551 by the Florida Gaming
897 Control Commission.

898 Section 19. Section 849.157, Florida Statutes, is created
899 to read:

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900 849.157 Making a false or misleading statement regarding
901 the legality of slot machines or devices to facilitate sale.-

902 (1) Except as provided in subsection (2), a person who
903 knowingly and willfully makes a materially false or misleading
904 statement or who knowingly and willfully disseminates false or
905 misleading information regarding the legality of a slot machine
906 or device for the purpose of facilitating the sale or delivery
907 of a slot machine or device for any money or other valuable
908 consideration commits a felony of the third degree, punishable
909 as provided in s. 775.082, s. 775.083, or s. 775.084.

910 (2) A person who violates subsection (1) when such a
911 violation involves the sale or delivery, or attempted sale or
912 delivery, of five or more slot machines or devices commits a
913 felony of the second degree, punishable as provided in s.
914 775.082, s. 775.083, or s. 775.084.

915 Section 20. Section 849.23, Florida Statutes, is repealed.

916 Section 21. Section 849.47, Florida Statutes, is created to
917 read:

918 849.47 Transporting or procuring the transportation of
919 persons to facilitate illegal gambling.-

920 (1) As used in this section, the term "illegal gambling"
921 means any criminal violation of this chapter, chapter 546,
922 chapter 550, or chapter 551 that occurs at any business,
923 establishment, premises, or other location.

924 (2) Except as provided in subsection (3), a person who
925 knowingly and willfully transports, or procures the
926 transportation of, five or more other persons into or within
927 this state when he or she knows or reasonably should know that
928 such transportation is for the purpose of facilitating illegal

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929 gambling commits a misdemeanor of the first degree, punishable
930 as provided in s. 775.082 or s. 775.083.

931 (3) (a) A person who transports, or procures the
932 transportation of, a minor or a person 65 years of age or older
933 in violation of subsection (2) commits a felony of the third
934 degree, punishable as provided in s. 775.082, s. 775.083, or s.
935 775.084.

936 (b) A person who transports, or procures the transportation
937 of, 12 or more persons in violation of subsection (2) commits a
938 felony of the third degree, punishable as provided in s.
939 775.082, s. 775.083, or s. 775.084.

940 Section 22. Section 849.48, Florida Statutes, is created to
941 read:

942 849.48 Gambling or gaming advertisements; prohibited.-

943 (1) As used in this section, the term "illegal gambling"
944 means any criminal violation of this chapter, chapter 546,
945 chapter 550, or chapter 551 which occurs at any business,
946 establishment, premises, or other location.

947 (2) (a) Except as otherwise specifically authorized by law,
948 a person may not knowingly and intentionally make, publish,
949 disseminate, circulate, or place before the public, or cause,
950 directly or indirectly, to be made, published, disseminated,
951 circulated, or placed before the public in this state, in any
952 manner, whether in person or by the use, at least in part, of
953 the Internet, any advertisement, circular, bill, poster,
954 pamphlet, list, schedule, announcement, or notice for the
955 purpose of promoting or facilitating illegal gambling.

956 (b) Except as otherwise specifically authorized by law, a
957 person may not set up any type or plate for any type of

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958 advertisement, circular, bill, poster, pamphlet, list, schedule,
959 announcement, or notice when he or she knows or reasonably
960 should know that such material will be used for the purpose of
961 promoting or facilitating illegal gambling.

962 (c) A person who violates this subsection commits:

963 1. For a first offense, a misdemeanor of the first degree,
964 punishable as provided in s. 775.082 or s. 775.083.

965 2. For a second or subsequent offense, a felony of the
966 third degree, punishable as provided in s. 775.082, s. 775.083,
967 or s. 775.084.

968 (3) This section does not prohibit the printing or
969 producing of any advertisement, circular, bill, poster,
970 pamphlet, list, schedule, announcement, or notice to be used for
971 the purpose of promoting or facilitating gambling conducted in
972 any other state or nation, outside of this state, where such
973 gambling is not prohibited.

974 Section 23. Section 849.49, Florida Statutes, is created to
975 read:

976 849.49 Preemption.—No county, municipality, or other
977 political subdivision of the state shall enact or enforce any
978 ordinance or local rule relating to gaming, gambling, lotteries,
979 or any activities described in this chapter or s. 546.10, except
980 as otherwise expressly provided by the State Constitution,
981 general law, or special law.

982 Section 24. Present paragraphs (i) through (m) of
983 subsection (2) of section 903.046, Florida Statutes, are
984 redesignated as paragraphs (j) through (n), respectively, and a
985 new paragraph (i) is added to that subsection, to read:

986 903.046 Purpose of and criteria for bail determination.—

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987 (2) When determining whether to release a defendant on bail
 988 or other conditions, and what that bail or those conditions may
 989 be, the court shall consider:

990 (i) The amount of currency seized that is connected to or
 991 involved in a violation of chapter 546, chapter 550, chapter
 992 551, or chapter 849.

993 Section 25. Paragraphs (a), (c), (e), and (g) of subsection
 994 (3) of section 921.0022, Florida Statutes, are amended to read:

995 921.0022 Criminal Punishment Code; offense severity ranking
 996 chart.-

997 (3) OFFENSE SEVERITY RANKING CHART

998 (a) LEVEL 1

1000

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
104.0616(2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.

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212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.

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322.212(5)(a) 3rd False application for driver license or identification card.

1013

414.39(3)(a) 3rd Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

1014

443.071(1) 3rd False statement or representation to obtain or increase reemployment assistance benefits.

1015

509.151(1) 3rd Defraud an innkeeper, food or lodging value \$1,000 or more.

1016

517.302(1) 3rd Violation of the Florida Securities and Investor Protection Act.

1017

713.69 3rd Tenant removes property upon which lien has accrued, value \$1,000 or more.

1018

812.014(3)(c) 3rd Petit theft (3rd conviction); theft of any property not specified in subsection (2).

815.04(4)(a) 3rd Offense against intellectual

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property (i.e., computer programs, data).

817.52(2) 3rd Hiring with intent to defraud, motor vehicle services.

817.569(2) 3rd Use of public record or public records information or providing false information to facilitate commission of a felony.

826.01 3rd Bigamy.

828.122(3) 3rd Fighting or baiting animals.

831.04(1) 3rd Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.

831.31(1)(a) 3rd Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

832.041(1) 3rd Stopping payment with intent to defraud \$150 or more.

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1027	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
1028	838.15 (2)	3rd	Commercial bribe receiving.
1029	838.16	3rd	Commercial bribery.
1030	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
1031	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
1032	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
1033	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
1034	849.25 (2)	3rd	Engaging in bookmaking.

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1035

860.08 3rd Interfere with a railroad signal.

1036

860.13(1)(a) 3rd Operate aircraft while under the influence.

1037

893.13(2)(a)2. 3rd Purchase of cannabis.

1038

893.13(6)(a) 3rd Possession of cannabis (more than 20 grams).

1039

934.03(1)(a) 3rd Intercepts, or procures any other person to intercept, any wire or oral communication.

1040

(c) LEVEL 3

1041

1042

Florida Statute	Felony Degree	Description
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1043

119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
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1044

316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
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1045

316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
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316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
327.35(2)(b)	3rd	Felony BUI.
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

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1054

328.07(4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

1055

376.302(5) 3rd Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

1056

379.2431 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.

1057

379.2431 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.

379.2431 3rd Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

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1058	400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.
1059	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
1060	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
1061	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
1062	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
1063	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1064	626.902 (1) (a) &	3rd	Representing an unauthorized

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1065	(b)		insurer.
1066	697.08	3rd	Equity skimming.
1067	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
1068	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.
1069	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1070	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
1071	810.09(2)(b)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
1072	810.145(2)(c)	3rd	Digital voyeurism; 19 years of age or older.

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812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
812.081 (2)	3rd	Theft of a trade secret.
815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
817.233	3rd	Burning to defraud insurer.
817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.

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1082

817.236 3rd Filing a false motor vehicle insurance application.

1083

817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

1084

817.413(2) 3rd Sale of used goods of \$1,000 or more as new.

1085

817.49(2)(b)1. 3rd Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.

1086

831.28(2)(a) 3rd Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.

1087

831.29 2nd Possession of instruments for counterfeiting driver licenses or identification cards.

836.13(2) 3rd Person who promotes an altered sexual depiction of an

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identifiable person without consent.

838.021(3)(b) 3rd

Threatens unlawful harm to public servant.

838.12(3) 3rd

Betting on a predetermined or prearranged professional or amateur game, contest, match, race, or sport.

849.01 3rd

Keeping a gambling house.

849.02(2) 3rd

Agents or employees of keeper of gambling house.

849.03(1) 3rd

Renting house for gambling purposes.

849.08(4) 3rd

Operating, conducting, promoting, aiding, abetting, assisting Internet gambling and Internet sports wagering.

849.086(12)(e) 3rd

Tampering with cards or card games.

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	<u>849.09(1)(a)-(d)</u>	<u>3rd</u>	<u>Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.</u>
1096	<u>849.09(1)(e), (f), (g), (i), or (k)</u>	<u>3rd</u>	<u>Conducting an unlawful lottery; second or subsequent offense.</u>
1097	<u>849.09(1)(h) or (j)</u>	<u>3rd</u>	<u>Conducting an unlawful lottery; second or subsequent offense.</u>
1098	<u>849.11(2)</u>	<u>3rd</u>	<u>Offenses relating to games of chance.</u>
1099	<u>849.14</u>	<u>3rd</u>	<u>Betting on result of trial or contest of skill, etc.</u>
1100	<u>849.15(3)(b)</u>	<u>3rd</u>	<u>Manufacture, sale, or possession of slot machine; by person of authority or with prior conviction.</u>
1101	<u>849.157(1)</u>	<u>3rd</u>	<u>False or misleading statement to facilitate sale of slot machines or devices.</u>
1102	<u>849.25(2)</u>	<u>3rd</u>	<u>Engaging in bookmaking.</u>

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1103

849.47(3)(a) & (b) 3rd Transporting persons to facilitate illegal gambling; minor, person 65 years of age or older, or 12 or more persons.

1104

849.48(2)(c) 3rd Illegal gambling advertising.

1105

847.01385 3rd Harmful communication to a minor.

1106

860.15(3) 3rd Overcharging for repairs and parts.

1107

870.01(2) 3rd Riot.

1108

870.01(4) 3rd Inciting a riot.

1109

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).

1110

893.13(1)(d)2. 2nd Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1.,

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			(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.
1111	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.
1112	893.13 (4) (c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
1113	893.13 (6) (a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
1114	893.13 (7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
1115	893.13 (7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud,

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1116

forgery, misrepresentation,
etc.

893.13(7)(a)10.

3rd

Affix false or forged label to
package of controlled
substance.

1117

893.13(7)(a)11.

3rd

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

1118

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.

1119

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.

1120

893.13(8)(a)3.

3rd

Knowingly write a prescription

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for a controlled substance for
a fictitious person.

1121

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.

1122

918.13(1)

3rd

Tampering with or fabricating
physical evidence.

1123

944.47
(1)(a)1. & 2.

3rd

Introduce contraband to
correctional facility.

1124

944.47(1)(c)

2nd

Possess contraband while upon
the grounds of a correctional
institution.

1125

985.721

3rd

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

1126

1127

(e) LEVEL 5

1128

1129

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	Florida Statute	Felony Degree	Description
1130	316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
1131	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
1132	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
1133	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1134	327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
1135	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

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away stone crab trap 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.

1136

379.367(4) 3rd Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

1137

379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

1138

381.0041(11)(b) 3rd Donate blood, plasma, or organs knowing HIV positive.

1139

440.10(1)(g) 2nd Failure to obtain workers' compensation coverage.

1140

440.105(5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

1141

440.381(2) 3rd Submission of false,

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			misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
1142	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
1143	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
1144	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
1145	790.162	2nd	Threat to throw or discharge destructive device.
1146	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
1147	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
1148	790.23	2nd	Felons in possession of firearms, ammunition, or

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			electronic weapons or devices.
1149	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
1150	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1151	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1152	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1153	810.145 (4) (c)	3rd	Commercial digital voyeurism dissemination.
1154	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
1155	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
1156	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or

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			their unenclosed curtilage, or any combination.
1157	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1158	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1159	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1160	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
1161	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1162	812.081 (3)	2nd	Trafficking in trade secrets.
1163	812.131 (2) (b)	3rd	Robbery by sudden snatching.
1164	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
1165	817.034 (4) (a) 2.	2nd	Communications fraud, value

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1166

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

817.234 (11) (b)

2nd

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

1167

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.

1168

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.

1169

817.611 (2) (a)

2nd

Traffic in or possess 5 to 14
counterfeit credit cards or
related documents.

1170

817.625 (2) (b)

2nd

Second or subsequent fraudulent
use of scanning device,

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1171

skimming device, or reencoder.

825.1025(4)

3rd

Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.

1172

828.12(2)

3rd

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

1173

836.14(4)

2nd

Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.

1174

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.

1175

843.01(1)

3rd

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

1176

847.0135(5)(b)

2nd

Lewd or lascivious exhibition using computer; offender 18

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			years or older.
1177	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1178	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
1179	<u>849.02(3)</u>	<u>2nd</u>	<u>Agents or employees of keeper of gambling house, 3rd or subsequent offense.</u>
1180	<u>849.03(2)</u>	<u>2nd</u>	<u>Renting house for gambling purposes.</u>
1181	<u>849.15(3)(c)</u>	<u>2nd</u>	<u>Manufacture, sale, or possession of a slot machine; by a person of authority of five or more machines or two or more prior convictions.</u>
1182	<u>849.157(2)</u>	<u>2nd</u>	<u>False or misleading statement to facilitate sale of slot machines or devices; five or more machines.</u>
1183	<u>849.25(3)</u>	<u>2nd</u>	<u>Bookmaking; second or subsequent offense.</u>

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1184

874.05 (1) (b) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

1185

874.05 (2) (a) 2nd Encouraging or recruiting person under 13 years of age to join a criminal gang.

1186

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).

1187

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., (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.

1188

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1189

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.

1190

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 or a specified business site.

1191

893.13(1)(f)1. 1st 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.

1192

893.13(4)(b) 2nd Use or hire of minor; deliver to minor other controlled substance.

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893.1351(1) 3rd Ownership, lease, or rental for
trafficking in or manufacturing
of controlled substance.

1193

1194 (g) LEVEL 7

1195

1196

Florida Statute	Felony Degree	Description
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1197

316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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1198

316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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1199

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.
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1200

327.35(3)(c)2.	3rd	Vessel BUI resulting in serious bodily injury.
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1201

402.319(2)	2nd	Misrepresentation and
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1202 negligence or intentional act
 resulting in great bodily harm,
 permanent disfiguration,
 permanent disability, or death.

1203 409.920 3rd Medicaid provider fraud;
 (2) (b) 1.a. \$10,000 or less.

1204 409.920 2nd Medicaid provider fraud; more
 (2) (b) 1.b. than \$10,000, but less than
 \$50,000.

1205 456.065 (2) 3rd Practicing a health care
 profession without a license.

1206 456.065 (2) 2nd Practicing a health care
 profession without a license
 which results in serious bodily
 injury.

1207 458.327 (1) 3rd Practicing medicine without a
 license.

1208 459.013 (1) 3rd Practicing osteopathic medicine
 without a license.

1209 460.411 (1) 3rd Practicing chiropractic
 medicine without a license.

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1210

461.012 (1) 3rd Practicing podiatric medicine without a license.

1211

462.17 3rd Practicing naturopathy without a license.

1212

463.015 (1) 3rd Practicing optometry without a license.

1213

464.016 (1) 3rd Practicing nursing without a license.

1214

465.015 (2) 3rd Practicing pharmacy without a license.

1215

466.026 (1) 3rd Practicing dentistry or dental hygiene without a license.

1216

467.201 3rd Practicing midwifery without a license.

1217

468.366 3rd Delivering respiratory care services without a license.

1218

483.828 (1) 3rd Practicing as clinical laboratory personnel without a license.

483.901 (7) 3rd Practicing medical physics

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1219

without a license.

484.013(1)(c)

3rd

Preparing or dispensing optical devices without a prescription.

1220

484.053

3rd

Dispensing hearing aids without a license.

1221

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.

1222

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.

1223

560.125(5)(a)

3rd

Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

1224

655.50(10)(b)1.

3rd

Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial

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			institution.
1225	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1226	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1227	775.21(10)(g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1228	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1229	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1230	782.071	2nd	Killing of a human being or unborn child by the operation

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			of a motor vehicle in a reckless manner (vehicular homicide).
1231	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1232	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1233	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1234	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1235	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1236	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1237	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1238	784.074 (1) (a)	1st	Aggravated battery on sexually

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1239

violent predators facility
staff.

1240

784.08(2)(a)

1st

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

1241

784.081(1)

1st

Aggravated battery on specified
official or employee.

1242

784.082(1)

1st

Aggravated battery by detained
person on visitor or other
detainee.

1243

784.083(1)

1st

Aggravated battery on code
inspector.

1244

787.06(3)(a)2.

1st

Human trafficking using
coercion for labor and services
of an adult.

1245

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.

790.07(4)

1st

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

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			(2).
1246	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1247	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1248	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1249	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1250	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1251	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1252	794.08(4)	3rd	Female genital mutilation;

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1253	796.05(1)	1st	consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1254	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1255	800.04(5)(c)1.	2nd	Live on earnings of a prostitute; 3rd and subsequent offense.
1256	800.04(5)(c)2.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1257	800.04(5)(e)	1st	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. 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.

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1258

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

1259

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

1260

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

1261

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

1262

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

1263

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.

1264

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

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1265

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

1266

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

1267

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

1268

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

1269

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

1270

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

1271

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

1272

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

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1273

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

1274

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

1275

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

1276

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.

1277

817.418 (2) (a) 3rd Offering for sale or advertising personal protective equipment with intent to defraud.

1278

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

1279

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

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1280

unauthorized document.

817.611(2)(b)

2nd

Traffic in or possess 15 to 49 counterfeit credit cards or related documents.

1281

825.102(3)(b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

1282

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.

1283

827.03(2)(b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

1284

827.04(3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

1285

827.071(2) & (3)

2nd

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

1286

827.071(4)

2nd

Possess with intent to promote

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			any photographic material, motion picture, etc., which includes child pornography.
1287	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1288	838.015	2nd	Bribery.
1289	838.016	2nd	Unlawful compensation or reward for official behavior.
1290	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1291	838.22	2nd	Bid tampering.
1292	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1293	843.0855 (3)	3rd	Unlawful simulation of legal process.
1294	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1295	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an

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1296

unlawful sex act.

847.0135(4)

2nd

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

1297

849.155

1st

Trafficking in slot machines or
devices or any parts thereof.

1298

872.06

2nd

Abuse of a dead human body.

1299

874.05(2)(b)

1st

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

1300

874.10

1st, PBL

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

1301

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

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1302

recreational facility or
community center.

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.

1303

893.13(4)(a)

1st

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

1304

893.135(1)(a)1.

1st

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

1305

893.135
(1)(b)1.a.

1st

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

1306

893.135
(1)(c)1.a.

1st

Trafficking in illegal drugs,
more than 4 grams, less than 14
grams.

1307

893.135

1st

Trafficking in hydrocodone, 28

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1308

(1) (c) 2.a.

grams or more, less than 50
grams.

893.135

1st

Trafficking in hydrocodone, 50
grams or more, less than 100
grams.

(1) (c) 2.b.

1309

893.135

1st

Trafficking in oxycodone, 7
grams or more, less than 14
grams.

(1) (c) 3.a.

1310

893.135

1st

Trafficking in oxycodone, 14
grams or more, less than 25
grams.

(1) (c) 3.b.

1311

893.135

1st

Trafficking in fentanyl, 4
grams or more, less than 14
grams.

(1) (c) 4.b. (I)

1312

893.135

1st

Trafficking in phencyclidine,
28 grams or more, less than 200
grams.

(1) (d) 1.a.

1313

893.135 (1) (e) 1.

1st

Trafficking in methaqualone,
200 grams or more, less than 5
kilograms.

1314

893.135 (1) (f) 1.

1st

Trafficking in amphetamine, 14
grams or more, less than 28

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1315

grams.

893.135
(1) (g) 1.a.

1st Trafficking in flunitrazepam, 4
grams or more, less than 14
grams.

1316

893.135
(1) (h) 1.a.

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

1317

893.135
(1) (j) 1.a.

1st Trafficking in 1,4-Butanediol,
1 kilogram or more, less than 5
kilograms.

1318

893.135
(1) (k) 2.a.

1st Trafficking in Phenethylamines,
10 grams or more, less than 200
grams.

1319

893.135
(1) (m) 2.a.

1st Trafficking in synthetic
cannabinoids, 280 grams or
more, less than 500 grams.

1320

893.135
(1) (m) 2.b.

1st Trafficking in synthetic
cannabinoids, 500 grams or
more, less than 1,000 grams.

1321

893.135
(1) (n) 2.a.

1st Trafficking in n-benzyl
phenethylamines, 14 grams or

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1322

more, less than 100 grams.

893.1351(2)

2nd

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

1323

896.101(5)(a)

3rd

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

1324

896.104(4)(a)1.

3rd

Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

1325

943.0435(4)(c)

2nd

Sexual offender vacating permanent residence; failure to comply with reporting requirements.

1326

943.0435(8)

2nd

Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

1327

943.0435(9)(a)

3rd

Sexual offender; failure to comply with reporting requirements.

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1328

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

1329

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

1330

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

1331

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

1332

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

1333

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

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registration information.

1334

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

1335

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

1336

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

1337

1338 Section 26. Paragraph (a) of subsection (1) and paragraph
1339 (a) of subsection (2) of section 772.102, Florida Statutes, are
1340 amended to read:

1341 772.102 Definitions.—As used in this chapter, the term:

1342 (1) "Criminal activity" means to commit, to attempt to
1343 commit, to conspire to commit, or to solicit, coerce, or
1344 intimidate another person to commit:

1345 (a) Any crime that is chargeable by indictment or
1346 information under the following provisions:

1347 1. Section 210.18, relating to evasion of payment of
1348 cigarette taxes.

1349 2. Section 414.39, relating to public assistance fraud.

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- 1350 3. Section 440.105 or s. 440.106, relating to workers'
1351 compensation.
- 1352 4. Part IV of chapter 501, relating to telemarketing.
- 1353 5. Chapter 517, relating to securities transactions.
- 1354 6. Section 550.235 or s. 550.3551, relating to dogracing
1355 and horseracing.
- 1356 7. Chapter 550, relating to jai alai frontons.
- 1357 8. Chapter 552, relating to the manufacture, distribution,
1358 and use of explosives.
- 1359 9. Chapter 562, relating to beverage law enforcement.
- 1360 10. Section 624.401, relating to transacting insurance
1361 without a certificate of authority, s. 624.437(4)(c)1., relating
1362 to operating an unauthorized multiple-employer welfare
1363 arrangement, or s. 626.902(1)(b), relating to representing or
1364 aiding an unauthorized insurer.
- 1365 11. Chapter 687, relating to interest and usurious
1366 practices.
- 1367 12. Section 721.08, s. 721.09, or s. 721.13, relating to
1368 real estate timeshare plans.
- 1369 13. Chapter 782, relating to homicide.
- 1370 14. Chapter 784, relating to assault and battery.
- 1371 15. Chapter 787, relating to kidnapping or human
1372 trafficking.
- 1373 16. Chapter 790, relating to weapons and firearms.
- 1374 17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,
1375 relating to prostitution.
- 1376 18. Chapter 806, relating to arson.
- 1377 19. Section 810.02(2)(c), relating to specified burglary of
1378 a dwelling or structure.

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- 1379 20. Chapter 812, relating to theft, robbery, and related
1380 crimes.
- 1381 21. Chapter 815, relating to computer-related crimes.
- 1382 22. Chapter 817, relating to fraudulent practices, false
1383 pretenses, fraud generally, and credit card crimes.
- 1384 23. Section 827.071, relating to commercial sexual
1385 exploitation of children.
- 1386 24. Chapter 831, relating to forgery and counterfeiting.
- 1387 25. Chapter 832, relating to issuance of worthless checks
1388 and drafts.
- 1389 26. Section 836.05, relating to extortion.
- 1390 27. Chapter 837, relating to perjury.
- 1391 28. Chapter 838, relating to bribery and misuse of public
1392 office.
- 1393 29. Chapter 843, relating to obstruction of justice.
- 1394 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
1395 s. 847.07, relating to obscene literature and profanity.
- 1396 31. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
1397 849.25, relating to gambling.
- 1398 32. Chapter 893, relating to drug abuse prevention and
1399 control.
- 1400 33. Section 914.22 or s. 914.23, relating to witnesses,
1401 victims, or informants.
- 1402 34. Section 918.12 or s. 918.13, relating to tampering with
1403 jurors and evidence.
- 1404 (2) "Unlawful debt" means any money or other thing of value
1405 constituting principal or interest of a debt that is legally
1406 unenforceable in this state in whole or in part because the debt
1407 was incurred or contracted:

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1408 (a) In violation of any one of the following provisions of
1409 law:

1410 1. Section 550.235 or s. 550.3551, relating to dogracing
1411 and horseracing.

1412 2. Chapter 550, relating to jai alai frontons.

1413 3. Section 687.071, relating to criminal usury and loan
1414 sharking.

1415 4. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
1416 849.25, relating to gambling.

1417 Section 27. Paragraph (a) of subsection (12) of section
1418 895.02, Florida Statutes, is amended to read:

1419 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

1420 (12) "Unlawful debt" means any money or other thing of
1421 value constituting principal or interest of a debt that is
1422 legally unenforceable in this state in whole or in part because
1423 the debt was incurred or contracted:

1424 (a) In violation of any one of the following provisions of
1425 law:

1426 1. Section 550.235 or s. 550.3551, relating to dogracing
1427 and horseracing.

1428 2. Chapter 550, relating to jai alai frontons.

1429 3. Section 551.109, relating to slot machine gaming.

1430 4. Chapter 687, relating to interest and usury.

1431 5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
1432 849.25, relating to gambling.

1433 Section 28. This act shall take effect October 1, 2025.