

By Senator Martin

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30 or controls a person regulated by the commission for a
31 specified timeframe; authorizing certain employees to
32 request that the commission waive postemployment
33 restrictions for certain occupational licenses;
34 requiring the commission to consider and approve or
35 deny each waiver request on a case-by-case basis;
36 authorizing the commission to adopt rules; amending s.
37 20.055, F.S.; conforming a provision to changes made
38 by the act; amending s. 546.10, F.S.; authorizing
39 certain veterans' service organizations to petition
40 the commission for a declaratory statement to
41 determine whether a game or machine is authorized by
42 law before such organizations purchase or install such
43 game or machine; prohibiting the purchase or
44 installation of a game or machine awaiting such
45 declaratory statement; authorizing veterans' service
46 organizations that have a game or machine already
47 installed on their premises to petition the commission
48 for a declaratory statement to determine whether a
49 game or machine is authorized by law; prohibiting such
50 veterans' service organizations from petitioning the
51 commission if the game, machine, premises, or
52 organization is the subject of an ongoing criminal
53 investigation; requiring the commission to issue the
54 declaratory statement or deny the petition for a
55 declaratory statement within a specified timeframe;
56 providing that the commission may not deny a veterans'
57 service organization's petition that is validly
58 requested; providing that a petition is deemed

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59 complete if the petition includes certain information;
60 providing that the declaratory statement is valid only
61 for the game or machine for which it was requested;
62 providing that a declaratory statement is invalid if
63 the specifications of the game or machine have
64 changed; providing that the declaratory statement is
65 binding on the commission and may be introduced in
66 subsequent proceedings as evidence of a good faith
67 effort to comply with certain provisions; providing
68 construction; amending s. 551.107, F.S.; providing the
69 standard of review for the commission's actions;
70 making technical changes; amending s. 782.04, F.S.;
71 revising the underlying felonies for felony murder of
72 the second degree to include keeping a gambling house;
73 amending s. 838.12, F.S.; providing criminal penalties
74 for persons who stake, bet, or wager any money or
75 other thing of value upon the result of certain games,
76 contests, matches, races, or sports if such persons
77 have knowledge that the outcome of the games,
78 contests, matches, races, or sports is prearranged or
79 predetermined; making technical changes; amending s.
80 843.08, F.S.; revising a prohibition on false
81 personation of certain persons to include any
82 personnel or representative of the commission;
83 amending ss. 849.01 and 849.02, F.S.; revising the
84 criminal penalties for persons who keep a gambling
85 house, are agents or employees of a keeper of a
86 gambling house, and rent a house for gambling
87 purposes, respectively; creating s. 849.021, F.S.;

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88 defining the terms "government employee" and
89 "political subdivision"; prohibiting a government
90 employee from knowingly certifying, licensing,
91 approving, aiding, facilitating, or concealing the
92 operation of a gambling house; providing criminal
93 penalties; providing applicability; creating s.
94 849.023, F.S.; defining terms; providing that
95 violations of certain laws are deemed immediate and
96 serious dangers to public health, safety, and welfare;
97 authorizing the Department of Business and
98 Professional Regulation, the commission, or the Office
99 of Financial Regulation to summarily suspend the
100 license of certain persons violating such laws;
101 authorizing a licensee or an applicant to retain,
102 apply for, or be reissued a license if the license-
103 issuing agency finds that such licensee has removed
104 the controlling person violating such laws from the
105 business; providing that a licensee is subject to a
106 specified fine; amending s. 849.03, F.S.; revising the
107 criminal penalties for persons who rent or lease a
108 house for gambling purposes; defining the term
109 "knowingly"; amending s. 849.08, F.S.; defining terms;
110 providing criminal penalties for persons who play,
111 engage in, operate, conduct, or promote Internet
112 gambling or Internet sports wagering; providing
113 applicability; amending s. 849.086, F.S.; revising the
114 prohibited activities of licensed cardrooms; providing
115 criminal penalties for violations of such
116 prohibitions; republishing s. 849.09, F.S., relating

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117 to the prohibition against lotteries; amending s.
118 849.11, F.S.; providing criminal penalties for persons
119 who play in person, or by the use of the Internet,
120 certain games of chance; providing criminal penalties
121 for persons who set up, operate, conduct, promote, or
122 receive any money or other thing of value for certain
123 prohibited conduct; amending s. 849.13, F.S.; revising
124 the criminal penalties for persons convicted of a
125 second or subsequent violation in connection with
126 lotteries; reclassifying certain criminal violations
127 to the next level higher in the Criminal Punishment
128 Code's offense severity ranking chart; amending s.
129 849.14, F.S.; making technical changes; amending s.
130 849.142, F.S.; revising applicability relating to
131 participation in or conduct of fantasy sports
132 contests; creating s. 849.143, F.S.; defining terms;
133 providing the powers and duties of the commission to
134 regulate the operation and play of fantasy sports
135 contests; authorizing the commission to deny, suspend,
136 revoke, or place conditions or restrictions on a
137 contest operator license under certain circumstances;
138 authorizing the commission to waive such restrictions
139 for certain offenses upon the applicant's or holder's
140 showing of rehabilitation and good moral character;
141 providing the standard of review; authorizing the
142 commission to adopt rules and procedures; authorizing
143 the commission to contract with an independent testing
144 laboratory to conduct necessary testing; prohibiting
145 the use of an independent testing laboratory owned or

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146 controlled by a contest operator or its principals or
147 key employees; requiring the use of an independent
148 testing laboratory that is on a list of laboratories
149 approved by the commission; requiring that a contest
150 operator be licensed by the commission to operate a
151 fantasy sports contest within this state; providing
152 that licenses are effective for a specified timeframe
153 and must be renewed annually; requiring the commission
154 to grant or deny the application within a specified
155 timeframe; requiring an application for licensure,
156 renewal, or change ownership be made to the commission
157 on forms furnished by the commission; requiring an
158 application to be submitted under attestation under
159 penalty of perjury in order to be accepted by the
160 commission; requiring the application to contain
161 certain information; requiring certain individuals to
162 submit fingerprints as part of the application;
163 requiring the commission, vendor, entity, or agency to
164 forward the fingerprints to the Department of Law
165 Enforcement for state processing; requiring the
166 Department of Law Enforcement to forward the
167 fingerprints to the Federal Bureau of Investigation
168 for national processing; requiring such fingerprints
169 be retained by the Department of Law Enforcement;
170 requiring such fingerprints be enrolled in the Federal
171 Bureau of Investigation's national retained print
172 arrest notification program once the department begins
173 participation in the program; requiring the department
174 to notify the commission if any arrest record is

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175 identified; authorizing the commission to exempt
176 certain groups of persons from fingerprint
177 requirements; requiring applicants to pay the full
178 cost of processing fingerprints and required
179 documentation; requiring an applicant for renewal to
180 include updated changes in the applicant's
181 information; requiring an applicant for renewal to
182 attest, under penalty of perjury, that any revisions
183 do not affect the applicant's qualifications for
184 license renewal; authorizing the commission to renew
185 the annual license upon a determination by the
186 commission that the application for renewal is
187 complete and qualifications have been met; requiring a
188 contest operator to submit an application if seeking a
189 change of ownership; requiring the commission to
190 approve any change of ownership interest if more than
191 a specified percentage of ownership is being changed;
192 requiring that a change in ownership interest of less
193 than a specified percentage be reported to the
194 commission within a specified timeframe; authorizing
195 the commission to conduct an investigation of such
196 changes of ownership for a specified purpose;
197 authorizing the commission to summarily suspend the
198 license of a contest operator if the contest operator
199 fails to pay the administrative fines imposed by final
200 order by the commission within a specified timeframe;
201 requiring that suspension proceedings be promptly
202 instituted and acted upon; prohibiting the renewal of
203 a contest operator's license after the conclusion of

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any appeal if the fines are outstanding; requiring a contest operator to perform certain duties and tasks and prohibit certain actions as a condition of licensure; authorizing a contest operator to offer its principals and employees fantasy sports contests in which the principals and employees are the sole participants; requiring a contest operator to contract with a third party to perform an independent audit; specifying the standards of the audit; requiring the contest operator to submit the results of the independent audit to the commission within a specified timeframe; authorizing the commission and the Department of Law Enforcement to audit data sources and the corresponding data stored in the fantasy sports contest system to determine the results of all fantasy sports contests; authorizing the commission to adopt rules; requiring a contest operator to maintain daily records of its operations and financial transactions for a specified timeframe; requiring that such records be made available for audit and inspection by the commission or other law enforcement agencies; authorizing the commission to adopt rules; prohibiting a noncommercial operator from receiving any consideration or commission for conducting a fantasy sports contest; prohibiting a contest operator or noncommercial contest operator from accepting an entry fee from or allowing the participation of a person younger than 21 years of age; prohibiting a person younger than 21 years of age from being a

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233 contest operator or a noncommercial contest operator;
234 prohibiting contest operators from allowing a contest
235 participant to enter a fantasy sports contest before
236 establishing an account in the fantasy sports contest
237 system; prohibiting contest operators or noncommercial
238 contest operators from offering a fantasy sports
239 contest that includes certain features; prohibiting a
240 contest operator from altering rules established for a
241 fantasy sports contest after a participant has entered
242 the contest; prohibiting a contest operator from
243 offering a fantasy sports contest to any person
244 located on certain Indian lands in this state;
245 authorizing the commission to provide descriptions of
246 such Indian lands to a contest operator seeking to
247 operate in this state; authorizing the commission to
248 suspend or revoke any contest operator license or
249 impose specified administrative penalties for certain
250 violations; providing that each day a contest operator
251 is in violation constitutes a new violation; providing
252 applicability; requiring that all fines imposed and
253 collected be deposited with the Chief Financial
254 Officer to the credit of the Pari-mutuel Wagering
255 Trust Fund; providing criminal penalties; authorizing
256 the commission, any state attorney, the statewide
257 prosecutor, or the Attorney General to seek a
258 temporary or permanent injunction restraining further
259 violations; requiring that such an injunction be
260 issued without a bond; requiring each contest operator
261 to file with the commission a specified report on a

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262 specified date each month; authorizing the commission
263 to adopt rules; amending s. 849.15, F.S.; defining
264 terms; revising criminal penalties relating to persons
265 owning or operating slot machines or devices;
266 providing that all shipments of legal slot machines
267 into Indian lands are deemed legal shipments under
268 certain circumstances; creating s. 849.155, F.S.;
269 providing criminal penalties for persons who knowingly
270 sell, purchase, manufacture, transport, deliver, or
271 bring into this state more than a specified number of
272 slot machines or devices or any parts thereof;
273 defining the term "parts thereof"; providing for fines
274 for specified violations; providing that any county in
275 which slot machine gaming is authorized is exempt from
276 certain federal provisions; providing that all
277 shipments of legal slot machines into Indian lands
278 located within this state are deemed legal shipments
279 under certain circumstances; requiring that any fines
280 imposed and collected be deposited into the Pari-
281 mutuel Wagering Trust Fund to be used for a specified
282 purpose; creating s. 849.157, F.S.; prohibiting
283 persons from knowingly and willfully making or
284 disseminating materially false or misleading
285 statements or information regarding the legality of a
286 slot machine or device to facilitate the sale of such
287 slot machine or device; providing criminal penalties;
288 amending s. 849.18, F.S.; revising the circumstances
289 under which a judge may order a slot machine,
290 apparatus, or device seized; authorizing the

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291 commission to destroy a seized machine, apparatus, or
292 device after a specified timeframe if no arrests or
293 criminal charges have been filed and no person files a
294 claim for such machine, apparatus, or device; creating
295 s. 849.181, F.S.; providing legislative intent;
296 defining terms; authorizing a criminal justice agency
297 having custody of excess slot machines related to a
298 legal proceeding or ongoing criminal investigation to
299 destroy such machines if the criminal justice agency
300 takes certain actions; requiring that written
301 descriptions of such slot machines be made under oath
302 by the investigating law enforcement officer before
303 the slot machines are destroyed; requiring that
304 photographs and video recordings of such slot machines
305 be authenticated by the photographer's or
306 videographer's signature; requiring that a law
307 enforcement officer create written and sworn
308 documentation of certain information regarding a
309 destroyed slot machine; providing that such
310 photographs or video recordings may be deemed
311 competent evidence and may be admissible in a
312 prosecution to the same extent as if such slot
313 machines were introduced as evidence; providing
314 severability; creating s. 849.47, F.S.; defining the
315 term "illegal gambling"; prohibiting persons from
316 knowingly and willfully transporting, or procuring the
317 transportation of, certain persons into this state for
318 the purpose of illegal gambling; providing criminal
319 penalties; creating s. 849.48, F.S.; defining the term

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320 "illegal gambling"; prohibiting persons from
321 advertising illegal gambling or setting up any type or
322 plate for any type for advertising illegal gambling;
323 providing criminal penalties; providing exceptions;
324 creating s. 849.49, F.S.; prohibiting counties,
325 municipalities, or other political subdivisions from
326 enacting or enforcing any ordinance or local rule
327 relating to certain gaming and gambling activities;
328 creating s. 849.51, F.S.; providing legislative
329 findings; creating the Limited Slot Machine Surrender
330 Program within the commission; providing the purpose
331 of the program; providing that the surrender of any
332 slot machine to the commission is irrevocable and
333 final; providing that an individual or organization
334 that surrenders a slot machine pursuant to the program
335 is immune from criminal prosecution; requiring that
336 the program begin and end within specified timeframes;
337 requiring the commission to advertise the program
338 before a specified timeframe; providing that a person
339 or entity that surrenders a gaming device does not
340 have a right to the property inside the slot machine;
341 authorizing the commission to enter into memoranda of
342 understanding with other criminal justice agencies to
343 administer the program; amending s. 903.046, F.S.;
344 revising the circumstances a court must consider when
345 determining whether to release a defendant on bail or
346 other conditions; amending s. 921.0022, F.S.; revising
347 the ranking of certain offenses on the offense
348 severity ranking chart of the Criminal Punishment

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349 Code; amending ss. 772.102, 849.17, 849.18, 849.20,
350 849.21, 849.22, and 895.02, F.S.; conforming
351 provisions to changes made by the act; providing an
352 effective date.

353

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

355

356 Section 1. Section 849.23, Florida Statutes, is repealed.

357 Section 2. Subsection (5) of section 16.71, Florida
358 Statutes, is amended to read:

359 16.71 Florida Gaming Control Commission; creation;
360 meetings; membership.—

361 (5) INSPECTOR GENERAL.—The ~~chair of the~~ commission shall
362 appoint an inspector general who shall perform the duties of an
363 inspector general under s. 20.055. Except for the appointment of
364 an inspector general under s. 20.055(3)(a)1., the commission may
365 delegate any of the duties and powers of an agency head under s.
366 20.055 to a commissioner serving on the commission.

367 Section 3. Paragraph (h) of subsection (3) of section
368 16.712, Florida Statutes, is amended, and paragraphs (i) and (j)
369 are added to that subsection, to read:

370 16.712 Florida Gaming Control Commission authorizations,
371 duties, and responsibilities.—

372 (3) By December 1 of each year, the commission shall make
373 an annual report to the Governor, the President of the Senate,
374 and the Speaker of the House of Representatives. The report
375 must, at a minimum, include all of the following:

376 (h) A summary of actions taken and investigations conducted
377 by the commission, including the number of investigations that

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378 led to criminal charges being filed and the resolution of such
379 criminal cases.

380 (i) The number of complaints received by the commission,
381 categorized by subject matter or type of complaint, and a
382 summary of the action taken by the commission on each complaint.

383 (j) A list of property seized by the commission during the
384 course of its investigations, and the disposition of such
385 property, including a list of forfeiture actions.

386 Section 4. Paragraph (d) is added to subsection (2) of
387 section 16.713, Florida Statutes, to read:

388 16.713 Florida Gaming Control Commission; appointment and
389 employment restrictions.—

390 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS
391 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE
392 COMMISSION.—

393 (d)1. A person who is ineligible for employment with the
394 commission under this subsection may submit a waiver request to
395 the commission to be considered eligible for employment as a
396 career service or other-personal-services employee if such
397 person possesses industry expertise in pari-mutuel wagering,
398 cardrooms, or slot machine operations.

399 2. The commission shall consider waiver requests on a case-
400 by-case basis and shall approve or deny each request. If the
401 commission approves the waiver request, the person is eligible
402 for employment with the commission. This paragraph does not
403 apply to persons seeking appointment to the commission. The
404 standard of review applicable to the commission under this
405 subsection is whether the commission's action was an abuse of
406 discretion. The commission may adopt rules to implement the

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407 provisions of this subsection.

408

409 For the purposes of this subsection, the term "relative" means a
410 spouse, father, mother, son, daughter, grandfather, grandmother,
411 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-
412 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
413 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
414 stepbrother, stepsister, half brother, or half sister.

415 Section 5. Paragraph (b) of subsection (1) and paragraph
416 (c) of subsection (2) of section 16.715, Florida Statutes, are
417 amended to read:

418 16.715 Florida Gaming Control Commission standards of
419 conduct; ex parte communications.—

420 (1) STANDARDS OF CONDUCT.—

421 (b) 1. A commissioner or employee of the commission may not
422 accept anything from any business entity that, either directly
423 or indirectly, owns or controls any person regulated by the
424 commission or from any business entity that, either directly or
425 indirectly, is an affiliate or subsidiary of any person
426 regulated by the commission.

427 2. A commissioner or an employee may attend conferences,
428 along with associated meals and events that are generally
429 available to all conference participants, without payment of any
430 fees in addition to the conference fee. Additionally, while
431 attending a conference, a commissioner or an employee may attend
432 meetings, meals, or events that are not sponsored, in whole or
433 in part, by any representative of any person regulated by the
434 commission and that are limited to commissioners or employees
435 only, committee members, or speakers if the commissioner or

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436 employee is a member of a committee of the association of
437 regulatory agencies which organized the conference or is a
438 speaker at the conference. It is not a violation of this
439 subparagraph for a commissioner or an employee to attend a
440 conference for which conference participants who are employed by
441 a person regulated by the commission have paid a higher
442 conference registration fee than the commissioner or employee,
443 or to attend a meal or event that is generally available to all
444 conference participants without payment of any fees in addition
445 to the conference fee and that is sponsored, in whole or in
446 part, by a person regulated by the commission.

447 3. While employed, ~~and for 2 years after service as a~~
448 ~~commissioner or for 2 years after employment with the~~
449 ~~commission,~~ a commissioner or an employee may not accept any
450 form of employment with or engage in any business activity with
451 any business entity that, either directly or indirectly, owns or
452 controls any person regulated by the commission; any person
453 regulated by the commission; or any business entity that, either
454 directly or indirectly, is an affiliate or subsidiary of any
455 person regulated by the commission.

456 4. While employed, and for 2 years after service as a
457 commissioner or for 2 years after employment with the
458 commission, a commissioner, an employee, or a relative living in
459 the same household as a commissioner or an employee may not have
460 any financial interest, other than shares in a mutual fund, in
461 any person regulated by the commission; in any business entity
462 that, either directly or indirectly, owns or controls any person
463 regulated by the commission; or in any business entity that,
464 either directly or indirectly, is an affiliate or a subsidiary

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465 of any person regulated by the commission. If a commissioner, an
466 employee, or a relative living in the same household as a
467 commissioner or an employee acquires any financial interest
468 prohibited by this subsection during the commissioner's term of
469 office or the employee's employment with the commission as a
470 result of events or actions beyond the commissioner's, the
471 employee's, or the relative's control, he or she must shall
472 immediately sell such financial interest. For the purposes of
473 this subsection, the term "relative" has the same meaning as in
474 s. 16.713(2) (b).

475 5. A commissioner or an employee may not accept anything
476 from a party in a proceeding currently pending before the
477 commission.

478 6. A commissioner may not serve as the representative of
479 any political party or on any executive committee or other
480 governing body of a political party; serve as an executive
481 officer or employee of any political party, committee,
482 organization, or association; receive remuneration for
483 activities on behalf of any candidate for public office; engage
484 on behalf of any candidate for public office in the solicitation
485 of votes or other activities on behalf of such candidacy; or
486 become a candidate for election to any public office without
487 first resigning from office.

488 7. A commissioner, during his or her term of office, may
489 not make any public comment regarding the merits of any
490 proceeding under ss. 120.569 and 120.57 currently pending before
491 the commission.

492 8. A commissioner or an employee may not act in an
493 unprofessional manner at any time during the performance of

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494 official duties.

495 9. A commissioner or an employee shall ~~must~~ avoid
496 impropriety in all activities and shall ~~must~~ act at all times in
497 a manner that promotes public confidence in the integrity and
498 impartiality of the commission.499 10. A commissioner or an employee may not directly or
500 indirectly, through staff or other means, solicit anything of
501 value from any person regulated by the commission, or from any
502 business entity that, whether directly or indirectly, is an
503 affiliate or a subsidiary of any person regulated by the
504 commission, or from any party appearing in a proceeding
505 considered by the commission in the last 2 years.506 11. A commissioner may not lobby the Governor or any agency
507 of the state, members or employees of the Legislature, or any
508 county or municipal government or governmental agency except to
509 represent the commission in an official capacity.

510 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

511 (c) A person employed by the commission and classified as
512 Senior Management Service, Selected Exempt Service, or career
513 service may not, for the 2 years immediately following the date
514 of termination or resignation from employment with the
515 commission:516 1. Hold a permit or license issued under chapter 550, or a
517 license issued under chapter 551 or chapter 849; be an officer,
518 official, or employee of such permitholder or licensee; or be an
519 ultimate equitable owner, as defined in s. 550.002(37), of such
520 permitholder or licensee; ~~or~~521 2. Accept employment or compensation from, or engage in any
522 business activity with, a business entity that, directly or

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523 indirectly, owns or controls a person regulated by the
524 commission; any person regulated by the commission; any business
525 entity that, directly or indirectly, is an affiliate or
526 subsidiary of a person regulated by the commission; or any
527 business entity or trade association that has been a party to a
528 commission proceeding within the 2 years preceding the
529 employee's resignation or termination of employment from the
530 commission; or

531 3. Be a bingo game operator or an employee of a bingo game
532 operator.

533

534 Notwithstanding any other law, an employee classified as career
535 service may request that the commission waive the postemployment
536 restrictions of subparagraph 1., but only for the purpose of
537 obtaining an occupational license under s. 550.105, s. 551.107,
538 or s. 849.086(6); or for any other postemployment restrictions
539 under subparagraph 2. or subparagraph 3. If the commission
540 approves the request, the employee is exempt from paragraph (d).
541 The commission shall consider and approve or deny waiver
542 requests on a case-by-case basis. The commission may adopt rules
543 to implement this paragraph.

544 Section 6. Paragraph (a) of subsection (1) of section
545 20.055, Florida Statutes, is amended to read:

546 20.055 Agency inspectors general.—

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

548 (a) "Agency head" means the Governor, a Cabinet officer, or
549 a secretary or executive director as those terms are defined in
550 s. 20.03, the chair of the Public Service Commission, the
551 Director of the Office of Insurance Regulation of the Financial

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552 Services Commission, the Director of the Office of Financial
553 Regulation of the Financial Services Commission, the board of
554 directors of the Florida Housing Finance Corporation, the
555 commissioners ~~chair~~ of the Florida Gaming Control Commission,
556 and the Chief Justice of the State Supreme Court.

557 Section 7. Subsection (10) of section 546.10, Florida
558 Statutes, is added to read:

559 546.10 Amusement games or machines.—

560 (10) (a)1. Before purchasing or installing a game or machine
561 on the premises of any veterans' service organization granted a
562 federal charter under Title 36, U.S.C., or a division, a
563 department, a post, or a chapter of such organization, for which
564 an alcoholic beverage license has been issued, the organization
565 may petition the Florida Gaming Control Commission for a
566 declaratory statement under s. 120.565 on whether the operation
567 of such game or machine is authorized under this section or is a
568 violation of this section or chapter 849. A game or machine
569 awaiting such declaratory statement from the commission may not
570 be purchased or installed until the declaratory statement is
571 issued.

572 2. A veterans' service organization as described in
573 subparagraph 1. which has a game or machine already installed on
574 its premises may petition the commission for a declaratory
575 statement under s. 120.565 on whether the operation of such game
576 or machine is authorized under this section or is a violation of
577 this section or chapter 849. If the game, machine, premises, or
578 organization is the subject of an ongoing criminal
579 investigation, the organization may not petition the commission
580 for a declaratory statement under this subsection.

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581 3. The commission must issue a declaratory statement or
582 deny the petition within 60 days after completing its
583 investigation of the game or machine subject to the statement or
584 90 days after receiving a complete petition requesting such
585 statement, whichever is earlier. The commission may not deny a
586 petition that is validly requested pursuant to this subsection
587 and s. 120.565.

588 (b) A petition for a declaratory statement made pursuant to
589 paragraph (a) is deemed complete if it provides the information
590 required for the commission to issue the declaratory statement
591 and is accompanied by the specifications, including all
592 pertinent information and documentation and access to hardware
593 and associated software by the commission's contracted testing
594 lab, for the type of game or machine that the organization will
595 purchase or install or already installed on the premises. The
596 declaratory statement issued under this subsection is valid only
597 for the game or machine for which it is requested and is invalid
598 if the specifications for the game or the machine have been
599 changed.

600 (c) A declaratory statement issued under this subsection is
601 binding on the commission and may be introduced in any
602 subsequent proceedings relating to the game or machine for which
603 the declaratory statement is requested as evidence of a good
604 faith effort to comply with this section or chapter 849.

605 (d) This subsection does not prevent the commission or any
606 other criminal justice agency as defined in s. 943.045 from
607 detecting, apprehending, and arresting a person for any alleged
608 violation of this chapter, chapter 24, part II of chapter 285,
609 chapter 550, chapter 551, or chapter 849, or any rule adopted

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610 pursuant thereto, or of any law of this state.

611 (e) This subsection does not require an owner or an
612 operator of an amusement game or machine under this section to
613 request or obtain a declaratory statement in order to operate
614 pursuant to this section.

615 Section 8. Paragraph (b) of subsection (6) of section
616 551.107, Florida Statutes, is amended to read:

617 551.107 Slot machine occupational license; findings;
618 application; fee.—

619 (6)

620 (b) The commission may deny, revoke, or refuse to renew any
621 slot machine occupational license if the applicant for such
622 license or the licensee has been convicted of a felony or
623 misdemeanor in this state, in any other state, or under the laws
624 of the United States if such felony or misdemeanor is related to
625 gambling or bookmaking as described in s. 849.25. The
626 restrictions excluding offenders under this section authorized
627 in this paragraph may be waived by the commission if the
628 applicant establishes that she or he is of good moral character,
629 that she or he has been rehabilitated, and that the crime she or
630 he was convicted of is not related to slot machine gaming and is
631 not a capital offense. The commission shall consider and approve
632 or deny waiver requests on a case-by-case basis. The standard of
633 review applicable to the commission under this paragraph is
634 whether the commission's action was an abuse of discretion.

635 Section 9. Subsection (3) of section 782.04, Florida
636 Statutes, is amended to read:

637 782.04 Murder.—

638 (3) When a human being is killed during the perpetration

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639 of, or during the attempt to perpetrate, any:

640 (a) Trafficking offense prohibited by s. 893.135(1),

641 (b) Arson,

642 (c) Sexual battery,

643 (d) Robbery,

644 (e) Burglary,

645 (f) Kidnapping,

646 (g) Escape,

647 (h) Aggravated child abuse,

648 (i) Aggravated abuse of an elderly person or disabled
649 adult,

650 (j) Aircraft piracy,

651 (k) Unlawful throwing, placing, or discharging of a
652 destructive device or bomb,

653 (l) Carjacking,

654 (m) Home-invasion robbery,

655 (n) Aggravated stalking,

656 (o) Murder of another human being,

657 (p) Aggravated fleeing or eluding with serious bodily
658 injury or death,

659 (q) Resisting an officer with violence to his or her
660 person, ~~or~~

661 (r) Felony that is an act of terrorism or is in furtherance
662 of an act of terrorism, including a felony under s. 775.30, s.
663 775.32, s. 775.33, s. 775.34, or s. 775.35, or

664 (s) Keeping a gambling house under s. 849.01,

665

666 by a person other than the person engaged in the perpetration of
667 or in the attempt to perpetrate such felony, the person

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668 perpetrating or attempting to perpetrate such felony commits
669 murder in the second degree, which constitutes a felony of the
670 first degree, punishable by imprisonment for a term of years not
671 exceeding life or as provided in s. 775.082, s. 775.083, or s.
672 775.084.

673 Section 10. Subsections (1) and (2) of section 838.12,
674 Florida Statutes, are amended, and subsection (3) is added to
675 that section, to read:

676 838.12 Bribery in athletic contests.—

677 (1) A person who ~~Whoever~~ gives, promises, offers or
678 conspires to give, promise or offer, to anyone who participates
679 or expects to participate in any professional or amateur game,
680 contest, match, race or sport; or to any umpire, referee, judge
681 or other official of such game, contest, match, race or sport;
682 or to any owner, manager, coach or trainer of, or to any
683 relative of, or to any person having any direct, indirect,
684 remote or possible connection with, any team, individual,
685 participant or prospective participant in any such professional
686 or amateur game, contest, match, race or sport, or the officials
687 aforesaid, any bribe, money, goods, present, reward or any
688 valuable thing whatsoever, or any promise, contract or agreement
689 whatsoever, with intent to influence him or her or them to lose
690 or cause to be lost any game, contest, match, race or sport, or
691 to limit his or her or their or any person's or any team's
692 margin of victory in any game, contest, match, race, or sport,
693 or to fix or throw any game, contest, match, race or sport,
694 commits ~~shall be guilty of~~ a felony of the third degree,
695 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

696 (2) Any participant or prospective participant in any

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697 professional or amateur game, contest, match, race or sport; or
698 any umpire, referee, judge or other official of such game,
699 contest, match, race or sport; or any owner, manager, coach or
700 trainer of, or any relative of, or any person having any direct,
701 indirect, remote or possible connection with, any team,
702 individual, participant or prospective participant in any such
703 professional or amateur game, contest, match, race or sport, or
704 the officials aforesaid; who in any way solicits, receives or
705 accepts, or agrees to receive or accept, or who conspires to
706 receive or accept, any bribe, money, goods, present, reward or
707 any valuable thing whatsoever, or any promise, contract or
708 agreement whatsoever, with intent to lose or cause to be lost
709 any game, contest, match, race or sport, or to limit his, her,
710 their or any person's or any team's margin of victory in any
711 game, contest, match, race or sport, or to fix or throw any
712 game, contest, match, race or sport, ~~commits shall be guilty of~~
713 a felony of the third degree, punishable as provided in s.
714 775.082, s. 775.083, or s. 775.084.

715 (3) A person who stakes, bets, or wagers any money or other
716 thing of value upon the result of any professional or amateur
717 game, contest, match, race, or sport with knowledge that the
718 outcome of such professional or amateur game, contest, match,
719 race, or sport is prearranged or predetermined as described in
720 subsection (1) or subsection (2) commits a felony of the third
721 degree, punishable as provided in s. 775.082, s. 775.083, or s.
722 775.084.

723 Section 11. Section 843.08, Florida Statutes, is amended to
724 read:

725 843.08 False personation.—A person who falsely assumes or

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726 pretends to be a firefighter, a sheriff, an officer of the
727 Florida Highway Patrol, an officer of the Fish and Wildlife
728 Conservation Commission, an officer of the Department of
729 Environmental Protection, an officer of the Department of
730 Financial Services, any personnel or representative of the
731 Florida Gaming Control Commission, any personnel or
732 representative of the Division of Criminal Investigations, an
733 officer of the Department of Corrections, a correctional
734 probation officer, a deputy sheriff, a state attorney or an
735 assistant state attorney, a statewide prosecutor or an assistant
736 statewide prosecutor, a state attorney investigator, a coroner,
737 a police officer, a lottery special agent or lottery
738 investigator, a beverage enforcement agent, a school guardian as
739 described in s. 30.15(1)(k), a security officer licensed under
740 chapter 493, any member of the Florida Commission on Offender
741 Review or any administrative aide or supervisor employed by the
742 commission, any personnel or representative of the Department of
743 Law Enforcement, or a federal law enforcement officer as defined
744 in s. 901.1505, and takes upon himself or herself to act as
745 such, or to require any other person to aid or assist him or her
746 in a matter pertaining to the duty of any such officer, commits
747 a felony of the third degree, punishable as provided in s.
748 775.082, s. 775.083, or s. 775.084. However, a person who
749 falsely personates any such officer during the course of the
750 commission of a felony commits a felony of the second degree,
751 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
752 If the commission of the felony results in the death or personal
753 injury of another human being, the person commits a felony of
754 the first degree, punishable as provided in s. 775.082, s.

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755 775.083, or s. 775.084. In determining whether a defendant has
756 violated this section, the court or jury may consider any
757 relevant evidence, including, but not limited to, whether the
758 defendant used lights in violation of s. 316.2397 or s. 843.081.

759 Section 12. Section 849.01, Florida Statutes, is amended to
760 read:

761 849.01 Keeping gambling houses, etc.—

762 (1) A person who, Whoever by herself or himself, her or his
763 ~~servant~~, clerk or agent, or in any other manner has, keeps,
764 exercises, or maintains a gaming table or room, or gaming
765 implements or apparatus, or house, booth, tent, shelter, or
766 other place for the purpose of gaming or gambling or in any
767 place of which she or he may directly or indirectly have charge,
768 control, or management, either exclusively or with others,
769 procures, suffers, or permits any person to play for money or
770 other valuable thing at any game whatever, ~~whether heretofore~~
771 ~~prohibited or not,~~ commits the offense of keeping a gambling
772 house.

773 (2) (a) For a first offense, a person who violates
774 subsection (1) commits a felony ~~misdemeanor~~ of the ~~third~~ second
775 degree, punishable as provided in s. 775.082, or s. 775.083, or
776 s. 775.084.

777 (b) For a second or subsequent offense, a person who
778 violates subsection (1) commits a felony of the second degree,
779 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

780 (3) As used in this subsection, the term "course of
781 conduct" means a pattern of conduct composed of a series of acts
782 over a period of time, however short, which evidences a
783 continuity of purpose.

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784 (a) A person may not knowingly, or in reckless disregard of
785 the fact:

786 1. Benefit financially or receive anything of value,
787 whether or not as a legal entity, in furtherance of a violation
788 of subsection (1); or

789 2. Participate in a course of conduct in providing any
790 service, product, or material benefit in the furtherance of a
791 violation of subsection (1).

792 (b) A person who violates paragraph (a) commits a felony of
793 the third degree, punishable as provided in s. 775.082, s.
794 775.083, or s. 775.084.

795 (c) A person found in violation of paragraph (a) shall be
796 ordered to pay a fine of \$50,000 for each violation.

797 (4) Notwithstanding subsection (2), a person who violates
798 subsection (1) commits a felony of the second degree, punishable
799 as provided in s. 775.082, s. 775.083, or s. 775.084, if, during
800 the commission of an offense under this section, an individual
801 suffers great bodily harm, permanent disability, or permanent
802 disfigurement.

803 Section 13. Section 849.02, Florida Statutes, is amended to
804 read:

805 849.02 Agents or employees of keeper of gambling house.—

806 (1) A person who Whoever acts as servant, clerk, agent, or
807 employee of any person in the violation of s. 849.01 commits:

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

810 (b) For a second offense, a felony of the third degree,
811 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

812 (c) For a third or subsequent offense, a felony of the

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813 second degree, punishable as provided in s. 775.082, s. 775.083,
814 or s. 775.084 shall be punished in the manner and to the extent
815 therein mentioned.

816 (2) (a) Notwithstanding subsection (1), if the clerk, agent,
817 or employee is authorized to bind the gambling house in
818 violation of s. 849.01 or act on behalf of any person in the
819 violation of s. 849.01, he or she commits a felony of the third
820 degree, punishable as provided in s. 775.082, s. 775.083, or s.
821 755.084.

822 (b) For a second or subsequent offense, a person commits a
823 felony of the second degree, punishable as provided in s.
824 775.082, s. 775.083, or s. 775.084.

825 Section 14. Section 849.021, Florida Statutes, is created
826 to read:

827 849.021 Government employee misconduct.—

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

829 (a) "Government employee" means any person employed by, or
830 acting on behalf of, the state or any political subdivision
831 thereof.

832 (b) "Political subdivision" means a county, municipality,
833 department, commission, district, board, or other public body,
834 whether corporate or otherwise, created by or under state law.

835 (2) A government employee may not knowingly certify,
836 license, approve, aid, facilitate, or conceal the operation of a
837 gambling house in violation of s. 849.01.

838 (3) A person who violates subsection (2) commits:

839 (a) For a first offense, a felony of the third degree,
840 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

841 (b) For a second or subsequent offense, a felony of the

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842 second degree, punishable as provided in s. 775.082, s. 775.083,
843 or s. 775.084.

844 (4) This section does not apply to any person who is acting
845 in the scope of his or her employment and, in good faith,
846 reports suspected violations of chapter 849 to law enforcement
847 or regulatory agencies.

848 Section 15. Section 849.023, Florida Statutes, is created
849 to read:

850 849.023 Licensure disqualifying offenses; corporate
851 shielding prohibited.—

852 (1) DEFINITIONS.—As used in this section, the term:

853 (a) "Commission" means the Florida Gaming Control
854 Commission.

855 (b) "Controlling person" means:

856 1. A corporate officer or director, or, if a limited
857 liability company, a manager, of the licensee or applicant for a
858 license;

859 2. A general partner, member, or owner of more than 5
860 percent of any equity interest, direct or indirect, in the
861 licensee or applicant; or

862 3. An owner of any interest in the licensee or applicant,
863 including any immediate family member of the owner, or holder of
864 any debt, mortgage, contract, or concession from the licensee or
865 applicant, who by virtue thereof is able to control the business
866 of the licensee or applicant.

867 (c) "Conviction" means a determination of guilt which is
868 the result of a plea or trial, regardless of whether
869 adjudication is withheld or a plea of nolo contendere is
870 entered.

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871 (d) "License" has the same meaning as in s. 120.52 and is
872 issued by:

873 1. The Department of Business and Professional Regulation
874 pursuant to chapter 509, chapter 561, chapter 562, chapter 563,
875 chapter 564, chapter 565, chapter 567, chapter 568, or chapter
876 569;

877 2. The commission pursuant to chapter 550, chapter 551, or
878 s. 849.086; or

879 3. The Office of Financial Regulation pursuant to chapter
880 560.

881 (e) "Licensee" means a holder of a license.

882 (f) "Owner" means a sole member or owner of 100 percent of
883 any equity interest, direct or indirect, in the licensee or
884 applicant.

885 (2) PENALTIES.—

886 (a) 1. Notwithstanding subsection (1), pursuant to s.
887 120.60(6), a violation of s. 849.01, s. 849.03, or s. 849.15 is
888 deemed an immediate and serious danger to public health, safety,
889 and welfare, and the Department of Business and Professional
890 Regulation, the commission, or the Office of Financial
891 Regulation may summarily suspend the license of any person found
892 in violation of s. 849.01, s. 849.03, or 849.15, or of any
893 business entity if its controlling person or sole owner is found
894 to be in violation of s. 849.01, s. 849.03, or s. 849.15.

895 2. In addition to any other penalty provided by law, a
896 licensee or an applicant may have a license revoked or any
897 application thereof denied or not reissued if the licensee or
898 applicant, the controlling person of the licensee or applicant,
899 or the sole owner of the licensee or applicant is convicted of a

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900 violation of s. 849.01, s. 849.03, or s. 849.15.

901 3. Notwithstanding subparagraph 2., a licensee or applicant
902 may retain, apply for, or be reissued a license if the license-
903 issuing agency finds that such licensee has removed the
904 controlling person from the business.

905 (b) Notwithstanding paragraph (a), a licensee is subject to
906 a fine of up to \$75,000 for a violation of s. 849.01, s. 849.03,
907 or s. 849.15.

908 Section 16. Section 849.03, Florida Statutes, is amended to
909 read:

910 849.03 Renting or leasing house for gambling purposes.—

911 (1) A person who Whoever, whether as owner or agent,
912 knowingly rents or leases to another a house, room, booth, tent,
913 shelter, or place for the purpose of gaming commits:

914 (a) For a first offense, a felony of the third degree,
915 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

916 (b) For a second or subsequent offense, a felony of the
917 second degree, punishable as provided in s. 775.082, s. 775.083,
918 or s. 775.084 shall be punished in the manner and to the extent
919 mentioned in s. 849.01.

920 (2) For purposes of this section, the term "knowingly"
921 means having general or reasonable knowledge of, or reasonable
922 belief or grounds for belief that, a violation of s. 849.01 is
923 occurring.

924 Section 17. Section 849.08, Florida Statutes, is amended to
925 read:

926 849.08 Gambling.—

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

928 (a) "Internet gambling" means to play or engage in a game

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929 in which money or other thing of value is awarded based on
930 chance, regardless of any application of skill, which game is
931 available on the Internet and accessible on a mobile device,
932 computer terminal, or other similar access device and simulates
933 casino-style gaming, including, but not limited to, slot
934 machines, video poker, and table games.

935 (b) "Internet sports wagering" means to stake, bet, or
936 wager money or other thing of value upon the result of any trial
937 or contest of skill, speed, power, or endurance of human or
938 beast, other than pari-mutuel wagering conducted pursuant to
939 chapter 550, which is available on the Internet and accessible
940 on a mobile device, computer terminal, or other similar access
941 device.

942 (2) A person who ~~Whoever~~ plays or engages in Internet
943 gambling or any game at cards, keno, roulette, faro, or other
944 game of chance, at any place, by any device whatever, for money
945 or other thing of value, ~~commits shall be guilty of~~ a
946 misdemeanor of the second degree, punishable as provided in s.
947 775.082 or s. 775.083.

948 (3) A person who plays or engages in Internet sports
949 wagering commits:

950 (a) For a first violation, a misdemeanor of the second
951 degree, punishable as provided in s. 775.082 or s. 775.083.

952 (b) For a second or subsequent violation, a misdemeanor of
953 the first degree, punishable as provided in s. 775.082 or s.
954 775.083.

955 (4) A person who operates, conducts, or promotes Internet
956 gambling or Internet sports wagering, or receives in any manner
957 money or other thing of value offered for the purpose of

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958 Internet gambling or Internet sports wagering, or who knowingly
959 becomes the custodian or depositary of any money or other thing
960 of value so offered, or who aids, assists, abets, or influences
961 in any manner in any such acts, commits a felony of the third
962 degree, punishable as provided in s. 775.082, s. 775.083, or s.
963 775.084.

964 (5) This section does not apply to participation in, or the
965 conduct of, any gaming activities authorized under s.
966 285.710(13) and conducted pursuant to a gaming compact ratified
967 and approved under s. 285.710(3).

968 Section 18. Paragraph (e) is added to subsection (12) of
969 section 849.086, Florida Statutes, to read:

970 849.086 Cardrooms authorized.—

971 (12) PROHIBITED ACTIVITIES.—

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

978 Section 19. Section 849.09, Florida Statutes, is
979 republished to read:

980 849.09 Lottery prohibited; exceptions.—

981 (1) It is unlawful for any person in this state to:

982 (a) Set up, promote, or conduct any lottery for money or
983 for anything of value;

984 (b) Dispose of any money or other property of any kind
985 whatsoever by means of any lottery;

986 (c) Conduct any lottery drawing for the distribution of a

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987 prize or prizes by lot or chance, or advertise any such lottery
988 scheme or device in any newspaper or by circulars, posters,
989 pamphlets, radio, telegraph, telephone, or otherwise;

990 (d) Aid or assist in the setting up, promoting, or
991 conducting of any lottery or lottery drawing, whether by
992 writing, printing, or in any other manner whatsoever, or be
993 interested in or connected in any way with any lottery or
994 lottery drawing;

995 (e) Attempt to operate, conduct, or advertise any lottery
996 scheme or device;

997 (f) Have in her or his possession any lottery wheel,
998 implement, or device whatsoever for conducting any lottery or
999 scheme for the disposal by lot or chance of anything of value;

1000 (g) Sell, offer for sale, or transmit, in person or by mail
1001 or in any other manner whatsoever, any lottery ticket, coupon,
1002 or share, or any share in or fractional part of any lottery
1003 ticket, coupon, or share, whether such ticket, coupon, or share
1004 represents an interest in a live lottery not yet played or
1005 whether it represents, or has represented, an interest in a
1006 lottery that has already been played;

1007 (h) Have in her or his possession any lottery ticket, or
1008 any evidence of any share or right in any lottery ticket, or in
1009 any lottery scheme or device, whether such ticket or evidence of
1010 share or right represents an interest in a live lottery not yet
1011 played or whether it represents, or has represented, an interest
1012 in a lottery that has already been played;

1013 (i) Aid or assist in the sale, disposal, or procurement of
1014 any lottery ticket, coupon, or share, or any right to any
1015 drawing in a lottery;

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1016 (j) Have in her or his possession any lottery
1017 advertisement, circular, poster, or pamphlet, or any list or
1018 schedule of any lottery prizes, gifts, or drawings; or
1019 (k) Have in her or his possession any so-called "run down
1020 sheets," tally sheets, or other papers, records, instruments, or
1021 paraphernalia designed for use, either directly or indirectly,
1022 in, or in connection with, the violation of the laws of this
1023 state prohibiting lotteries and gambling.

1025 Provided, that nothing in this section shall prohibit
1026 participation in any nationally advertised contest, drawing,
1027 game or puzzle of skill or chance for a prize or prizes unless
1028 it can be construed as a lottery under this section; and,
1029 provided further, that this exemption for national contests
1030 shall not apply to any such contest based upon the outcome or
1031 results of any horserace, harness race, dograce, or jai alai
1032 game.

1033 (2) Any person who is convicted of violating any of the
1034 provisions of paragraph (a), paragraph (b), paragraph (c), or
1035 paragraph (d) of subsection (1) is guilty of a felony of the
1036 third degree, punishable as provided in s. 775.082, s. 775.083,
1037 or s. 775.084.

1038 (3) Any person who is convicted of violating any of the
1039 provisions of paragraph (e), paragraph (f), paragraph (g),
1040 paragraph (i), or paragraph (k) of subsection (1) is guilty of a
1041 misdemeanor of the first degree, punishable as provided in s.
1042 775.082 or s. 775.083. Any person who, having been convicted of
1043 violating any provision thereof, thereafter violates any
1044 provision thereof is guilty of a felony of the third degree,

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1045 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1046 The provisions of this section do not apply to bingo as provided
1047 for in s. 849.0931.

1048 (4) Any person who is convicted of violating any of the
1049 provisions of paragraph (h) or paragraph (j) of subsection (1)
1050 is guilty of a misdemeanor of the first degree, punishable as
1051 provided in s. 775.082 or s. 775.083. Any person who, having
1052 been convicted of violating any provision thereof, thereafter
1053 violates any provision thereof is guilty of a felony of the
1054 third degree, punishable as provided in s. 775.082, s. 775.083,
1055 or s. 775.084.

1056 Section 20. Section 849.11, Florida Statutes, is amended to
1057 read:

1058 849.11 Plays at games of chance by lot.—

1059 (1) A person who ~~Whoever sets up, promotes or~~ plays in
1060 person or by the use, in whole or in part, of the Internet, at
1061 any game of chance by lot or with dice, cards, numbers, hazards
1062 or any other gambling device whatever for, or for the disposal
1063 of money or other thing of value or under the pretext of a sale,
1064 gift or delivery thereof, or for any right, share or interest
1065 therein, ~~commits shall be guilty of~~ a misdemeanor of the second
1066 degree, punishable as provided in s. 775.082 or s. 775.083.

1067 (2) A person who ~~sets up, operates, conducts, promotes, or~~
1068 receives in any manner any money or other thing of value offered
1069 for the purpose of conduct prohibited in subsection (1), or who
1070 knowingly becomes the custodian or depositary of any money or
1071 other thing of value so offered, or who aids, assists, abets, or
1072 influences in any manner in any such acts, commits a felony of
1073 the third degree, punishable as provided in s. 775.082, s.

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1074 775.083, or s. 775.084.

1075 Section 21. Section 849.13, Florida Statutes, is amended to
1076 read:

1077 849.13 Punishment on second or subsequent conviction.—A
1078 person who is convicted of a second or subsequent violation of
1079 the same ~~Whoever, after being convicted of an offense forbidden~~
1080 ~~by law~~ in connection with lotteries for which there is no
1081 penalty specified for a second or subsequent violation shall
1082 have the offense reclassified to an offense of the next higher
1083 ~~degree, commits the like offense, shall be guilty of a~~
1084 ~~misdemeanor of the first degree, punishable as provided in s.~~
1085 775.082, or s. 775.083, or s. 775.084. For purposes of
1086 sentencing under chapter 921, a felony offense that is
1087 reclassified under this section is ranked one level above the
1088 ranking under s. 921.0022 or s. 921.0023 of the felony offense
1089 committed.

1090 Section 22. Section 849.14, Florida Statutes, is amended to
1091 read:

1092 849.14 Unlawful to bet on result of trial or contest of
1093 skill, etc.—A person who ~~Whoever~~ stakes, bets, or wagers any
1094 money or other thing of value upon the result of any trial or
1095 contest of skill, speed or power or endurance of human or beast,
1096 or who ~~whoever~~ receives in any manner whatsoever any money or
1097 other thing of value staked, bet, or wagered, or offered for the
1098 purpose of being staked, bet, or wagered, by or for any other
1099 person upon any such result, or who ~~whoever~~ knowingly becomes
1100 the custodian or depositary of any money or other thing of value
1101 so staked, bet, or wagered upon any such result, or who ~~whoever~~
1102 aids, or assists, or abets, or influences in any manner in any

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1103 of such acts ~~all of which are hereby forbidden~~, commits a felony
1104 of the third degree, punishable as provided in s. 775.082, ~~or~~ s.
1105 775.083, or s. 775.084.

1106 Section 23. Subsection (7) is added to section 849.142,
1107 Florida Statutes, to read:

1108 849.142 Exempted activities.—Sections 849.01, 849.08,
1109 849.09, 849.11, 849.14, and 849.25 do not apply to participation
1110 in or the conduct of any of the following activities:

1111 (7) Fantasy sports contests conducted pursuant to s.
1112 849.143.

1113 Section 24. Section 849.143, Florida Statutes, is created
1114 to read:

1115 849.143 Fantasy sports contests authorized.—

1116 (1) DEFINITIONS.—As used in this section, the term:

1117 (a) “Change of ownership” means:

1118 1. An event in which the contest operator sells or
1119 otherwise transfers its ownership to a different individual or
1120 entity, as evidenced by a change in federal employer
1121 identification number or taxpayer identification number; or

1122 2. An event in which the ownership, shares, membership, or
1123 controlling interest of a contest operator is in any manner
1124 transferred or otherwise assigned. This subparagraph does not
1125 apply to a contest operator that is publicly traded on a
1126 recognized stock exchange.

1127 (b) “Commission” means the Florida Gaming Control
1128 Commission.

1129 (c) “Confidential information” means information related to
1130 the playing of fantasy sports contests by contest participants
1131 which is obtained solely as a result of a person’s employment

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1132 with, or work as an agent of, a contest operator.

1133 (d) "Contest operator" means a person or an entity that
1134 offers fantasy sports contests for a cash prize. The term does
1135 not include noncommercial contest operators.

1136 (e) "Contest participant" means a person who pays an entry
1137 fee for the ability to participate in a fantasy sports contest
1138 offered by a contest operator or noncommercial contest operator.

1139 (f) "Controlling interest" means a person or entity that
1140 serves as an officer of, is on the board of directors of, or has
1141 a 5 percent or greater ownership interest in the contest
1142 operator; or the ultimate equitable owner, as such term is
1143 defined in s. 550.002.

1144 (g) "Convicted" means having been found guilty, with or
1145 without adjudication of guilt, as a result of a jury verdict,
1146 nonjury trial, or entry of a plea of guilty or nolo contendere.

1147 (h) "Entry fee" means the cash or cash equivalent amount
1148 that a person is required to pay to a contest operator or
1149 noncommercial contest operator to participate in a fantasy
1150 sports contest.

1151 (i) "Fantasy sports contest" means a fantasy or simulation
1152 sports game or contest with an entry fee and a prize or award in
1153 which a contest participant manages a fantasy or simulation
1154 sports team composed of athletes from a professional sports
1155 organization and which meets each of the following requirements:

1156 1. All prizes and awards offered to winning contest
1157 participants are established and made known to the contest
1158 participants in advance of the game or contest, and the value is
1159 not determined by the number of contest participants or by the
1160 amount of any fees paid by those contest participants.

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1161 2. All winning outcomes reflect the relative knowledge and
1162 skill of the contest participants and are determined
1163 predominantly by accumulated statistical results of the
1164 performance of individuals, including athletes in the case of
1165 sporting events.

1166 3. No winning outcome is based on the score, point spread,
1167 or any performance or performances of any single actual team or
1168 combination of such teams; solely on any single performance of
1169 an individual athlete or player in any single actual event; on a
1170 pari-mutuel event, as the term pari-mutuel is defined in s.
1171 550.002, as of January 1, 2021, on a game of poker or other card
1172 game; or on the performances of participants in collegiate, high
1173 school, or youth sporting events.

1174 4. No casino graphics, themes, or titles, including, but
1175 not limited to, depictions of slot machine-style symbols, cards,
1176 dice, craps, roulette, or lotto, are displayed or depicted.

1177 (j) "Fantasy sports contest system" means the formal
1178 electronic system implemented by a contest operator to register
1179 contest participants and create participant accounts for
1180 participation in fantasy sports contests and to record a contest
1181 participant's athlete selections, entry fees, prizes, or awards,
1182 and other activities related to participation in fantasy sports
1183 contest offered or operated by the contest operator.

1184 (k) "Fantasy sports contest revenues" means the total of
1185 all cash and property received by the contest operator from the
1186 operation of fantasy sports contests less the amount of cash,
1187 cash equivalents, credits, and prizes paid to winners of fantasy
1188 sports contests.

1189 (l) "Key employee" means an individual who is employed by

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1190 an applicant for a contest operator license or by a contest
1191 operator in a director or department head capacity or who is
1192 authorized to make discretionary decisions that regulate fantasy
1193 sports contest operations.

1194 (m) "Noncommercial contest operator" means a natural person
1195 who organizes and conducts a fantasy sports contest in which
1196 contest participants are charged entry fees for the right to
1197 participate; entry fees are collected, maintained, and
1198 distributed by the same natural person; the total entry fees
1199 collected, maintained, and distributed by such natural person do
1200 not exceed \$1,500 per season or \$10,000 per calendar year; and
1201 all entry fees are returned to the contest participants in the
1202 form of prizes.

1203 (n) "Principal" means any owner; ultimate equitable owner,
1204 as that term is defined in s. 550.002; shareholder; corporate
1205 officer or director; general partner; trustee; or beneficiary.

1206 (o) "Proposition selection" means a contest participant
1207 choosing whether one or more identified instances or statistical
1208 achievements within a sporting event, competition, or contest
1209 will or will not occur, be achieved, or be surpassed, or
1210 engaging in any other in-play wagering in which a contest
1211 participant wagers on a specific outcome or combinations of
1212 outcomes within such sporting event, competition, or contest.

1213 (p) "Relative" means a spouse, father, mother, son,
1214 daughter, grandfather, grandmother, brother, sister, uncle,
1215 aunt, cousin, nephew, niece, father-in-law, mother-in-law, son-
1216 in-law, daughter-in-law, brother-in-law, sister-in-law,
1217 stepfather, stepmother, stepson, stepdaughter, stepbrother,
1218 stepsister, half-brother, or half-sister.

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1219 (q) "Sports betting" means wagering on any past or future
1220 professional sport or athletic event, competition, or contest;
1221 any Olympic or international sports competition event; any
1222 collegiate sport or athletic event; any motor vehicle race; or
1223 any portion of any of the foregoing, including, but not limited
1224 to, the individual performance statistics of an athlete or other
1225 individual participant in any event or combination of events, or
1226 any other in-play wagering with respect to any such sporting
1227 event, competition, or contest.

1228 (2) POWER AND DUTIES OF THE COMMISSION; RULEMAKING.—

1229 (a) The commission shall administer this section and
1230 regulate the operation and play of fantasy sports contests under
1231 this section and rules adopted pursuant thereto.

1232 (b) The commission is authorized to:

1233 1. Conduct investigations and monitor the operation of
1234 fantasy sports contests and fantasy sports contest systems
1235 necessary to fulfill its responsibilities under the provisions
1236 of this section.

1237 2. Review the books, accounts, and records of any current
1238 or former contest operator.

1239 3. Take testimony, issue summonses and subpoenas for any
1240 witness, and issue subpoenas duces tecum in connection with any
1241 matter within its jurisdiction.

1242 4. Monitor and ensure the proper collection and
1243 safeguarding of entry fees and compliance with consumer
1244 protection procedures.

1245 (c) The commission may deny, suspend, revoke, or place
1246 conditions or restrictions on a contest operator license if the
1247 applicant or holder of the license:

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1248 1. Knowingly makes a false statement of material fact in
1249 the application or has deliberately failed to disclose any
1250 information requested.

1251 2. Fails to pay all outstanding fines or liens assessed by
1252 final order of the commission.

1253 3. Is convicted, or if its principal or key employee has
1254 been convicted, in this state, any other state, or under the
1255 laws of the United States of a capital offense, a felony, an
1256 offense that would be a felony under the laws of this state
1257 involving arson; trafficking in, conspiracy to traffic in,
1258 smuggling, importing, conspiracy to smuggle or import, or
1259 delivery, sale, or distribution of a controlled substance as
1260 defined in s. 893.02(4); or a misdemeanor related to gaming or
1261 bookmaking, as defined in s. 849.25(1), or involves cruelty to
1262 animals.

1263 4. Violates, or if its principal or key employee violates,
1264 this section or the rules of the commission adopted pursuant to
1265 this section.

1266 5. Has been refused a license or had a license revoked, or
1267 if its principal or key employee has been refused a license or
1268 had a license revoked, by any other state gaming commission or
1269 gaming authority.

1270 6. Has, or if its principal or key employee has, unpaid
1271 fines in another jurisdiction.

1272
1273 If an offense is not related to gambling and is not a capital
1274 offense, the commission may waive the restrictions in this
1275 paragraph upon the applicant's or holder's showing of
1276 rehabilitation and good moral character. The standard of review

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1277 applicable to actions taken by the commission pursuant to this
1278 paragraph is whether the commission's action was an abuse of
1279 discretion.

1280 (d) The commission may adopt any rules necessary to
1281 implement, administer, and regulate the operation and play of
1282 fantasy sports contests pursuant to this section, including, but
1283 not limited to:

1284 1. Procedures for applying for a contest operator license
1285 and renewal of a contest operator license.

1286 2. The operation of a fantasy sports contest.

1287 3. Procedures to scientifically test and technically
1288 evaluate fantasy sports contest systems for compliance with this
1289 section and the rules adopted pursuant to this section. The
1290 commission may contract with an independent testing laboratory
1291 as that term is defined in s. 551.102 to conduct any necessary
1292 testing under this section. An independent testing laboratory
1293 may not be owned or controlled by a contest operator or its
1294 principals or key employees. The selection of an independent
1295 testing laboratory for any purpose related to the conduct of
1296 fantasy sports contests must be made from a list of one or more
1297 laboratories approved by the commission.

1298 4. Procedures for regulating, managing, and auditing the
1299 operation, financial data, and program information relating to
1300 fantasy sports contests which allow the commission and the
1301 Department of Law Enforcement to audit the operation, financial
1302 data, and program information of a contest operator, as required
1303 by the commission or the Department of Law Enforcement, and
1304 provide the commission and the Department of Law Enforcement
1305 with the ability to monitor, on a real-time basis, contest

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1306 participants' patterns, payouts, and compliance with this
1307 section and any rules adopted by the commission.

1308 5. Procedures for requiring contest operators to maintain
1309 and furnish to the commission specified records and to submit
1310 any data, information, record, or report, including financial
1311 and income records, required by this section or determined by
1312 the commission to be necessary to the proper implementation and
1313 enforcement of this section.

1314 6. Procedures for regulating contest operators' compliance
1315 with the conditions on licensure and consumer protection
1316 requirements of this section.

1317 7. Procedures relating to fantasy sports contest revenues,
1318 including verifying and accounting for such revenues, and
1319 auditing consistent with this section.

1320 (3) LICENSING; RENEWAL; CHANGE OF OWNERSHIP.—

1321 (a) A contest operator must be licensed by the commission
1322 to operate fantasy sports contests within this state. Licenses
1323 are effective for one year after issuance and must be renewed
1324 annually. Applications for an initial contest operator license,
1325 a license renewal, or a change of ownership are exempt from the
1326 90-day licensing requirement of s. 120.60(1). Within 120 days
1327 after receipt of a completed application, the commission shall
1328 approve or deny the application.

1329 (b) An application for initial licensure, license renewal,
1330 or change of ownership must be made to the commission on forms
1331 furnished by the commission, submitted under attestation and
1332 under penalty of perjury, in order to be accepted and considered
1333 timely. The application must contain information required by
1334 authorizing statutes and applicable rules and must include all

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1335 of the following:

1336 1. The name, address, and social security number of the
1337 applicant.

1338 2. If the applicant is a corporation, the name of the state
1339 in which the applicant is incorporated and the name, address,
1340 and social security number of each key employee and principal
1341 who individually or in concert with a relative holds 5 percent
1342 or more interest in the corporation.

1343 3. If the applicant is a business entity other than a
1344 corporation, the name, address, and social security number of
1345 each key employee and principal who individually or in concert
1346 with a relative holds 5 percent or more equity, or who is a
1347 trustee or beneficiary of 5 percent or more of a trust.

1348 4. The name, address, and social security number of each of
1349 the corporation's or other business entity's equitable owners as
1350 defined in s. 550.002, unless the securities of the business
1351 entity are registered pursuant to the Securities Exchange Act of
1352 1934, 15 U.S.C. ss. 78a-78kk, and either:

1353 a. The corporation or entity files with the United States
1354 Securities and Exchange Commission the reports as required by
1355 the act; or

1356 b. The securities of the corporation or entity are
1357 regularly traded on an established securities market in the
1358 United States.

1359 5. If the applicant is a corporation or other business
1360 entity, a certificate of status issued by the Department of
1361 State.

1362 6. The estimated number of fantasy sports contests to be
1363 conducted by the applicant annually.

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1364 7. A copy of the consumer protection procedures required by
1365 subsection (4).

1366 8. Documentation from an independent testing laboratory
1367 sufficient to evidence that the fantasy sports contest system is
1368 in compliance with this section.

1369 9. A statement of the assets and liabilities of the
1370 applicant.

1371 10. If required by the commission, the names and addresses
1372 of the officers and directors of any creditor of the applicant
1373 and of stockholders who hold more than 10 percent of the stock
1374 of the creditor.

1375 11. Any other information required by the commission.

1376 12. For each individual listed in an application as a key
1377 employee or principal, a complete set of fingerprints that has
1378 been taken in accordance with s. 943.053(13).

1379 a. The commission, vendor, entity, or agency shall forward
1380 the fingerprints to the Department of Law Enforcement for state
1381 processing, and the Department of Law Enforcement shall forward
1382 the fingerprints to the Federal Bureau of Investigation for
1383 national processing.

1384 b. Fingerprints submitted to the Department of Law
1385 Enforcement pursuant to this paragraph must be retained by the
1386 Department of Law Enforcement as provided in s. 943.05(2)(g) and
1387 (h) and, when the Department of Law Enforcement begins
1388 participation in the program, must be enrolled in the Federal
1389 Bureau of Investigation's national retained print arrest
1390 notification program. The Department of Law Enforcement shall
1391 report to the commission any arrest record identified.

1392 c. The commission may, by rule, exempt certain groups of

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1393 persons from the fingerprinting requirement.

1394 (c) An applicant shall pay the full cost of processing
1395 fingerprints and required documentation.

1396 (d) An applicant seeking to renew a license must update any
1397 changes in the applicant's information which was submitted the
1398 previous year.

1399 1. The applicant shall attest, under penalty of perjury,
1400 that any revisions do not affect the applicant's qualifications
1401 for license renewal.

1402 2. Upon determination by the commission that the
1403 application for renewal is complete and qualifications have been
1404 met, the contests operator license may be renewed.

1405 (e) A contest operator must submit an application for a
1406 change of ownership to the commission. A change of ownership
1407 interest of 5 percent or more must be approved by the commission
1408 before such change. A change of ownership interest in a contest
1409 operator of less than 5 percent must be reported to the
1410 commission within 20 days after the change. The commission may
1411 conduct an investigation to ensure that the license is properly
1412 updated to show the change in ownership or interest.

1413 (f) Notwithstanding s. 120.60, the commission may summarily
1414 suspend the license of a contest operator if the contest
1415 operator fails to pay any administrative fine imposed by entry
1416 of a final order by the commission within 30 calendar days after
1417 the date of the final order, unless a notice of appeal of such
1418 final order has been filed and is pending. A suspension
1419 proceeding brought pursuant to ss. 120.569 and 120.57 must be
1420 promptly instituted and acted upon. Before the conclusion of any
1421 such appeal, the license of a contest operator may not be

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1422 renewed, and an application for licensure as a contest operator
1423 may not be approved, if the contest operator or the applicant
1424 for licensure as a contest operator is liable for an outstanding
1425 administrative fine imposed under this section.

1426 (4) CONDITIONS ON LICENSURE; CONSUMER PROTECTION.—As a
1427 condition of licensure, the contest operator must:

1428 (a) Implement and maintain a fantasy sports contest system
1429 that is scientifically tested and technically evaluated by an
1430 independent testing laboratory for compliance with this section.

1431 (b) Prohibit and prevent the contest operator or its
1432 principals, employees, and relatives or persons living in the
1433 same household as the principals or employees from competing in
1434 a fantasy sports contest that the contest operator conducts or
1435 offers. However, a contest operator may offer its principals and
1436 employees fantasy sports contests in which the principals and
1437 employees are the sole participants.

1438 (c) Prohibit and prevent the contest operator or its
1439 principals, employees, or agents from sharing with a third party
1440 confidential information that could affect fantasy sports
1441 contest play until the information has been made publicly
1442 available.

1443 (d) Verify the age, location, and identity of any contest
1444 participant before making a deposit into a participant's account
1445 in the fantasy sports contest system. No person under 21 years
1446 of age may be permitted to participate in a fantasy sports
1447 contest.

1448 (e) Prohibit and prevent an individual who is a player, a
1449 game official, or other participant in a professional sports
1450 organization's actual event from participating in a fantasy

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1451 sports contest.

1452 (f) Allow a person to restrict or prevent his or her own
1453 access to the fantasy sports contest system and fantasy sports
1454 contest for a specific period of time as determined by the
1455 person and to implement procedures to prevent the person from
1456 participating in the contest operator's fantasy contests.

1457 (g) Limit the number of entries a single contest
1458 participant submits to each fantasy sports contest and take
1459 reasonable steps to prevent participants from submitting more
1460 than the allowable number of entries.

1461 (h) Segregate contest participants' funds from operational
1462 funds or maintain a reserve in the form of cash, cash
1463 equivalents, payment processor reserves, payment processor
1464 receivables, an irrevocable letter of credit, a bond, or a
1465 combination thereof in the total amount of deposits in contest
1466 participants' accounts in the fantasy sports contest system.

1467 (i) Provide winning contest participants with the
1468 information and documentation necessary to ensure the proper
1469 reporting of winnings to the Internal Revenue Service.

1470 (j) Contract with a third party to perform an independent
1471 audit, consistent with the standards established by the American
1472 Institute of Certified Public Accountants, to ensure compliance
1473 with this section. The contest operator shall submit the results
1474 of the independent audit to the commission no later than 120
1475 days after the end of each fiscal year.

1476 (k) Ensure that any data source and the corresponding data
1477 stored in the fantasy sports contest system to determine the
1478 results of all fantasy sports contests offered by contest
1479 operators, other than noncommercial contest operators, is

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1480 complete, accurate, reliable, and appropriate to settle the
1481 outcome of the fantasy sports contests for which it is used. The
1482 commission and the Department of Law Enforcement may audit the
1483 data source and the corresponding data to monitor compliance
1484 with this section.

1485 (1) The commission may adopt rules to implement this
1486 subsection.

1487 (5) RECORD RETENTION AND REPORTS.—Each contest operator
1488 shall maintain daily records of its operations and detailed
1489 financial transactions for at least 5 years and make them
1490 available for audit and inspection by the commission or any law
1491 enforcement agencies during the contest operator's regular
1492 business hours. The commission may adopt rules to implement this
1493 subsection.

1494 (6) PROHIBITIONS.—

1495 (a) A noncommercial contest operator may not receive any
1496 consideration or commission for conducting a fantasy sports
1497 contest.

1498 (b) Contest operators or noncommercial contest operators
1499 may not accept an entry fee from or allow a person younger than
1500 21 years of age to become a participant in a fantasy contest. A
1501 person younger than 21 years of age may not be a contest
1502 operator or a noncommercial contest operator.

1503 (c) Contest operators may not allow a contest participant
1504 to enter a fantasy sports contest before establishing an account
1505 in the fantasy sports contest system.

1506 (d) Contest operators or noncommercial contest operators
1507 may not offer a fantasy sports contest that includes any of the
1508 following:

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1509 1. A contest participant making a proposition selection or
1510 having the effect of mimicking a proposition selection.

1511 2. Any fantasy sports contest in which a contest
1512 participant competes against the contest operator or
1513 noncommercial contest operator.

1514 3. A selection or assembly of a fantasy or simulation
1515 sports team which does not involve the knowledge and skill of a
1516 contest participant, including, but not limited to, any of the
1517 following:

1518 a. Auto draft functionality, except for a fantasy sports
1519 contest in which a contest participant is required to exert
1520 knowledge and skill to rank, prioritize, or queue athletes
1521 before the draft or to assemble one or more fantasy or
1522 simulation sports teams from a pool of athletes drafted by a
1523 contest participant;

1524 b. A contest participant selecting a fantasy or simulation
1525 sports team preselected by a contest operator; or

1526 c. Any other means of fantasy or simulation sports team
1527 selection or assembly that does not involve the input or control
1528 of a contest participant.

1529 4. Any fantasy sports contest that involves, results in, or
1530 has the effect of mimicking sports betting.

1531 5. A fantasy sports contest in which any statistical
1532 results of the performance of any individual athletes which
1533 determine the outcome of the fantasy or simulation sports game
1534 have been partially or completely determined and are publicly
1535 known at the time any entry fee from any contest participant is
1536 to be collected.

1537 6. Any fantasy sports contest that provides an

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1538 instantaneous result or is based on a simulated season or games.
1539 7. Any fantasy sports contests prohibited by the commission
1540 or by state or federal law.

1541 (e) A contest operator may not alter rules established for
1542 a fantasy contest after a participant has entered the fantasy
1543 contest.

1544 (f) A contest operator may not offer a fantasy sports
1545 contest to any person located on Indian lands in this state
1546 which are regulated under the Indian Gaming Regulatory Act
1547 defined in s. 285.710 and codified at 25 U.S.C. ss. 2701 et seq.
1548 and 18 U.S.C. ss. 1166-1168. For the purposes of identifying
1549 Indian lands, the commission may provide descriptions of such
1550 Indian lands to a contest operator seeking to operate in this
1551 state.

1552 (7) PENALTIES; APPLICABILITY; EXEMPTION.—

1553 (a) As a penalty for any violation of this section,
1554 authorizing statutes, or applicable rules or the failure to
1555 comply with the terms of a final order issued by the commission,
1556 the commission may suspend or revoke any contest operator
1557 license issued under this section, or impose an administrative
1558 penalty as follows:

1559 1. The commission may impose an administrative fine not to
1560 exceed \$25,000 for each violation against a contest operator.
1561 Each day of a violation constitutes a separate violation and is
1562 subject to a separate fine.

1563 2. The commission may impose an administrative fine not to
1564 exceed \$5,000 for each violation against a principal or employee
1565 of a contest operator. Each day of a violation constitutes a
1566 separate violation and is subject to a separate fine.

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1567 3. For fines imposed by final order of the commission and
1568 not subject to further appeal, the violator must pay the fine
1569 plus interest at the rate specified in s. 55.03 for each day
1570 beyond the date set by the commission for the payment of the
1571 administrative fine.

1572 4. All fines imposed and collected under this paragraph
1573 shall be deposited with the Chief Financial Officer to the
1574 credit of the Pari-mutuel Wagering Trust Fund.

1575 (b) A noncommercial contest operator, contest operator, or
1576 a principal or employee thereof who violates this section
1577 commits a felony of the third degree, punishable as provided in
1578 s. 775.082, s. 775.083, or s. 775.084.

1579 (c) Any person, other than a person who is a noncommercial
1580 contest operator, who operates a fantasy sports contest without
1581 a valid license issued as provided in this section commits a
1582 felony of the third degree, punishable as provided in s.
1583 775.082, s. 775.083, or s. 775.084.

1584 (d) The commission, any state attorney, the statewide
1585 prosecutor, or the Attorney General may seek a temporary or
1586 permanent injunction restraining further violation of this
1587 section, and such an injunction must be issued without a bond.

1588 (e) The penalties established in this subsection do not
1589 apply to violations committed by a contest operator which
1590 occurred before the issuance of a license under this section if
1591 the contest operator applies for a license within 90 days after
1592 the date the commission begins accepting applications and
1593 receives a license within 240 days after such date. (8) STATE
1594 REPORTING REQUIREMENTS.—

1595 (a) Each contest operator shall file a report with the

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1596 commission on the 5th day of each calendar month for contests
1597 conducted during the preceding calendar month. The report must
1598 be submitted under attestation, reporting all fantasy contest
1599 activities for the preceding calendar month, including entry
1600 fees, prize payouts, and other such information as may be
1601 prescribed by the commission.

1602 (b) The commission may adopt rules to implement this
1603 subsection.

1604 Section 25. Section 849.15, Florida Statutes, is amended to
1605 read:

1606 849.15 Manufacture, sale, possession, etc., of slot
1607 machines or devices prohibited.—

1608 (1) As used in this section, the term:

1609 (a) "Conviction" means a determination of guilt which is
1610 the result of a plea or trial, regardless of whether
1611 adjudication is withheld or a plea of nolo contendere is
1612 entered.

1613 (b) "Part thereof" means any equipment, subassembly, or
1614 other part of a slot machine or device, whether attached to the
1615 slot machine or device or separate therefrom, which was used,
1616 attempted to be used, or intended to be used in connection with
1617 the play or operation of the slot machine or device.

1618 (c) "Person of authority" means a person who, at any
1619 business, establishment, premises, or other location at which a
1620 slot machine or device is offered for play, has:

1621 1. Actual authority to act on behalf of such business,
1622 establishment, premises, or other location; or

1623 2. Any ownership interest in such business, establishment,
1624 premises, or other location. For purposes of this paragraph, the

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1625 term "ownership interest" includes an officer, a director, or a
1626 managing member of the business, establishment, premises, or
1627 other location.

1628 (2) It is unlawful:

1629 (a) To manufacture, own, store, keep, possess, sell, rent,
1630 lease, let on shares, lend or give away, transport, or expose
1631 for sale or lease, or to offer to sell, rent, lease, let on
1632 shares, lend or give away, or permit the operation of, or for
1633 any person to permit to be placed, maintained, or used or kept
1634 in any room, space, or building owned, leased or occupied by the
1635 person or under the person's management or control, any slot
1636 machine or device or any part thereof.~~or~~

1637 (b) To make or to permit to be made with any person any
1638 agreement with reference to any slot machine or device, pursuant
1639 to which the user thereof, as a result of any element of chance
1640 or other outcome unpredictable to him or her, may become
1641 entitled to receive any money, credit, allowance, or thing of
1642 value or additional chance or right to use such machine or
1643 device, or to receive any check, slug, token or memorandum
1644 entitling the holder to receive any money, credit, allowance or
1645 thing of value.

1646 (3) (a) Except as provided in paragraphs (b) and (c), a
1647 person who violates subsection (2) commits a misdemeanor of the
1648 first degree, punishable as provided in s. 775.082 or s.
1649 775.083.

1650 (b) A person commits a felony of the third degree,
1651 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1652 if he or she violates subsection (2), and:

1653 1. At the time of the violation, the person was a person of

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1654 authority; or1655 2. The person has one prior conviction for a violation of
1656 this section.1657 (c) A person commits a felony of the second degree,
1658 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1659 if he or she violates subsection (2), and:1660 1.a. At the time of the violation, the person was a person
1661 of authority; and1662 b. The violation involves five or more slot machines or
1663 devices; or1664 2. The person has two or more prior convictions for a
1665 violation of this section.1666 (4)-(2) Pursuant to section 2 of that chapter of the
1667 Congress of the United States entitled "An act to prohibit
1668 transportation of gaming devices in interstate and foreign
1669 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.
1670 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State
1671 of Florida, acting by and through the duly elected and qualified
1672 members of its Legislature, does hereby in this section, and in
1673 accordance with and in compliance with the provisions of section
1674 2 of such chapter of Congress, declare and proclaim that any
1675 county of the State of Florida within which slot machine gaming
1676 is authorized pursuant to chapter 551 is exempt from the
1677 provisions of section 2 of that chapter of the Congress of the
1678 United States entitled "An act to prohibit transportation of
1679 gaming devices in interstate and foreign commerce," designated
1680 as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All
1681 shipments of gaming devices, including slot machines, into any
1682 county of this state within which slot machine gaming is

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1683 authorized pursuant to chapter 551 and the registering,
1684 recording, and labeling of which have been duly performed by the
1685 manufacturer or distributor thereof in accordance with sections
1686 3 and 4 of that chapter of the Congress of the United States
1687 entitled "An act to prohibit transportation of gaming devices in
1688 interstate and foreign commerce," approved January 2, 1951,
1689 being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.
1690 ss. 1171-1177, ~~are shall be~~ deemed legal shipments thereof into
1691 this state provided the destination of such shipments is an
1692 eligible facility as defined in s. 551.102 or the facility of a
1693 slot machine manufacturer or slot machine distributor as
1694 provided in s. 551.109(2)(a).

1695 (5) All shipments of legal gaming devices, including legal
1696 slot machines, into Indian lands located within this state are
1697 deemed legal shipments, provided that such Indian lands are held
1698 in federal trust for the benefit of a federally recognized
1699 Indian tribe that is a party to a tribal-state compact with the
1700 state pursuant to the federal Indian Gaming Regulatory Act of
1701 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C. ss. 2701 et seq.

1702 Section 26. Section 849.155, Florida Statutes, is created
1703 to read:

1704 849.155 Trafficking in slot machines, devices, or parts
1705 thereof.—

1706 (1) Any person who knowingly sells, purchases,
1707 manufactures, transports, delivers, or brings into this state
1708 more than 15 slot machines or devices or any parts thereof
1709 commits a felony of the first degree, punishable as provided in
1710 s. 775.082, s. 775.083, or s. 775.084. For purposes of this
1711 section, the term "parts thereof" has the same meaning as in s.

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1712 849.15. If the quantity of slot machines or devices or any parts
1713 thereof involved is:

1714 (a) More than 15 slot machines or devices or any parts
1715 thereof, but fewer than 25 slot machines or devices or any parts
1716 thereof, such person must be fined \$100,000.

1717 (b) More than 25 slot machines or devices or any parts
1718 thereof, but fewer than 50 slot machines or devices or any parts
1719 thereof, such person must be fined \$250,000.

1720 (c) More than 50 slot machines or devices or any parts
1721 thereof or more, such person must be fined \$500,000.

1722 (2) Pursuant to section 2 of that chapter of the Congress
1723 of the United States entitled "An act to prohibit transportation
1724 of gaming devices in interstate and foreign commerce," approved
1725 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
1726 designated as 15 U.S.C. ss. 1171-1177, relating to
1727 transportation of gambling devices in interstate and foreign
1728 commerce, the State of Florida, acting by and through the duly
1729 elected and qualified members of its Legislature, does hereby in
1730 this section, and in accordance with and in compliance with
1731 section 2 of such chapter of Congress, declare and proclaim that
1732 any county of the State of Florida within which slot machine
1733 gaming is authorized pursuant to chapter 551 is exempt from
1734 section 2 of that chapter of the Congress of the United States
1735 entitled "An act to prohibit transportation of gaming devices in
1736 interstate and foreign commerce," designated as 15 U.S.C. ss.
1737 1171-1177, approved January 2, 1951. All shipments of slot
1738 machines into any county of this state in which slot machine
1739 gaming is authorized pursuant to chapter 551 and the
1740 registering, recording, and labeling of which have been duly

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1741 performed by the manufacturer or distributor thereof in
1742 accordance with sections 3 and 4 of that chapter of the Congress
1743 of the United States entitled "An act to prohibit transportation
1744 of gaming devices in interstate and foreign commerce," approved
1745 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
1746 designated as 15 U.S.C. ss. 1171-1177, are deemed legal
1747 shipments thereof into this state, provided the destination of
1748 such shipments is an eligible facility as defined in s. 551.102
1749 or the facility of a slot machine manufacturer or slot machine
1750 distributor as provided in s. 551.109(2)(a).

1751 (3) All shipments of legal gaming devices, including legal
1752 slot machines, into Indian lands located within this state are
1753 deemed legal shipments thereof, provided that such Indian lands
1754 are held in federal trust for the benefit of a federally
1755 recognized Indian tribe that is a party to a tribal-state
1756 compact with the state pursuant to the federal Indian Gaming
1757 Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C.
1758 ss. 2701 et seq.

1759
1760 Notwithstanding any other law, all fines imposed and collected
1761 pursuant to this section shall be deposited into the Pari-mutuel
1762 Wagering Trust Fund to be used by the Florida Gaming Control
1763 Commission for the enforcement of this chapter and chapters 546,
1764 550, and 551.

1765 Section 27. Section 849.157, Florida Statutes, is created
1766 to read:

1767 849.157 Making a false or misleading statement regarding
1768 the legality of slot machines or devices to facilitate sale.-

1769 (1) Except as provided in subsection (2), a person may not

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1770 knowingly and willfully make a materially false or misleading
1771 statement or knowingly and willfully disseminate false or
1772 misleading information regarding the legality of a slot machine
1773 or device for the purpose of facilitating the sale or delivery
1774 of such slot machine or device for any money or other valuable
1775 consideration. A person who violates this subsection commits a
1776 felony of the third degree, punishable as provided in s.
1777 775.082, s. 775.083, or s. 775.084.

1778 (2) A person who violates subsection (1), when such a
1779 violation involves the sale or delivery, or attempted sale or
1780 delivery, of five or more slot machines or devices, commits a
1781 felony of the second degree, punishable as provided in s.
1782 775.082, s. 775.083, or s. 775.084.

1783 Section 28. Section 849.18, Florida Statutes, is amended to
1784 read:

1785 849.18 Disposition of machines upon conviction.—
1786 (1) For any slot machine or device prohibited pursuant to
1787 s. 849.15 which is not destroyed pursuant to s. 849.181, upon
1788 entering a plea of guilty or nolo contendere to, regardless of
1789 adjudication, the filing of a nolle prosequi or upon the
1790 successful completion of a diversion program or a deferred
1791 prosecution agreement, the filing of a no-information, or upon
1792 conviction of the person arrested for the violation of ss.
1793 849.15-849.22 any of the provisions of ss. 849.15-849.23, the
1794 judge of the court trying the case, after such notice to the
1795 person convicted, and any other person whom the judge may be of
1796 the opinion is entitled to such notice, and as the judge may
1797 deem reasonable, shall issue to the sheriff of the county a
1798 written order adjudging and declaring any such machine,

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1799 apparatus or device forfeited, and directing such sheriff to
1800 destroy the same, with the exception of the money. The order of
1801 the court must ~~shall~~ state the time and place and the manner in
1802 which such property must ~~shall~~ be destroyed, ~~and the sheriff~~
1803 ~~shall destroy the same in the presence of the clerk of the~~
1804 ~~circuit court of such county.~~

1805 (2) For any slot machine or device prohibited pursuant to
1806 s. 849.15 which is not destroyed pursuant to s. 849.181, if no
1807 arrests or criminal charges have been filed against any person
1808 for violations of ss. 849.15-849.22, the Florida Gaming Control
1809 Commission may destroy any seized machine, apparatus, or device
1810 under s. 849.16 if, 60 days after the conclusion of a lawful
1811 investigation, no claim has been filed in any court of competent
1812 jurisdiction for such machine, apparatus, or device.

1813 Section 29. Section 849.181, Florida Statutes, is created
1814 to read:

1815 849.181 Destruction of excess machines.—

1816 (1) It is the intent of the Legislature to protect the
1817 public health, safety, and welfare of the residents of this
1818 state by removing slot machines or devices as defined in s.
1819 849.16 from public circulation and preventing the warehousing of
1820 large quantities of such slot machines or devices.

1821 (2) As used in this section, the term:

1822 (a) "Criminal justice agency" has the same meaning as
1823 provided in s. 943.045.

1824 (b) "Excess slot machines" means more than five slot
1825 machines seized during an investigation.

1826 (c) "Slot machine" has the same meaning as the term "slot
1827 machine or device" provided in s. 849.16 and includes the

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1828 definition of "parts thereof" provided in s. 849.15.

1829 (3) Notwithstanding any other law, a criminal justice
1830 agency having custody of excess slot machines may destroy such
1831 slot machines during the pendency of any related legal
1832 proceedings or ongoing criminal investigations, provided that
1833 such criminal justice agency:

1834 (a) Retains at least five slot machines seized during an
1835 investigation until such time as the slot machines may be
1836 destroyed as provided in s. 849.18;

1837 (b) Notifies the appropriate United States Attorney or
1838 assistant United States Attorney, the responsible state or local
1839 prosecutor, or a criminal justice agency conducting a criminal
1840 investigation that the excess slot machines will be destroyed
1841 after 60 days from the date notice is provided, unless the
1842 entity receiving the notice under this paragraph requests in
1843 writing that the criminal justice agency not destroy the excess
1844 slot machines;

1845 (c) Photographs and records on video each excess slot
1846 machine before its destruction to serve as evidentiary exhibits
1847 for use at trial. Any photograph or video recording must include
1848 a written description of the name of the violator of this
1849 chapter, the location where the alleged violation occurred, the
1850 name of the investigating law enforcement officer, the date the
1851 photograph or video recording was taken, and the name of the
1852 photographer or videographer. Such writing must be made under
1853 oath by the investigating law enforcement officer, and the
1854 photograph and video recording must be authenticated by the
1855 photographer's or videographer's signature;

1856 (d) Destroys each excess slot machine in the presence of a

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1857 law enforcement officer. The law enforcement officer shall
1858 create a written and properly sworn documentation of the date,
1859 time, location, and number of excess slot machines destroyed;
1860 and

1861 (e) Maintains the written and properly sworn documentation
1862 created by the witnessing law enforcement officer pursuant to
1863 paragraph (d) as required under s. 119.021.

1864 (4) In any prosecution for a violation of this chapter, a
1865 photograph and video recording of an excess slot machine
1866 captured and documented pursuant to paragraph (c) may be deemed
1867 competent evidence and may be admissible in the prosecution to
1868 the same extent as if such excess slot machine were introduced
1869 as evidence.

1870 (5) If any provision of this section or its application to
1871 any person or circumstance is held invalid, the invalidity does
1872 not affect other provisions or applications of this section or
1873 chapter which can be given effect without the invalid provision
1874 or application, and to this end the provisions of this section
1875 are severable.

1876 Section 30. Section 849.47, Florida Statutes, is created to
1877 read:

1878 849.47 Transporting or procuring the transportation of
1879 persons to facilitate illegal gambling.—

1880 (1) As used in this section, the term "illegal gambling"
1881 means any criminal violation of this chapter, chapter 546,
1882 chapter 550, or chapter 551 which occurs at any business,
1883 establishment, premises, or other location.

1884 (2) Except as provided in subsection (3), a person who
1885 knowingly and willfully transports, or procures the

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1886 transportation of, five or more other persons into or within
1887 this state when he or she knows or reasonably should know that
1888 such transportation is for the purpose of facilitating illegal
1889 gambling, commits a misdemeanor of the first degree, punishable
1890 as provided in s. 775.082 or s. 775.083.

1891 (3) (a) A person who transports, or procures the
1892 transportation of, a minor or a person 65 years of age or older
1893 into or within this state when he or she knows or reasonably
1894 should know that such transportation is for the purpose of
1895 facilitating illegal gambling commits a felony of the third
1896 degree, punishable as provided in s. 775.082, s. 775.083, or s.
1897 775.084.

1898 (b) A person who transports, or procures the transportation
1899 of, 12 or more persons in violation of subsection (2) commits a
1900 felony of the third degree, punishable as provided in s.
1901 775.082, s. 775.083, or s. 775.084.

1902 Section 31. Section 849.48, Florida Statutes, is created to
1903 read:

1904 849.48 Gambling or gaming advertisements; prohibited.—
1905 (1) As used in this section, the term "illegal gambling"
1906 has the same meaning as in s. 849.47(1).

1907 (2) (a) Except as otherwise authorized by law, a person may
1908 not knowingly and intentionally make, publish, disseminate,
1909 circulate, or place before the public, or cause, directly or
1910 indirectly, to be made, published, disseminated, circulated, or
1911 placed before the public in this state, in any manner, whether
1912 in person or by the use, at least in part, of the Internet, any
1913 advertisement, circular, bill, poster, pamphlet, list, schedule,
1914 announcement, or notice for the purpose of promoting or

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1915 facilitating illegal gambling.

1916 (b) Except as otherwise authorized by law, a person may not
1917 set up any type or plate for any type of advertisement,
1918 circular, bill, poster, pamphlet, list, schedule, announcement,
1919 or notice when he or she knows or reasonably should know that
1920 such material will be used for the purpose of promoting or
1921 facilitating illegal gambling.

1922 (c) A person who violates this subsection commits:

1923 1. For a first offense, a misdemeanor of the first degree,
1924 punishable as provided in s. 775.082 or s. 775.083.

1925 2. For a second or subsequent offense, a felony of the
1926 third degree, punishable as provided in s. 775.082, s. 775.083,
1927 or s. 775.084.

1928 (3) This section does not prohibit the printing or
1929 producing of any advertisement, circular, bill, poster,
1930 pamphlet, list, schedule, announcement, or notice to be used for
1931 the purpose of promoting or facilitating gambling conducted in
1932 any other state or nation, outside of this state, where such
1933 gambling is not prohibited.

1934 Section 32. Section 849.49, Florida Statutes, is created to
1935 read:

1936 849.49 Preemption.—A county, municipality, or other
1937 political subdivision of the state may not enact or enforce any
1938 ordinance or local rule relating to gaming, gambling, lotteries,
1939 or any activities described in this chapter or s. 546.10, except
1940 as otherwise expressly provided by general law, special law, or
1941 the State Constitution.

1942 Section 33. Section 849.51, Florida Statutes, is created to
1943 read:

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1944 849.51 Limited Slot Machine Surrender Program.—
1945 (1) The Legislature finds that illegal gaming operations
1946 not only undermine public trust but also expose citizens of this
1947 state to organized criminal conduct, financial exploitation, and
1948 a host of other social harms. Furthermore, the Legislature finds
1949 that certain persons or entities owning, storing, keeping,
1950 possessing, transporting, permitting the operation of, or
1951 otherwise offering illegal gaming devices for play may have been
1952 misled regarding the legality of the otherwise illegal gaming
1953 devices. Therefore, the Legislature finds that there is a
1954 compelling state interest in creating a limited period of time
1955 in which otherwise illegal gaming devices may be surrendered
1956 without penalty to ensure that any unknowing or otherwise
1957 innocent party may avoid criminal prosecution or civil penalty.

1958 (2) There is created within the commission the Limited Slot
1959 Machine Surrender Program. The purpose of the program is to
1960 allow individuals and organizations an opportunity to surrender
1961 or otherwise disclaim any and all interest in any gaming
1962 devices, including, but not limited to, those devices or games
1963 described in ss. 849.09 and 849.16, and devices or games
1964 purported to be authorized by ss. 546.10, 849.0931, 849.094, and
1965 849.14, and convey such gaming devices to the commission. The
1966 surrender of a gaming device pursuant to the program is deemed
1967 irrevocable and final.

1968 (3) Any individual or organization that surrenders a gaming
1969 device to the commission pursuant to the program is immune from
1970 criminal prosecution for a violation of this chapter related to
1971 any of the surrendered devices.

1972 (4) The program shall begin by September 1, 2026, and end

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1973 on October 1, 2026.

(5) The commission shall advertise the program no earlier than 60 days before October 1, 2026.

(6) A person or an entity does not have any right of property in any of the devices surrendered to the commission pursuant to this section.

(7) The commission may execute memoranda of understanding with other criminal justice agencies to administer the program.

Section 34. Present paragraphs (i) through (m) of subsection (2) of section 903.046, Florida Statutes, are redesignated as paragraphs (j) through (n), respectively, and a new paragraph (i) is added to that subsection, to read:

903.046 Purpose of and criteria for bail determination.—

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

(i) The amount of currency seized which is connected to or involved in a violation of chapter 546, chapter 550, chapter 551 or chapter 849

Section 35. Paragraphs (c), (e), (g), and (h) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.-

(3) OFFENSE SEVERITY RANKING CHART

(C) LEVEL 3

Florida	Felony	
Statute	Degree	Description

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119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.	
2000			
316.066	3rd	Unlawfully obtaining or using confidential crash reports.	
(3) (b) - (d)			
2001			
316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.	
2002			
316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.	
2003			
319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.	
2004			
319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.	
2005			
319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.	
2006			

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319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.	
2007			
327.35(2) (b)	3rd	Felony BUI.	
2008			
328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.	
2009			
328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.	
2010			
376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.	
2011			
379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell,	

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molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

2012

379.2431 3rd Possessing any marine
(1) (e) 6. turtle species or
hatchling, or parts
thereof, or the nest of any
marine turtle species
described in the Marine
Turtle Protection Act.

2013

379.2431 3rd Soliciting to commit or
(1) (e) 7. conspiring to commit a
violation of the Marine
Turtle Protection Act.

2014

400.9935 (4) (a) 3rd Operating a clinic, or
or (b) offering services requiring
licensure, without a
license.

2015

400.9935 (4) (e) 3rd Filing a false license application or other required information or failing to report

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2016			information.
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
2017			
	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
2018			
	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2019			
	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2020			
	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2021			
	697.08	3rd	Equity skimming.
2022			
	790.15 (3)	3rd	Person directs another to

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2023			discharge firearm from a vehicle.
	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.
2024	800.045 (3)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes a lewd or lascivious image.
2025	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2026	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
2027	810.09 (2) (b)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous

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2028			weapon.
2029	810.145 (2) (c)	3rd	Digital voyeurism; 19 years of age or older.
2030	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2031	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2032	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
2033	812.081 (2)	3rd	Theft of a trade secret.
2034	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
2035	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2036	817.233	3rd	Burning to defraud insurer.

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	817.234	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
2037	(8) (b) & (c)		
	817.234(11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2038			
	817.236	3rd	Filing a false motor vehicle insurance application.
2039			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2040			
	817.413(2)	3rd	Sale of used goods of \$1,000 or more as new.
2041			
	817.49(2) (b)1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
2042			
	831.28(2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment

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instrument with intent to defraud.

2043

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

2044

836.13(2) 3rd Generating an altered sexual depiction of an identifiable person without consent.

2045

836.13(4) 3rd Promoting, or possessing with intent to promote, an altered sexual depiction of an identifiable person without consent.

2046

838.021(3) (b) 3rd Threatens unlawful harm to public servant.

2047

838.12 3rd Bribery in athletic contests.

2048

847.01385 3rd Harmful communication to a minor.

2049

849.01(2) (a) 3rd Keeping a gambling house.

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2050	<u>849.01(3) (b)</u>	3rd	<u>Knowingly benefitting from or participating in the operation of a gambling house.</u>
2051	<u>849.02(1) (b) & (2) (a)</u>	3rd	<u>Agents or employees of keeper of gambling house.</u>
2052	<u>849.021(3) (a)</u>	3rd	<u>Government employee misconduct relating to gambling houses.</u>
2053	<u>849.03(1) (a)</u>	3rd	<u>Renting space at a gambling house.</u>
2054	<u>849.08(4)</u>	3rd	<u>Internet wagering.</u>
2055	<u>849.086(12) (e)</u>	3rd	<u>Manipulating playing cards.</u>
2056	<u>849.09(2)</u>	3rd	<u>Illegal lottery.</u>
2057	<u>849.11(2)</u>	3rd	<u>Operating or playing games of chance by lot.</u>
2058	<u>849.14</u>	3rd	<u>Betting on result of trial or contest of skill.</u>
2059	<u>849.143(7) (b) & (c)</u>	3rd	<u>Illegal fantasy sports</u>

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2060			<u>contests</u>
2061	<u>849.15 (3) (b)</u>	<u>3rd</u>	<u>Manufacture, sale, possession, etc. of slot machines or devices.</u>
2062	<u>849.157 (1)</u>	<u>3rd</u>	<u>False or misleading statement to facilitate sale of slot machines or devices.</u>
2063	<u>849.25 (2)</u>	<u>3rd</u>	<u>Bookmaking.</u>
2064	<u>849.47 (3) (a) & (b)</u>	<u>3rd</u>	<u>Transporting or procuring transportation of certain persons to facilitate gambling.</u>
2065	<u>849.48 (2) (c) 2.</u>	<u>3rd</u>	<u>Prohibited gambling or gaming advertisements.</u>
2066	860.15 (3)	3rd	Overcharging for repairs and parts.
2067	870.01 (2)	3rd	Riot.
2068	870.01 (4)	3rd	Inciting a riot.
	893.13 (1) (a) 2.	3rd	Sell, manufacture, or

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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).

2069

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

2070

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.

2071

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

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controlled substances.

2072	893.13(6) (a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
2073	893.13(7) (a) 8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
2074	893.13(7) (a) 9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2075	893.13(7) (a) 10.	3rd	Affix false or forged label to package of controlled substance.
2076	893.13(7) (a) 11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
2077	893.13(8) (a) 1.	3rd	Knowingly assist a patient, other person, or owner of

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an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

2078

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.

2079

893.13(8)(a)3.

3rd

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

2080

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.

2081

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918.13(1)	3rd	Tampering with or fabricating physical evidence.	
2082			
944.47 (1) (a)1. & 2.	3rd	Introduce contraband to correctional facility.	
2083			
944.47(1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.	
2084			
985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).	
2085			
2086 (e) LEVEL 5			
2087			
Florida	Felony		
Statute	Degree		Description
2088			
316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.	
2089			
316.1935(3) (a)	2nd	Driving at high speed or with wanton disregard	

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for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.

2090

316.80 (2)

2nd

Unlawful conveyance of fuel; obtaining fuel fraudulently.

2091

322.34 (6)

3rd

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

2092

327.30 (5) (a) 2.

3rd

Vessel accidents involving personal injuries other than serious bodily injury; leaving scene.

2093

365.172
(14) (b) 2.

2nd

Misuse of emergency communications system resulting in death.

2094

379.365 (2) (c) 1.

3rd

Violation of rules relating to: willful

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

2095

379.367(4)

3rd

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

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2096	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
2097	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
2098	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
2099	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
2100	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
2101	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium

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collected \$20,000 or
more but less than
\$100,000.

2102

626.902(1)(c)

2nd

Representing an
unauthorized insurer;
repeat offender.

2103

790.01(3)

3rd

Unlawful carrying of a
concealed firearm.

2104

790.162

2nd

Threat to throw or
discharge destructive
device.

2105

790.163(1)

2nd

False report of bomb,
explosive, weapon of
mass destruction, or use
of firearms in violent
manner.

2106

790.221(1)

2nd

Possession of short-
barreled shotgun or
machine gun.

2107

790.23

2nd

Felons in possession of
firearms, ammunition, or
electronic weapons or
devices.

2108	33-00750B-26		20261580
2109	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
2110	800.04(6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2111	800.04(7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2112	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2113	810.145(4)	3rd	Commercial digital voyeurism dissemination.
2114	810.145(7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
2115	810.145(8) (a)	2nd	Digital voyeurism; certain minor victims.
	812.014(2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their

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2116			unenclosed cartilage, or any combination.
	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2117	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
2118	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
2119	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
2120	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
2121	812.081 (3)	2nd	Trafficking in trade secrets.
2122	812.131 (2) (b)	3rd	Robbery by sudden snatching.

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2123			
	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
2124			
	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
2125			
	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
2126			
	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.
2127			
	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

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or more or use of personal identification information of 10 or more persons.

2128

817.611(2)(a)

2nd

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

2129

817.625(2)(b)

2nd

Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.

2130

825.1025(4)

3rd

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

2131

828.12(2)

3rd

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

2132

836.14(4)

2nd

Person who willfully

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

2133

838.12

3rd

Bribery in athletic contests (2nd or subsequent conviction).

2134

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.

2135

843.01(1)

3rd

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

2136

847.0135(5) (b)

2nd

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

2137

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

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2138

847.0138
(2) & (3)

3rd

Transmission of material harmful to minors to a minor by electronic device or equipment.

2139

849.01(2)(b)

2nd

Keeping a gambling house
(2nd or subsequent
offense) .

2140

849.02(1)(c) & (2)(b)

2nd

Agents or employees of
keeper of gambling house
(2nd or subsequent
offense).

2141

849.021 (3) (b)

2nd

Government employee
misconduct relating to
gambling houses (2nd or
subsequent offense).

2142

849.03(1)(b)

2nd

Renting space at a
gambling house (2nd or
subsequent offense).

2143

849.08 (4)

2nd

Operating, conducting,
promoting, aiding,
assisting, abetting,
influencing Internet
gambling and Internet

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2144	<u>849.086(12)(e)</u>	2nd	<u>sports wagering (2nd or subsequent conviction)</u> .
2145	<u>849.11(2)</u>	2nd	<u>Offenses related to games of chance (2nd or subsequent conviction)</u> .
2146	<u>849.14</u>	2nd	<u>Betting on result of trial or contest of skill (2nd or subsequent conviction)</u> .
2147	<u>849.15(3)(c)</u>	2nd	<u>Manufacture, sale, possession, etc. of slot machines or devices.</u>
2148	<u>849.47(3)(a) & (b)</u>	2nd	<u>Transporting persons to facilitate illegal gambling; minor, person 65 years of age or older, or 12 or more persons (2nd or subsequent conviction)</u> .
2149	<u>849.48(2)(c)2.</u>	2nd	<u>Prohibited gambling or</u>

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gaming advertisements
(2nd or subsequent
offense).

2150

874.05(1) (b)

2nd

Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

2151

874.05(2) (a)

2nd

Encouraging or recruiting person under 13 years of age to join a criminal gang.

2152

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).

2153

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.,

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(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.

2154

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.

2155

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

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2156	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.
2157	893.13(4) (b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
2158	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
2159			
2160			
2161	(g) LEVEL 7		
2162	Florida Statute	Felony Degree	Description
2163	316.027(2) (c)	1st	Accident involving death, failure to stop; leaving scene.

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2164	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
2165	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.
2166	327.35 (3) (a) 3.b.	3rd	Vessel BUI resulting in serious bodily injury.
2167	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
2168	409.920 (2) (b) 1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
2169			

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2170	409.920 (2) (b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
2171	456.065 (2)	3rd	Practicing a health care profession without a license.
2172	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
2173	458.327 (1)	3rd	Practicing medicine without a license.
2174	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
2175	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
2176	461.012 (1)	3rd	Practicing podiatric medicine without a license.
	462.17	3rd	Practicing naturopathy

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2177	463.015(1)	3rd	Practicing optometry without a license.
2178	464.016(1)	3rd	Practicing nursing without a license.
2179	465.015(2)	3rd	Practicing pharmacy without a license.
2180	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
2181	467.201	3rd	Practicing midwifery without a license.
2182	468.366	3rd	Delivering respiratory care services without a license.
2183	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.
2184	483.901(7)	3rd	Practicing medical physics without a license.

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2185	484.013(1)(c)	3rd	Preparing or dispensing optical devices without a prescription.
2186	484.053	3rd	Dispensing hearing aids without a license.
2187	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.
2188	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.
2189	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

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2190

655.50(10)(b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

2191

775.21(10)(a) 3rd Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

2192

775.21(10)(b) 3rd Sexual predator working where children regularly congregate.

2193

775.21(10)(g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

2194

782.051(3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the

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perpetrator of an attempted felony.

2195

782.07(1)

2nd

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

2196

782.071

2nd

Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).

2197

782.072

2nd

Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

2198

784.045(1)(a)1.

2nd

Aggravated battery; intentionally causing great bodily harm or disfigurement.

2199

784.045(1)(a)2.

2nd

Aggravated battery; using deadly weapon.

2200

784.045(1)(b)

2nd

Aggravated battery;

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2201	784.048 (4)	3rd	perpetrator aware victim pregnant.
2202	784.048 (7)	3rd	Aggravated stalking; violation of injunction or court order.
2203	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
2204	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
2205	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
2206	784.081 (1)	1st	Aggravated battery on specified official or employee.
2207	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.

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2208	784.083(1)	1st	Aggravated battery on code inspector.
2209	787.025(2)(b)	2nd	Luring or enticing a child; second or subsequent offense.
2210	787.025(2)(c)	2nd	Luring or enticing a child with a specified prior conviction.
2211	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
2212	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.
2213	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
2214	790.16(1)	1st	Discharge of a machine

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2215	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
2216	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
2217	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
2218	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
2219	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for

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2220	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
2221	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
2222	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
2223	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
2224	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.

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2225

800.04 (5) (e) 1st Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.

2226

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

2227

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

2228

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

2229

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

2230

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

2231

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	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.
2232	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
2233	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
2234	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
2235	812.014(2)(g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.
2236			

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	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
2237	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
2238	812.131 (2) (a)	2nd	Robbery by sudden snatching.
2239	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
2240	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
2241	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
2242	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.

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2243	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
2244	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
2245	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
2246	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
2247	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
2248	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit

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2249

825.102 (3) (b)

2nd

cards or related documents.

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

2250

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.

2251

827.03 (2) (b)

2nd

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

2252

827.04 (3)

3rd

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

2253

827.071 (2) & (3)

2nd

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

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2254	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
2255	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
2256	838.015	2nd	Bribery.
2257	838.016	2nd	Unlawful compensation or reward for official behavior.
2258	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
2259	838.22	2nd	Bid tampering.
2260	843.0855 (2)	3rd	Impersonation of a public officer or employee.
2261	843.0855 (3)	3rd	Unlawful simulation of legal process.
2262			

2263	33-00750B-26 843.0855 (4)	3rd	20261580 Intimidation of a public officer or employee.
2264	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
2265	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
2266	<u>849.01 (4)</u>	<u>2nd</u>	<u>Keeping a gambling house; great bodily harm, permanent disability, or permanent disfigurement.</u>
2267	<u>849.157 (2)</u>	<u>2nd</u>	<u>False or misleading statement to facilitate sale of 5 or more slot machines or devices.</u>
2268	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

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2269

874.10 1st, PBL Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

2270

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 recreational facility or community center.

2271

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

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2272			religious services or a specified business site.
	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
2273	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
2274	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
2275	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
2276	893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
2277	893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
2278	893.135	1st	Trafficking in oxycodone,

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2279	(1) (c) 3.a.		7 grams or more, less than 14 grams.
	893.135	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
2280	(1) (c) 3.b.		
	893.135	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
2281	(1) (c) 4.b. (I)		
	893.135	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
2282	(1) (d) 1.a.		
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
2283	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
2284	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
2285			

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2286	893.135 (1) (h)1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
2287	893.135 (1) (j)1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
2288	893.135 (1) (k)2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
2289	893.135 (1) (m)2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
2290	893.135 (1) (m)2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
	893.135 (1) (n)2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100

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2291	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance. grams.
2292	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
2293	896.104 (4) (a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
2294	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
2295	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting

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requirements.

2296

943.0435 (9) (a)

3rd

Sexual offender; failure to comply with reporting requirements.

2297

943.0435 (13)

3rd

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

2298

943.0435 (14)

3rd

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

2299

944.607 (9)

3rd

Sexual offender; failure to comply with reporting requirements.

2300

944.607 (10) (a)

3rd

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

2301

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944.607(12)

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

2302

944.607(13)

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

2303

985.4815(10)

3rd Sexual offender; failure to submit to the taking of a digitized photograph.

2304

985.4815(12)

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

2305

985.4815(13)

3rd Sexual offender; failure to report and reregister; failure to respond to

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address verification;
providing false
registration information.

2306
2307
2308 (h) LEVEL 8
2309

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35 (3) (a) 3.c. (I)	2nd	Vessel BUI manslaughter.
499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
499.0051 (7)	1st	Knowing forgery of prescription labels or prescription drug labels.

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	560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
2316	560.125 (5) (b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
2317	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
2318	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
2319	<u>782.04 (3)</u>	<u>1st</u>	<u>Killing of a human being during the attempt or perpetration of certain felonies.</u>

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2320

782.04 (4) 2nd Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

2321

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

2322

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

2323

782.071 (1) (c) 1st Vehicular homicide with a prior conviction for DUI manslaughter, BUI manslaughter, vehicular

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homicide, or vessel
homicide.

2324

782.072 (2) (b)

1st

Committing vessel
homicide and failing to
render aid or give
information.

2325

782.072 (3)

1st

Vessel homicide with a
prior conviction for DUI
manslaughter, BUI
manslaughter, vehicular
homicide, or vessel
homicide.

2326

787.06 (3) (a) 1.

1st

Human trafficking for
labor and services of a
child.

2327

787.06 (3) (b)

1st

Human trafficking using
coercion for commercial
sexual activity of an
adult.

2328

787.06 (3) (c) 2.

1st

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

2329

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2330	787.06(3) (e)1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
2331	787.06(3) (f)2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
2332	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
2333	794.011(5) (a)	1st	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.
	794.011(5) (b)	2nd	Sexual battery; victim

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and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.

2334

794.011(5)(c)

2nd

Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.

2335

794.011(5)(d)

1st

Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.

2336

794.08(3)

2nd

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

2337

800.04(4)(b)

2nd

Lewd or lascivious battery.

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2338	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
2339	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
2340	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
2341	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
2342	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
2343	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st

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2344	812.015(11)(b)	1st	degree. Retail theft; possession of a firearm during commission of offense.
2345	812.13(2)(b)	1st	Robbery with a weapon.
2346	812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
2347	817.418(2)(b)	2nd	Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.
2348	817.504(1)(b)	2nd	Offering or advertising a vaccine with intent to defraud; second or subsequent offense.
2349	817.505(4)(c)	1st	Patient brokering; 20 or more patients.
2350	817.535(2)(b)	2nd	Filing false lien or other unauthorized document; second or

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2351			subsequent offense.
	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
2352	817.535 (4) (a)1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
2353	817.535 (5) (a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
2354	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
2355	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit

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2356			credit cards or related documents.
	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
2357		2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
2358		1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
2359		2nd	Perjury in official proceedings relating to prosecution of a capital felony.
2360		2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
2361	<u>849.155</u>	<u>1st</u>	<u>Trafficking in slot machines or devices.</u>

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2362	860.121(2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
2363	860.16	1st	Aircraft piracy.
2364	893.13(1) (b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2365	893.13(2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2366	893.13(6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
2367	893.135(1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
2368	893.135	1st	Trafficking in cocaine,

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	(1) (b) 1.b.		more than 200 grams, less than 400 grams.
2369	893.135	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
	(1) (c) 1.b.		
2370	893.135	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
	(1) (c) 2.c.		
2371	893.135	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
	(1) (c) 3.c.		
2372	893.135	1st	Trafficking in fentanyl, 14 grams or more, less than 28 grams.
	(1) (c) 4.b. (II)		
2373	893.135	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
	(1) (d) 1.b.		
2374	893.135	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25
	(1) (e) 1.b.		

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2375	893.135 (1) (f)1.b.	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
2376	893.135 (1) (g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
2377	893.135 (1) (h)1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
2378	893.135 (1) (j)1.b.	1st	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
2379	893.135 (1) (k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
2380	893.135	1st	Trafficking in synthetic

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	(1) (m) 2.c.		cannabinoids, 1,000 grams or more, less than 30 kilograms.
2381	893.135	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
	(1) (n) 2.b.		
2382	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
2383	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
2384	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
2385	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering

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activity.

2386

896.101 (5) (b)

2nd

Money laundering,
financial transactions
totaling or exceeding
\$20,000, but less than
\$100,000.

2387

896.104 (4) (a)2.

2nd

Structuring transactions
to evade reporting or
registration
requirements, financial
transactions totaling or
exceeding \$20,000 but
less than \$100,000.

2388

2389

2390 Section 36. Paragraph (a) of subsection (1) and paragraph
2391 (a) of subsection (2) of section 772.102, Florida Statutes, are
2392 amended to read:

2393 772.102 Definitions.—As used in this chapter, the term:

2394 (1) "Criminal activity" means to commit, to attempt to
2395 commit, to conspire to commit, or to solicit, coerce, or
2396 intimidate another person to commit:

2397 (a) Any crime that is chargeable by indictment or
2398 information under the following provisions:

2399 1. Section 210.18, relating to evasion of payment of
2400 cigarette taxes.

2401 2. Section 414.39, relating to public assistance fraud.

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2402 3. Section 440.105 or s. 440.106, relating to workers'
2403 compensation.

2404 4. Part IV of chapter 501, relating to telemarketing.

2405 5. Chapter 517, relating to securities transactions.

2406 6. Section 550.235 or s. 550.3551, relating to dogracing
2407 and horseracing.

2408 7. Chapter 550, relating to jai alai frontons.

2409 8. Chapter 552, relating to the manufacture, distribution,
2410 and use of explosives.

2411 9. Chapter 562, relating to beverage law enforcement.

2412 10. Section 624.401, relating to transacting insurance
2413 without a certificate of authority, s. 624.437(4)(c)1., relating
2414 to operating an unauthorized multiple-employer welfare
2415 arrangement, or s. 626.902(1)(b), relating to representing or
2416 aiding an unauthorized insurer.

2417 11. Chapter 687, relating to interest and usurious
2418 practices.

2419 12. Section 721.08, s. 721.09, or s. 721.13, relating to
2420 real estate timeshare plans.

2421 13. Chapter 782, relating to homicide.

2422 14. Chapter 784, relating to assault and battery.

2423 15. Chapter 787, relating to kidnapping or human
2424 trafficking.

2425 16. Chapter 790, relating to weapons and firearms.

2426 17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,
2427 relating to prostitution.

2428 18. Chapter 806, relating to arson.

2429 19. Section 810.02(2)(c), relating to specified burglary of
2430 a dwelling or structure.

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2431 20. Chapter 812, relating to theft, robbery, and related
2432 crimes.

2433 21. Chapter 815, relating to computer-related crimes.

2434 22. Chapter 817, relating to fraudulent practices, false
2435 pretenses, fraud generally, and credit card crimes.

2436 23. Section 827.071, relating to commercial sexual
2437 exploitation of children.

2438 24. Chapter 831, relating to forgery and counterfeiting.

2439 25. Chapter 832, relating to issuance of worthless checks
2440 and drafts.

2441 26. Section 836.05, relating to extortion.

2442 27. Chapter 837, relating to perjury.

2443 28. Chapter 838, relating to bribery and misuse of public
2444 office.

2445 29. Chapter 843, relating to obstruction of justice.

2446 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
2447 s. 847.07, relating to obscene literature and profanity.

2448 31. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
2449 849.25, relating to gambling.

2450 32. Chapter 893, relating to drug abuse prevention and
2451 control.

2452 33. Section 914.22 or s. 914.23, relating to witnesses,
2453 victims, or informants.

2454 34. Section 918.12, s. 918.125, or s. 918.13, relating to
2455 tampering with or harassing court officials, retaliating against
2456 court officials, and tampering with evidence.

2457 (2) "Unlawful debt" means any money or other thing of value
2458 constituting principal or interest of a debt that is legally
2459 unenforceable in this state in whole or in part because the debt

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2460 was incurred or contracted:

2461 (a) In violation of any one of the following provisions of
2462 law:

2463 1. Section 550.235 or s. 550.3551, relating to dogracing
2464 and horseracing.

2465 2. Chapter 550, relating to jai alai frontons.

2466 3. Section 687.071, relating to criminal usury and loan
2467 sharking.

2468 4. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
2469 849.25, relating to gambling.

2470 Section 37. Section 849.17, Florida Statutes, is amended to
2471 read:

2472 849.17 Confiscation of machines by arresting officer.—Upon
2473 the arrest of any person charged with the violation of ss.
2474 849.15-849.22, ~~any of the provisions of ss. 849.15-849.23~~ the
2475 arresting officer shall take into his or her custody any such
2476 machine, apparatus or device, and its contents, and the
2477 arresting agency, at the place of seizure, shall make a complete
2478 and correct list and inventory of all such things so taken into
2479 his or her custody, and deliver to the person from whom such
2480 article or articles may have been seized, a true copy of the
2481 list of all such articles. The arresting agency shall retain all
2482 evidence seized and shall have the same forthcoming at any
2483 investigation, prosecution, or other proceedings, incident to
2484 charges of violation of ss. 849.15-849.22 ~~any of the provisions~~
2485 ~~of ss. 849.15-849.23~~.

2486 Section 38. Section 849.18, Florida Statutes, is amended to
2487 read:

2488 849.18 Disposition of machines upon conviction.—Upon

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2489 conviction of the person arrested for the violation of ss.
2490 ~~849.15-849.22 any of the provisions of ss. 849.15-849.23~~, the
2491 judge of the court trying the case, after such notice to the
2492 person convicted, and any other person whom the judge may be of
2493 the opinion is entitled to such notice, and as the judge may
2494 deem reasonable, shall issue to the sheriff of the county a
2495 written order adjudging and declaring any such machine,
2496 apparatus or device forfeited, and directing such sheriff to
2497 destroy the same, with the exception of the money. The order of
2498 the court must ~~shall~~ state the time and place and the manner in
2499 which such property must ~~shall~~ be destroyed, and the sheriff
2500 shall destroy the same in the presence of the clerk of the
2501 circuit court of such county.

2502 Section 39. Section 849.20, Florida Statutes, is amended to
2503 read:

2504 849.20 Machines and devices declared nuisance; place of
2505 operation subject to lien for fine.—Any room, house, building,
2506 boat, vehicle, structure, or place wherein any machine or
2507 device, or any part thereof, the possession, operation, or use
2508 of which is prohibited by ss. 849.15-849.22 ss. 849.15-849.23,
2509 must ~~shall~~ be maintained or operated, and each of such machines
2510 or devices, is declared to be a common nuisance. If a person has
2511 knowledge, or reason to believe, that his or her room, house,
2512 building, boat, vehicle, structure, or place is occupied or used
2513 in violation of ss. 849.15-849.22 the provisions of ss. 849.15-
2514 ~~849.23~~ and by acquiescence or consent suffers the same to be
2515 used, such room, house, building, boat, vehicle, structure, or
2516 place is ~~shall~~ be subject to a lien for and may be sold to pay
2517 all fines or costs assessed against the person guilty of such

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2518 nuisance, for such violation, and the several state attorneys
2519 shall enforce such lien in the courts of this state having
2520 jurisdiction.

2521 Section 40. Section 849.21, Florida Statutes, is amended to
2522 read:

2523 849.21 Injunction to restrain violation.—An action to
2524 enjoin any nuisance as herein defined may be brought by any
2525 person in the courts of equity in this state. If it is made to
2526 appear by affidavit or otherwise, to the satisfaction of the
2527 court, or judge in vacation, that such nuisance exists, a
2528 temporary writ of injunction shall forthwith issue restraining
2529 the defendant from conducting or permitting the continuance of
2530 such nuisance until the conclusion of the action. Upon
2531 application of the complainant in such a proceeding, the court
2532 or judge may also enter an order restraining the defendant and
2533 all other persons from removing, or in any way interfering with
2534 the machines or devices or other things used in connection with
2535 the violation of ss. 849.15-849.22 ~~ss. 849.15-849.23~~
2536 constituting such a nuisance. A ~~No~~ bond is not ~~shall~~ be required
2537 in instituting such proceedings.

2538 Section 41. Section 849.22, Florida Statutes, is amended to
2539 read:

2540 849.22 Fees of clerk of circuit court and sheriff.—The
2541 clerks of the courts and the sheriffs performing duties under
2542 ss. 849.15-849.22 ~~the provisions of ss. 849.15-849.23~~ shall
2543 receive the same fees as prescribed by general law for the
2544 performance of similar duties, and such fees must ~~shall~~ be paid
2545 out of the fine and forfeiture fund of the county as costs are
2546 paid upon conviction of an insolvent person.

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2547 Section 42. Paragraph (a) of subsection (12) of section
2548 895.02, Florida Statutes, is amended to read:
2549 895.02 Definitions.—As used in ss. 895.01-895.08, the term:
2550 (12) "Unlawful debt" means any money or other thing of
2551 value constituting principal or interest of a debt that is
2552 legally unenforceable in this state in whole or in part because
2553 the debt was incurred or contracted:
2554 (a) In violation of any one of the following provisions of
2555 law:
2556 1. Section 550.235 or s. 550.3551, relating to dogracing
2557 and horseracing.
2558 2. Chapter 550, relating to jai alai frontons.
2559 3. Section 551.109, relating to slot machine gaming.
2560 4. Chapter 687, relating to interest and usury.
2561 5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
2562 849.25, relating to gambling.
2563 Section 43. This act shall take effect July 1, 2026.