

**By** the Committee on Regulated Industries; and Senator Martin

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A bill to be entitled  
An act relating to illegal gaming; repealing s. 849.23, F.S., relating to penalties and violations related to illegal gambling; amending s. 16.71, F.S.; requiring that the Florida Gaming Control Commission, rather than the chair of the commission, appoint an inspector general; authorizing the commission to delegate any of the duties and powers of an agency head to a commissioner, with an exception; amending s. 16.712, F.S.; revising the information to be included in the commission's annual report to the Governor and the Legislature; amending s. 16.713, F.S.; authorizing a person who is ineligible for employment with the commission to submit a waiver request to the commission asking to be considered eligible for employment if the person possesses certain expertise or experience; requiring the commission to consider such requests on a case-by-case basis and to approve or deny such requests; providing that such person is eligible for employment with the commission if the waiver request is approved by the commission; providing applicability; providing the standard of review for such waiver requests; authorizing the commission to adopt rules; amending s. 16.715, F.S.; revising the standards of conduct for current and former commissioners and employees of the commission; revising the persons who may not hold permits or licenses relating to gaming within a certain timeframe; prohibiting such persons from accepting

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30 employment or compensation from or engaging in any  
31 business activity with certain persons or entities for  
32 a specified timeframe; authorizing certain employees  
33 to request that the commission waive certain  
34 postemployment restrictions for a certain purpose;  
35 requiring the commission to consider and approve or  
36 deny each waiver request on a case-by-case basis;  
37 authorizing the commission to adopt rules; amending s.  
38 20.055, F.S.; conforming a provision to changes made  
39 by the act; amending s. 546.10, F.S.; authorizing  
40 certain veterans' service organizations to petition  
41 the commission for a declaratory statement to  
42 determine whether a game or machine is authorized by  
43 law before such organizations purchase or install such  
44 game or machine; prohibiting the purchase or  
45 installation of a game or machine awaiting such  
46 declaratory statement until the declaratory statement  
47 has been issued; authorizing veterans' service  
48 organizations that have a game or machine already  
49 installed on their premises to petition the commission  
50 for a declaratory statement to determine whether a  
51 game or machine is authorized by law; prohibiting such  
52 veterans' service organizations from petitioning the  
53 commission if the game, machine, premises, or  
54 organization is the subject of an ongoing criminal  
55 investigation; requiring the commission to issue the  
56 declaratory statement or deny the petition for a  
57 declaratory statement within a specified timeframe;  
58 prohibiting the commission from denying a veterans'

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

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88        revising the criminal penalties for persons who keep a  
89        gambling house or are agents or employees of a keeper  
90        of a gambling house, respectively; defining the term  
91        "course of conduct"; prohibiting a person from  
92        knowingly or recklessly benefit or participate in a  
93        course of conduct in furtherance of illegal gambling;  
94        creating s. 849.021, F.S.; defining the terms  
95        "government employee" and "political subdivision";  
96        prohibiting a government employee from knowingly  
97        certifying, licensing, approving, aiding,  
98        facilitating, or concealing the operation of a  
99        gambling house; providing criminal penalties;  
100        providing applicability; creating s. 849.023, F.S.;  
101        defining terms; providing that violations of certain  
102        laws are deemed immediate and serious dangers to  
103        public health, safety, and welfare; authorizing the  
104        Department of Business and Professional Regulation,  
105        the commission, or the Office of Financial Regulation  
106        to summarily suspend the license of certain persons  
107        violating such laws; authorizing a licensee or an  
108        applicant to retain, apply for, or be reissued a  
109        license if the license-issuing agency finds that such  
110        licensee has removed the controlling person violating  
111        such laws from the business; providing that a licensee  
112        is subject to a specified fine; amending s. 849.03,  
113        F.S.; revising the criminal penalties for persons who  
114        rent or lease a house for gambling purposes; defining  
115        the term "knowingly"; amending s. 849.08, F.S.;  
116        defining terms; providing criminal penalties for

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117 persons who play, engage in, operate, conduct, or  
118 promote Internet gambling or Internet sports wagering;  
119 providing applicability; amending s. 849.086, F.S.;  
120 revising the prohibited activities of licensed  
121 cardrooms; providing criminal penalties for violations  
122 of such prohibitions; republishing s. 849.09, F.S.,  
123 relating to the prohibition against lotteries;  
124 amending s. 849.11, F.S.; providing criminal penalties  
125 for persons who play in person, or by the use of the  
126 Internet, certain games of chance; providing criminal  
127 penalties for persons who set up, operate, conduct,  
128 promote, or receive any money or other thing of value  
129 for certain prohibited conduct; amending s. 849.13,  
130 F.S.; revising the criminal penalties for persons  
131 convicted of a second or subsequent violation in  
132 connection with lotteries; reclassifying certain  
133 criminal violations to the next level higher in the  
134 Criminal Punishment Code's offense severity ranking  
135 chart; amending s. 849.14, F.S.; making technical  
136 changes; amending s. 849.15, F.S.; defining terms;  
137 revising criminal penalties relating to persons owning  
138 or operating slot machines or devices; providing that  
139 all shipments of legal slot machines into Indian lands  
140 are deemed legal shipments under certain  
141 circumstances; creating s. 849.155, F.S.; providing  
142 criminal penalties for persons who knowingly sell,  
143 purchase, manufacture, transport, deliver, or bring  
144 into this state more than a specified number of slot  
145 machines or devices or any parts thereof; defining the

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146 term "parts thereof"; providing for fines for  
147 specified violations; providing that any county in  
148 which slot machine gaming is authorized is exempt from  
149 certain federal provisions; providing that all  
150 shipments of slot machines into any county in this  
151 state are deemed legal shipments if specified  
152 requirements are met; providing that all shipments of  
153 legal gaming devices into Indian lands located within  
154 this state are deemed legal shipments under certain  
155 circumstances; requiring that any fines imposed and  
156 collected be deposited into the Pari-mutuel Wagering  
157 Trust Fund to be used for a specified purpose;  
158 creating s. 849.157, F.S.; prohibiting persons from  
159 knowingly and willfully making or disseminating  
160 materially false or misleading statements or  
161 information regarding the legality of a slot machine  
162 or device to facilitate the sale of such slot machine  
163 or device; providing criminal penalties; amending s.  
164 849.18, F.S.; revising the circumstances under which a  
165 judge may order a slot machine, apparatus, or device  
166 seized; authorizing the commission to destroy a seized  
167 machine, apparatus, or device after a specified  
168 timeframe if no arrests or criminal charges have been  
169 filed and no person files a claim for such machine,  
170 apparatus, or device; creating s. 849.181, F.S.;  
171 providing legislative intent; defining terms;  
172 authorizing a criminal justice agency having custody  
173 of excess slot machines related to a legal proceeding  
174 or ongoing criminal investigation to destroy such

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175 machines if the criminal justice agency takes certain  
176 actions; requiring that written descriptions of such  
177 slot machines be made under oath by the investigating  
178 law enforcement officer before the slot machines are  
179 destroyed; requiring that photographs and video  
180 recordings of such slot machines be authenticated by  
181 the photographer's or videographer's signature;  
182 requiring that a law enforcement officer create  
183 written and sworn documentation of certain information  
184 regarding a destroyed slot machine; providing that  
185 such photographs or video recordings may be deemed  
186 competent evidence and may be admissible in a  
187 prosecution to the same extent as if such slot  
188 machines were introduced as evidence; providing  
189 severability; creating s. 849.47, F.S.; defining the  
190 term "illegal gambling"; prohibiting persons from  
191 knowingly and willfully transporting, or procuring the  
192 transportation of, certain persons into this state for  
193 the purpose of illegal gambling; providing criminal  
194 penalties; creating s. 849.48, F.S.; defining the term  
195 "illegal gambling"; prohibiting persons from  
196 advertising illegal gambling or setting up any type or  
197 plate for any type for advertising illegal gambling;  
198 providing criminal penalties; providing exceptions;  
199 creating s. 849.49, F.S.; prohibiting counties,  
200 municipalities, or other political subdivisions from  
201 enacting or enforcing any ordinance or local rule  
202 relating to certain gaming and gambling activities;  
203 creating s. 849.51, F.S.; providing legislative

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204 findings; creating the Limited Slot Machine Surrender  
205 Program within the commission; providing the purpose  
206 of the program; providing that the surrender of any  
207 slot machine to the commission is irrevocable and  
208 final; providing that an individual or organization  
209 that surrenders a slot machine pursuant to the program  
210 is immune from criminal prosecution; requiring that  
211 the program begin and end within specified timeframes;  
212 requiring the commission to advertise the program  
213 before a specified timeframe; providing that a person  
214 or entity that surrenders a gaming device does not  
215 have any rights of the property inside the slot  
216 machine; authorizing the commission to enter into  
217 memoranda of understanding with other criminal justice  
218 agencies to administer the program; amending s.  
219 903.046, F.S.; revising the circumstances a court must  
220 consider when determining whether to release a  
221 defendant on bail or other conditions; amending s.  
222 921.0022, F.S.; revising the ranking of certain  
223 offenses on the offense severity ranking chart of the  
224 Criminal Punishment Code; amending ss. 772.102,  
225 849.17, 849.18, 849.20, 849.21, 849.22, and 895.02,  
226 F.S.; conforming provisions to changes made by the  
227 act; providing an effective date.

228  
229 Be It Enacted by the Legislature of the State of Florida:

230  
231 Section 1. Section 849.23, Florida Statutes, is repealed.  
232 Section 2. Subsection (5) of section 16.71, Florida

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233 Statutes, is amended to read:

234 16.71 Florida Gaming Control Commission; creation;  
235 meetings; membership.—

236 (5) INSPECTOR GENERAL.—The ~~chair of the~~ commission shall  
237 appoint an inspector general who shall perform the duties of an  
238 inspector general under s. 20.055. Except for the appointment of  
239 an inspector general under s. 20.055(3)(a)1., the commission may  
240 delegate any of the duties and powers of an agency head under s.  
241 20.055 to a commissioner serving on the commission.

242 Section 3. Paragraph (h) of subsection (3) of section  
243 16.712, Florida Statutes, is amended, and paragraphs (i) and (j)  
244 are added to that subsection, to read:

245 16.712 Florida Gaming Control Commission authorizations,  
246 duties, and responsibilities.—

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

251 (h) A summary of actions taken and investigations conducted  
252 by the commission, including the number of investigations that  
253 led to criminal charges being filed and the resolution of such  
254 criminal cases.

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

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

261 Section 4. Paragraph (d) is added to subsection (2) of

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262 section 16.713, Florida Statutes, to read:

263 16.713 Florida Gaming Control Commission; appointment and  
264 employment restrictions.—

265 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS  
266 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE  
267 COMMISSION.—

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

274 2. The commission shall consider waiver requests on a case-  
275 by-case basis and shall approve or deny each request. If the  
276 commission approves the waiver request, the person is eligible  
277 for employment with the commission. This paragraph does not  
278 apply to persons seeking appointment to the commission. The  
279 standard of review applicable to the commission under this  
280 subsection is whether the commission's action was an abuse of  
281 discretion. The commission may adopt rules to implement the  
282 provisions of this subsection.

283  
284 For the purposes of this subsection, the term "relative" means a  
285 spouse, father, mother, son, daughter, grandfather, grandmother,  
286 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-  
287 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,  
288 sister-in-law, stepfather, stepmother, stepson, stepdaughter,  
289 stepbrother, stepsister, half brother, or half sister.

290 Section 5. Paragraph (b) of subsection (1) and paragraph

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291 (c) of subsection (2) of section 16.715, Florida Statutes, are  
292 amended to read:

293 16.715 Florida Gaming Control Commission standards of  
294 conduct; ex parte communications.—

295 (1) STANDARDS OF CONDUCT.—

296 (b) 1. A commissioner or employee of the commission may not  
297 accept anything from any business entity that, either directly  
298 or indirectly, owns or controls any person regulated by the  
299 commission or from any business entity that, either directly or  
300 indirectly, is an affiliate or subsidiary of any person  
301 regulated by the commission.

302 2. A commissioner or an employee may attend conferences,  
303 along with associated meals and events that are generally  
304 available to all conference participants, without payment of any  
305 fees in addition to the conference fee. Additionally, while  
306 attending a conference, a commissioner or an employee may attend  
307 meetings, meals, or events that are not sponsored, in whole or  
308 in part, by any representative of any person regulated by the  
309 commission and that are limited to commissioners or employees  
310 only, committee members, or speakers if the commissioner or  
311 employee is a member of a committee of the association of  
312 regulatory agencies which organized the conference or is a  
313 speaker at the conference. It is not a violation of this  
314 subparagraph for a commissioner or an employee to attend a  
315 conference for which conference participants who are employed by  
316 a person regulated by the commission have paid a higher  
317 conference registration fee than the commissioner or employee,  
318 or to attend a meal or event that is generally available to all  
319 conference participants without payment of any fees in addition

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320 to the conference fee and that is sponsored, in whole or in  
321 part, by a person regulated by the commission.

322 3. While employed, and for 2 years after service as a  
323 ~~commissioner or for 2 years after employment with the~~  
324 ~~commission~~, a commissioner or an employee may not accept any  
325 form of employment with or engage in any business activity with  
326 any business entity that, either directly or indirectly, owns or  
327 controls any person regulated by the commission; any person  
328 regulated by the commission; or any business entity that, either  
329 directly or indirectly, is an affiliate or subsidiary of any  
330 person regulated by the commission.

331 4. While employed, and for 2 years after service as a  
332 commissioner or for 2 years after employment with the  
333 commission, a commissioner, an employee, or a relative living in  
334 the same household as a commissioner or an employee may not have  
335 any financial interest, other than shares in a mutual fund, in  
336 any person regulated by the commission; in any business entity  
337 that, either directly or indirectly, owns or controls any person  
338 regulated by the commission; or in any business entity that,  
339 either directly or indirectly, is an affiliate or a subsidiary  
340 of any person regulated by the commission. If a commissioner, an  
341 employee, or a relative living in the same household as a  
342 commissioner or an employee acquires any financial interest  
343 prohibited by this subsection during the commissioner's term of  
344 office or the employee's employment with the commission as a  
345 result of events or actions beyond the commissioner's, the  
346 employee's, or the relative's control, he or she must shall  
347 immediately sell such financial interest. For the purposes of  
348 this subsection, the term "relative" has the same meaning as in

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349 s. 16.713(2) (b) .

350       5. A commissioner or an employee may not accept anything  
351 from a party in a proceeding currently pending before the  
352 commission.

353       6. A commissioner may not serve as the representative of  
354 any political party or on any executive committee or other  
355 governing body of a political party; serve as an executive  
356 officer or employee of any political party, committee,  
357 organization, or association; receive remuneration for  
358 activities on behalf of any candidate for public office; engage  
359 on behalf of any candidate for public office in the solicitation  
360 of votes or other activities on behalf of such candidacy; or  
361 become a candidate for election to any public office without  
362 first resigning from office.

363       7. A commissioner, during his or her term of office, may  
364 not make any public comment regarding the merits of any  
365 proceeding under ss. 120.569 and 120.57 currently pending before  
366 the commission.

367       8. A commissioner or an employee may not act in an  
368 unprofessional manner at any time during the performance of  
369 official duties.

370       9. A commissioner or an employee shall ~~must~~ avoid  
371 impropriety in all activities and shall ~~must~~ act at all times in  
372 a manner that promotes public confidence in the integrity and  
373 impartiality of the commission.

374       10. A commissioner or an employee may not directly or  
375 indirectly, through staff or other means, solicit anything of  
376 value from any person regulated by the commission, or from any  
377 business entity that, whether directly or indirectly, is an

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378 affiliate or a subsidiary of any person regulated by the  
379 commission, or from any party appearing in a proceeding  
380 considered by the commission in the last 2 years.

381 11. A commissioner may not lobby the Governor or any agency  
382 of the state, members or employees of the Legislature, or any  
383 county or municipal government or governmental agency except to  
384 represent the commission in an official capacity.

385 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

386 (c) A person employed by the commission and classified as  
387 Senior Management Service, Selected Exempt Service, or career  
388 service may not, for the 2 years immediately following the date  
389 of termination or resignation from employment with the  
390 commission:

391 1. Hold a permit or license issued under chapter 550, or a  
392 license issued under chapter 551 or chapter 849; be an officer,  
393 official, or employee of such permitholder or licensee; or be an  
394 ultimate equitable owner, as defined in s. 550.002(37), of such  
395 permitholder or licensee; or

396 2. Accept employment or compensation from, or engage in any  
397 business activity with, a business entity that, directly or  
398 indirectly, owns or controls a person regulated by the  
399 commission; any person regulated by the commission; any business  
400 entity that, directly or indirectly, is an affiliate or  
401 subsidiary of a person regulated by the commission; or any  
402 business entity or trade association that has been a party to a  
403 commission proceeding within the 2 years preceding the  
404 employee's resignation or termination of employment from the  
405 commission; or

406 3. Be a bingo game operator or an employee of a bingo game

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407 operator.

408

409 Notwithstanding any other law, an employee classified as career  
410 service may request that the commission waive the postemployment  
411 restrictions of subparagraph 1., but only for the purpose of  
412 obtaining an occupational license under s. 550.105, s. 551.107,  
413 or s. 849.086(6); or for any other postemployment restrictions  
414 under subparagraph 2. or subparagraph 3. If the commission  
415 approves the request, the employee is exempt from paragraph (d).  
416 The commission shall consider and approve or deny waiver  
417 requests on a case-by-case basis. The commission may adopt rules  
418 to implement this paragraph.

419       Section 6. Paragraph (a) of subsection (1) of section  
420 20.055, Florida Statutes, is amended to read:

421       20.055 Agency inspectors general.—

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

423       (a) "Agency head" means the Governor, a Cabinet officer, or  
424 a secretary or executive director as those terms are defined in  
425 s. 20.03, the chair of the Public Service Commission, the  
426 Director of the Office of Insurance Regulation of the Financial  
427 Services Commission, the Director of the Office of Financial  
428 Regulation of the Financial Services Commission, the board of  
429 directors of the Florida Housing Finance Corporation, the  
430 commissioners chair of the Florida Gaming Control Commission,  
431 and the Chief Justice of the State Supreme Court.

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

434       546.10 Amusement games or machines.—

435       (10) (a)1. Before purchasing or installing a game or machine

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436 on the premises of any veterans' service organization granted a  
437 federal charter under Title 36, U.S.C., or a division,  
438 department, post, or chapter of such organization, for which an  
439 alcoholic beverage license has been issued, the organization may  
440 petition the Florida Gaming Control Commission for a declaratory  
441 statement under s. 120.565 on whether the operation of such game  
442 or machine is authorized under this section or is a violation of  
443 this section or chapter 849. A game or machine awaiting such  
444 declaratory statement from the commission may not be purchased  
445 or installed until the declaratory statement is issued.

446 2. A veterans' service organization as described in  
447 subparagraph 1. which has a game or machine already installed on  
448 its premises may petition the commission for a declaratory  
449 statement under s. 120.565 on whether the operation of such game  
450 or machine is authorized under this section or is a violation of  
451 this section or chapter 849. If the game, machine, premises, or  
452 organization is the subject of an ongoing criminal  
453 investigation, the organization may not petition the commission  
454 for a declaratory statement under this subsection.

455 3. The commission must issue a declaratory statement or  
456 deny the petition within 60 days after completing its  
457 investigation of the game or machine subject to the statement or  
458 90 days after receiving a complete petition requesting such  
459 statement, whichever is earlier. The commission may not deny a  
460 petition that is validly requested pursuant to this subsection  
461 and s. 120.565.

462 (b) A petition for a declaratory statement made pursuant to  
463 paragraph (a) is deemed complete if it provides the information  
464 required for the commission to issue the declaratory statement

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465 and is accompanied by the specifications, including all  
466 pertinent information and documentation and access to hardware  
467 and associated software by the commission's contracted testing  
468 lab, for the type of game or machine that the organization will  
469 purchase or install or has already installed on the premises.  
470 The declaratory statement issued under this subsection is valid  
471 only for the game or machine for which it is requested and is  
472 invalid if the specifications for the game or the machine have  
473 been changed.

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

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

485 (e) This subsection does not require an owner or an  
486 operator of an amusement game or machine under this section to  
487 request or obtain a declaratory statement in order to operate  
488 pursuant to this section.

489 Section 8. Paragraph (b) of subsection (6) of section  
490 551.107, Florida Statutes, is amended to read:

491 551.107 Slot machine occupational license; findings;  
492 application; fee.—

493 (6)

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

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

782.04 Murder.—

(3) When a human being is killed during the perpetration of, or during the attempt to perpetrate, any:

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

(b) Arson.

(c) Sexual battery.

(d) Robbery.

(e) Burglary.

(f) Kidnapping

(g) Escape

(h) Aggrav

(i) Agarwal

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523       adult,

524       (j) Aircraft piracy,

525       (k) Unlawful throwing, placing, or discharging of a

526       destructive device or bomb,

527       (l) Carjacking,

528       (m) Home-invasion robbery,

529       (n) Aggravated stalking,

530       (o) Murder of another human being,

531       (p) Aggravated fleeing or eluding with serious bodily

532       injury or death,

533       (q) Resisting an officer with violence to his or her

534       person, ~~or~~

535       (r) Felony that is an act of terrorism or is in furtherance

536       of an act of terrorism, including a felony under s. 775.30, s.

537       775.32, s. 775.33, s. 775.34, or s. 775.35, or

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

539

540       by a person other than the person engaged in the perpetration of

541       or in the attempt to perpetrate such felony, the person

542       perpetrating or attempting to perpetrate such felony commits

543       murder in the second degree, which constitutes a felony of the

544       first degree, punishable by imprisonment for a term of years not

545       exceeding life or as provided in s. 775.082, s. 775.083, or s.

546       775.084.

547       Section 10. Subsections (1) and (2) of section 838.12,

548       Florida Statutes, are amended, and subsection (3) is added to

549       that section, to read:

550       838.12 Bribery in athletic contests.—

551       (1) A person who ~~Whoever~~ gives, promises, offers or

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552 conspires to give, promise or offer, to anyone who participates  
553 or expects to participate in any professional or amateur game,  
554 contest, match, race or sport; or to any umpire, referee, judge  
555 or other official of such game, contest, match, race or sport;  
556 or to any owner, manager, coach or trainer of, or to any  
557 relative of, or to any person having any direct, indirect,  
558 remote or possible connection with, any team, individual,  
559 participant or prospective participant in any such professional  
560 or amateur game, contest, match, race or sport, or the officials  
561 aforesaid, any bribe, money, goods, present, reward or any  
562 valuable thing whatsoever, or any promise, contract or agreement  
563 whatsoever, with intent to influence him or her or them to lose  
564 or cause to be lost any game, contest, match, race or sport, or  
565 to limit his or her or their or any person's or any team's  
566 margin of victory in any game, contest, match, race, or sport,  
567 or to fix or throw any game, contest, match, race or sport,  
568 commits shall be guilty of a felony of the third degree,  
569 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

570 (2) Any participant or prospective participant in any  
571 professional or amateur game, contest, match, race or sport; or  
572 any umpire, referee, judge or other official of such game,  
573 contest, match, race or sport; or any owner, manager, coach or  
574 trainer of, or any relative of, or any person having any direct,  
575 indirect, remote or possible connection with, any team,  
576 individual, participant or prospective participant in any such  
577 professional or amateur game, contest, match, race or sport, or  
578 the officials aforesaid; who in any way solicits, receives or  
579 accepts, or agrees to receive or accept, or who conspires to  
580 receive or accept, any bribe, money, goods, present, reward or

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581 any valuable thing whatsoever, or any promise, contract or  
582 agreement whatsoever, with intent to lose or cause to be lost  
583 any game, contest, match, race or sport, or to limit his, her,  
584 their or any person's or any team's margin of victory in any  
585 game, contest, match, race or sport, or to fix or throw any  
586 game, contest, match, race or sport, ~~commits shall be guilty of~~  
587 a felony of the third degree, punishable as provided in s.  
588 775.082, s. 775.083, or s. 775.084.

589 (3) A person who stakes, bets, or wagers any money or other  
590 thing of value upon the result of any professional or amateur  
591 game, contest, match, race, or sport with knowledge that the  
592 outcome of such professional or amateur game, contest, match,  
593 race, or sport is prearranged or predetermined as described in  
594 subsection (1) or subsection (2) commits a felony of the third  
595 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
596 775.084.

597 Section 11. Section 843.08, Florida Statutes, is amended to  
598 read:

599 843.08 False personation.—A person who falsely assumes or  
600 pretends to be a firefighter, a sheriff, an officer of the  
601 Florida Highway Patrol, an officer of the Fish and Wildlife  
602 Conservation Commission, an officer of the Department of  
603 Environmental Protection, an officer of the Department of  
604 Financial Services, any personnel or representative of the  
605 Florida Gaming Control Commission, any personnel or  
606 representative of the Division of Criminal Investigations, an  
607 officer of the Department of Corrections, a correctional  
608 probation officer, a deputy sheriff, a state attorney or an  
609 assistant state attorney, a statewide prosecutor or an assistant

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610 statewide prosecutor, a state attorney investigator, a coroner,  
611 a police officer, a lottery special agent or lottery  
612 investigator, a beverage enforcement agent, a school guardian as  
613 described in s. 30.15(1)(k), a security officer licensed under  
614 chapter 493, any member of the Florida Commission on Offender  
615 Review or any administrative aide or supervisor employed by the  
616 commission, any personnel or representative of the Department of  
617 Law Enforcement, or a federal law enforcement officer as defined  
618 in s. 901.1505, and takes upon himself or herself to act as  
619 such, or to require any other person to aid or assist him or her  
620 in a matter pertaining to the duty of any such officer, commits  
621 a felony of the third degree, punishable as provided in s.  
622 775.082, s. 775.083, or s. 775.084. However, a person who  
623 falsely personates any such officer during the course of the  
624 commission of a felony commits a felony of the second degree,  
625 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
626 If the commission of the felony results in the death or personal  
627 injury of another human being, the person commits a felony of  
628 the first degree, punishable as provided in s. 775.082, s.  
629 775.083, or s. 775.084. In determining whether a defendant has  
630 violated this section, the court or jury may consider any  
631 relevant evidence, including, but not limited to, whether the  
632 defendant used lights in violation of s. 316.2397 or s. 843.081.

633 Section 12. Section 849.01, Florida Statutes, is amended to  
634 read:

635 849.01 Keeping gambling houses, etc.—

636 (1) A person who, whoever by herself or himself, her or his  
637 ~~servant~~, clerk or agent, or in any other manner has, keeps,  
638 exercises, or maintains a gaming table or room, or gaming

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639 implements or apparatus, or house, booth, tent, shelter, or  
640 other place for the purpose of gaming or gambling or in any  
641 place of which she or he may directly or indirectly have charge,  
642 control, or management, either exclusively or with others,  
643 procures, suffers, or permits any person to play for money or  
644 other valuable thing at any game whatever, ~~whether heretofore~~  
645 ~~prohibited or not,~~ commits the offense of keeping a gambling  
646 house.

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

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

654 (3) As used in this subsection, the term "course of  
655 conduct" means a pattern of conduct composed of a series of acts  
656 over a period of time, however short, which evidences a  
657 continuity of purpose.

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

660 1. Benefit financially or receive anything of value,  
661 whether or not as a legal entity, in furtherance of a violation  
662 of subsection (1); or

663 2. Participate in a course of conduct in providing any  
664 service, product, or material benefit in the furtherance of a  
665 violation of subsection (1).

666 (b) A person who violates paragraph (a) commits a felony of  
667 the third degree, punishable as provided in s. 775.082, s.

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668 775.083, or s. 775.084.669 (c) A person found in violation of paragraph (a) shall be  
670 ordered to pay a fine of \$50,000 for each violation.671 (4) Notwithstanding subsection (2), a person who violates  
672 subsection (1) commits a felony of the second degree, punishable  
673 as provided in s. 775.082, s. 775.083, or s. 775.084, if, during  
674 the commission of an offense under this section, an individual  
675 suffers great bodily harm, permanent disability, or permanent  
676 disfigurement.677 Section 13. Section 849.02, Florida Statutes, is amended to  
678 read:

679 849.02 Agents or employees of keeper of gambling house.—

680 (1) A person who Whoever acts as servant, clerk, agent, or  
681 employee of any person in the violation of s. 849.01 commits:682 (a) For a first offense, a misdemeanor of the first degree,  
683 punishable as provided in s. 775.082 or s. 775.083.684 (b) For a second offense, a felony of the third degree,  
685 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.686 (c) For a third or subsequent offense, a felony of the  
687 second degree, punishable as provided in s. 775.082, s. 775.083,  
688 or s. 775.084 shall be punished in the manner and to the extent  
689 therein mentioned.690 (2) (a) Notwithstanding subsection (1), if the clerk, agent,  
691 or employee is authorized to bind the gambling house in  
692 violation of s. 849.01 or act on behalf of any person in the  
693 violation of s. 849.01, he or she commits a felony of the third  
694 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
695 755.084.696 (b) For a second or subsequent offense, a person commits a

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697       felony of the second degree, punishable as provided in s.  
698       775.082, s. 775.083, or s. 775.084.

699       Section 14. Section 849.021, Florida Statutes, is created  
700       to read:

701       849.021 Government employee misconduct.—

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

703       (a) "Government employee" means any person employed by, or  
704       acting on behalf of, the state or any political subdivision  
705       thereof.

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

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

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

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

715       (b) For a second or subsequent offense, a felony of the  
716       second degree, punishable as provided in s. 775.082, s. 775.083,  
717       or s. 775.084.

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

722       Section 15. Section 849.023, Florida Statutes, is created  
723       to read:

724       849.023 Licensure disqualifying offenses; corporate  
725       shielding prohibited.—

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

727        (a) "Commission" means the Florida Gaming Control  
728        Commission.

729        (b) "Controlling person" means:

730        1. A corporate officer or director, or, if a limited

731        liability company, a manager, of the licensee or applicant for a  
732        license;

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

736        3. An owner of any interest in the licensee or applicant,  
737        including any immediate family member of the owner, or holder of  
738        any debt, mortgage, contract, or concession from the licensee or  
739        applicant, who by virtue thereof is able to control the business  
740        of the licensee or applicant.

741        (c) "Conviction" means a determination of guilt which is  
742        the result of a plea or trial, regardless of whether  
743        adjudication is withheld or a plea of nolo contendere is  
744        entered.

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

747        1. The Department of Business and Professional Regulation  
748        pursuant to chapter 509, chapter 561, chapter 562, chapter 563,  
749        chapter 564, chapter 565, chapter 567, chapter 568, or chapter  
750        569;

751        2. The commission pursuant to chapter 550, chapter 551, or  
752        s. 849.086; or

753        3. The Office of Financial Regulation pursuant to chapter  
754        560.

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

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

759                   (2) PENALTIES.—

760                   (a) 1. Notwithstanding subsection (1), pursuant to s.  
761                   120.60(6), a violation of s. 849.01, s. 849.03, or s. 849.15 is  
762                   deemed an immediate and serious danger to public health, safety,  
763                   and welfare, and the Department of Business and Professional  
764                   Regulation, the commission, or the Office of Financial  
765                   Regulation may summarily suspend the license of any person found  
766                   in violation of s. 849.01, s. 849.03, or 849.15, or of any  
767                   business entity if its controlling person or sole owner is found  
768                   to be in violation of s. 849.01, s. 849.03, or s. 849.15.

769                   2. In addition to any other penalty provided by law, a  
770                   licensee or an applicant may have a license revoked or any  
771                   application thereof denied or not reissued if the licensee or  
772                   applicant, the controlling person of the licensee or applicant,  
773                   or the sole owner of the licensee or applicant is convicted of a  
774                   violation of s. 849.01, s. 849.03, or s. 849.15.

775                   3. Notwithstanding subparagraph 2., a licensee or applicant  
776                   may retain, apply for, or be reissued a license if the license-  
777                   issuing agency finds that such licensee has removed the  
778                   controlling person from the business.

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

782                   Section 16. Section 849.03, Florida Statutes, is amended to  
783                   read:

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784        849.03 Renting or leasing house for gambling purposes.—

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

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

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

794        (2) For purposes of this section, the term "knowingly"  
795 means having general or reasonable knowledge of, or reasonable  
796 belief or grounds for belief that, a violation of s. 849.01 is  
797 occurring.

798        Section 17. Section 849.08, Florida Statutes, is amended to  
799 read:

800        849.08 Gambling.—

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

802        (a) "Internet gambling" means to play or engage in a game  
803 in which money or other thing of value is awarded based on  
804 chance, regardless of any application of skill, which game is  
805 available on the Internet and accessible on a mobile device,  
806 computer terminal, or other similar access device and simulates  
807 casino-style gaming, including, but not limited to, slot  
808 machines, video poker, and table games.

809        (b) "Internet sports wagering" means to stake, bet, or  
810 wager money or other thing of value upon the result of any trial  
811 or contest of skill, speed, power, or endurance of human or  
812 beast, other than pari-mutuel wagering conducted pursuant to

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813 chapter 550, which is available on the Internet and accessible  
814 on a mobile device, computer terminal, or other similar access  
815 device.

816       (2) A person who ~~Whoever~~ plays or engages in Internet  
817 gambling or any game at cards, keno, roulette, faro, ~~or~~ other  
818 game of chance, at any place, by any device whatever, for money  
819 or other thing of value, commits shall be guilty of ~~a~~  
820 misdemeanor of the second degree, punishable as provided in s.  
821 775.082 or s. 775.083.

822       (3) A person who plays or engages in Internet sports  
823 wagering commits:

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

826           (b) For a second or subsequent violation, a misdemeanor of  
827 the first degree, punishable as provided in s. 775.082 or s.  
828 775.083.

829       (4) A person who operates, conducts, or promotes Internet  
830 gambling or Internet sports wagering, or receives in any manner  
831 money or other thing of value offered for the purpose of  
832 Internet gambling or Internet sports wagering, or who knowingly  
833 becomes the custodian or depositary of any money or other thing  
834 of value so offered, or who aids, assists, abets, or influences  
835 in any manner in any such acts, commits a felony of the third  
836 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
837 775.084.

838       (5) This section does not apply to participation in, or the  
839 conduct of, any gaming activities authorized under s.  
840 285.710(13) and conducted pursuant to a gaming compact ratified  
841 and approved under s. 285.710(3).

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

844       849.086 Cardrooms authorized.—

845       (12) PROHIBITED ACTIVITIES.—

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

852       Section 19. Section 849.09, Florida Statutes, is  
853 republished to read:

854       849.09 Lottery prohibited; exceptions.—

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

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

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

860       (c) Conduct any lottery drawing for the distribution of a  
861 prize or prizes by lot or chance, or advertise any such lottery  
862 scheme or device in any newspaper or by circulars, posters,  
863 pamphlets, radio, telegraph, telephone, or otherwise;

864       (d) Aid or assist in the setting up, promoting, or  
865 conducting of any lottery or lottery drawing, whether by  
866 writing, printing, or in any other manner whatsoever, or be  
867 interested in or connected in any way with any lottery or  
868 lottery drawing;

869       (e) Attempt to operate, conduct, or advertise any lottery  
870 scheme or device;

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

874       (g) Sell, offer for sale, or transmit, in person or by mail  
875 or in any other manner whatsoever, any lottery ticket, coupon,  
876 or share, or any share in or fractional part of any lottery  
877 ticket, coupon, or share, whether such ticket, coupon, or share  
878 represents an interest in a live lottery not yet played or  
879 whether it represents, or has represented, an interest in a  
880 lottery that has already been played;

881       (h) Have in her or his possession any lottery ticket, or  
882 any evidence of any share or right in any lottery ticket, or in  
883 any lottery scheme or device, whether such ticket or evidence of  
884 share or right represents an interest in a live lottery not yet  
885 played or whether it represents, or has represented, an interest  
886 in a lottery that has already been played;

887       (i) Aid or assist in the sale, disposal, or procurement of  
888 any lottery ticket, coupon, or share, or any right to any  
889 drawing in a lottery;

890       (j) Have in her or his possession any lottery  
891 advertisement, circular, poster, or pamphlet, or any list or  
892 schedule of any lottery prizes, gifts, or drawings; or

893       (k) Have in her or his possession any so-called "run down  
894 sheets," tally sheets, or other papers, records, instruments, or  
895 paraphernalia designed for use, either directly or indirectly,  
896 in, or in connection with, the violation of the laws of this  
897 state prohibiting lotteries and gambling.

898  
899 Provided, that nothing in this section shall prohibit

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900 participation in any nationally advertised contest, drawing,  
901 game or puzzle of skill or chance for a prize or prizes unless  
902 it can be construed as a lottery under this section; and,  
903 provided further, that this exemption for national contests  
904 shall not apply to any such contest based upon the outcome or  
905 results of any horserace, harness race, dograce, or jai alai  
906 game.

907 (2) Any person who is convicted of violating any of the  
908 provisions of paragraph (a), paragraph (b), paragraph (c), or  
909 paragraph (d) of subsection (1) is guilty of a felony of the  
910 third degree, punishable as provided in s. 775.082, s. 775.083,  
911 or s. 775.084.

912 (3) Any person who is convicted of violating any of the  
913 provisions of paragraph (e), paragraph (f), paragraph (g),  
914 paragraph (i), or paragraph (k) of subsection (1) is guilty of a  
915 misdemeanor of the first degree, punishable as provided in s.  
916 775.082 or s. 775.083. Any person who, having been convicted of  
917 violating any provision thereof, thereafter violates any  
918 provision thereof is guilty of a felony of the third degree,  
919 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
920 The provisions of this section do not apply to bingo as provided  
921 for in s. 849.0931.

922 (4) Any person who is convicted of violating any of the  
923 provisions of paragraph (h) or paragraph (j) of subsection (1)  
924 is guilty of a misdemeanor of the first degree, punishable as  
925 provided in s. 775.082 or s. 775.083. Any person who, having  
926 been convicted of violating any provision thereof, thereafter  
927 violates any provision thereof is guilty of a felony of the  
928 third degree, punishable as provided in s. 775.082, s. 775.083,

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929 or s. 775.084.

930 Section 20. Section 849.11, Florida Statutes, is amended to  
931 read:

932 849.11 Plays at games of chance by lot.—

933 (1) A person who ~~Whoever sets up, promotes or~~ plays in  
934 person or by the use, in whole or in part, of the Internet, at  
935 any game of chance by lot or with dice, cards, numbers, hazards  
936 or any other gambling device whatever for, or for the disposal  
937 of money or other thing of value or under the pretext of a sale,  
938 gift or delivery thereof, or for any right, share or interest  
939 therein, ~~commits shall be guilty of~~ a misdemeanor of the second  
940 degree, punishable as provided in s. 775.082 or s. 775.083.941 (2) A person who sets up, operates, conducts, promotes, or  
942 receives in any manner any money or other thing of value offered  
943 for the purpose of conduct prohibited in subsection (1), or who  
944 knowingly becomes the custodian or depositary of any money or  
945 other thing of value so offered, or who aids, assists, abets, or  
946 influences in any manner in any such acts, commits a felony of  
947 the third degree, punishable as provided in s. 775.082, s.  
948 775.083, or s. 775.084.949 Section 21. Section 849.13, Florida Statutes, is amended to  
950 read:951 849.13 Punishment on second or subsequent conviction.—A  
952 person who is convicted of a second or subsequent violation of  
953 the same ~~Whoever, after being convicted of an offense forbidden~~  
954 ~~by law~~ in connection with lotteries for which there is no  
955 penalty specified for a second or subsequent violation shall  
956 have the offense reclassified to an offense of the next higher  
957 degree, commits the like offense, shall be guilty of a

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958 ~~misdemeanor of the first degree~~, punishable as provided in s.  
959 775.082, or s. 775.083, or s. 775.084. For purposes of  
960 sentencing under chapter 921, a felony offense that is  
961 reclassified under this section is ranked one level above the  
962 ranking under s. 921.0022 or s. 921.0023 of the felony offense  
963 committed.

964 Section 22. Section 849.14, Florida Statutes, is amended to  
965 read:

966 849.14 Unlawful to bet on result of trial or contest of  
967 skill, etc.—A person who ~~Whoever~~ stakes, bets, or wagers any  
968 money or other thing of value upon the result of any trial or  
969 contest of skill, speed or power or endurance of human or beast,  
970 or who ~~whoever~~ receives in any manner whatsoever any money or  
971 other thing of value staked, bet, or wagered, or offered for the  
972 purpose of being staked, bet, or wagered, by or for any other  
973 person upon any such result, or who ~~whoever~~ knowingly becomes  
974 the custodian or depositary of any money or other thing of value  
975 so staked, bet, or wagered upon any such result, or who ~~whoever~~  
976 aids, or assists, or abets, or influences in any manner in any  
977 of such acts ~~all of which are hereby forbidden~~, commits a felony  
978 of the third degree, punishable as provided in s. 775.082, or s.  
979 775.083, or s. 775.084.

980 Section 23. Section 849.15, Florida Statutes, is amended to  
981 read:

982 849.15 Manufacture, sale, possession, etc., of slot  
983 machines or devices prohibited.—

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

985 (a) "Conviction" means a determination of guilt which is  
986 the result of a plea or trial, regardless of whether

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987 adjudication is withheld or a plea of nolo contendere is  
988 entered.

989 (b) "Part thereof" means any equipment, subassembly, or  
990 other part of a slot machine or device, whether attached to the  
991 slot machine or device or separate therefrom, which was used,  
992 attempted to be used, or intended to be used in connection with  
993 the play or operation of the slot machine or device.

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

997 1. Actual authority to act on behalf of such business,  
998 establishment, premises, or other location; or  
999 2. Any ownership interest in such business, establishment,  
1000 premises, or other location. For purposes of this paragraph, the  
1001 term "ownership interest" includes an officer, a director, or a  
1002 managing member of the business, establishment, premises, or  
1003 other location.

1004 (2) It is unlawful:

1005 (a) To manufacture, own, store, keep, possess, sell, rent,  
1006 lease, let on shares, lend or give away, transport, or expose  
1007 for sale or lease, or to offer to sell, rent, lease, let on  
1008 shares, lend or give away, or permit the operation of, or for  
1009 any person to permit to be placed, maintained, or used or kept  
1010 in any room, space, or building owned, leased or occupied by the  
1011 person or under the person's management or control, any slot  
1012 machine or device or any part thereof.; ~~or~~

1013 (b) To make or to permit to be made with any person any  
1014 agreement with reference to any slot machine or device, pursuant  
1015 to which the user thereof, as a result of any element of chance

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1016 or other outcome unpredictable to him or her, may become  
1017 entitled to receive any money, credit, allowance, or thing of  
1018 value or additional chance or right to use such machine or  
1019 device, or to receive any check, slug, token or memorandum  
1020 entitling the holder to receive any money, credit, allowance or  
1021 thing of value.

1022 (3) (a) Except as provided in paragraphs (b) and (c), a  
1023 person who violates subsection (2) commits a misdemeanor of the  
1024 first degree, punishable as provided in s. 775.082 or s.  
1025 775.083.

1026 (b) A person commits a felony of the third degree,  
1027 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
1028 if he or she violates subsection (2), and:

1029 1. At the time of the violation, the person was a person of  
1030 authority; or

1031 2. The person has one prior conviction for a violation of  
1032 this section.

1033 (c) A person commits a felony of the second degree,  
1034 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
1035 if he or she violates subsection (2), and:

1036 1.a. At the time of the violation, the person was a person  
1037 of authority; and

1038 b. The violation involves five or more slot machines or  
1039 devices; or

1040 2. The person has two or more prior convictions for a  
1041 violation of this section.

1042 (4) (2) Pursuant to section 2 of that chapter of the  
1043 Congress of the United States entitled "An act to prohibit  
1044 transportation of gaming devices in interstate and foreign

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1045 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.  
1046 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State  
1047 of Florida, acting by and through the duly elected and qualified  
1048 members of its Legislature, does hereby in this section, and in  
1049 accordance with and in compliance with the provisions of section  
1050 2 of such chapter of Congress, declare and proclaim that any  
1051 county of the State of Florida within which slot machine gaming  
1052 is authorized pursuant to chapter 551 is exempt from the  
1053 provisions of section 2 of that chapter of the Congress of the  
1054 United States entitled "An act to prohibit transportation of  
1055 gaming devices in interstate and foreign commerce," designated  
1056 as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All  
1057 shipments of gaming devices, including slot machines, into any  
1058 county of this state within which slot machine gaming is  
1059 authorized pursuant to chapter 551 and the registering,  
1060 recording, and labeling of which have been duly performed by the  
1061 manufacturer or distributor thereof in accordance with sections  
1062 3 and 4 of that chapter of the Congress of the United States  
1063 entitled "An act to prohibit transportation of gaming devices in  
1064 interstate and foreign commerce," approved January 2, 1951,  
1065 being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.  
1066 ss. 1171-1177, are shall be deemed legal shipments thereof into  
1067 this state provided the destination of such shipments is an  
1068 eligible facility as defined in s. 551.102 or the facility of a  
1069 slot machine manufacturer or slot machine distributor as  
1070 provided in s. 551.109(2)(a).

1071 (5) All shipments of legal gaming devices, including legal  
1072 slot machines, into Indian lands located within this state are  
1073 deemed legal shipments, provided that such Indian lands are held

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1074 in federal trust for the benefit of a federally recognized  
1075 Indian tribe that is a party to a tribal-state compact with the  
1076 state pursuant to the federal Indian Gaming Regulatory Act of  
1077 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C. ss. 2701 et seq.

1078       Section 24. Section 849.155, Florida Statutes, is created  
1079 to read:

1080       849.155 Trafficking in slot machines, devices, or parts  
1081 thereof.—

1082       (1) Any person who knowingly sells, purchases,  
1083 manufactures, transports, delivers, or brings into this state  
1084 more than 15 slot machines or devices or any parts thereof  
1085 commits a felony of the first degree, punishable as provided in  
1086 s. 775.082, s. 775.083, or s. 775.084. For purposes of this  
1087 section, the term "parts thereof" has the same meaning as in s.  
1088 849.15. If the quantity of slot machines or devices or any parts  
1089 thereof involved is:

1090       (a) More than 15 slot machines or devices or any parts  
1091 thereof, but fewer than 25 slot machines or devices or any parts  
1092 thereof, such person must be fined \$100,000.

1093       (b) More than 25 slot machines or devices or any parts  
1094 thereof, but fewer than 50 slot machines or devices or any parts  
1095 thereof, such person must be fined \$250,000.

1096       (c) More than 50 slot machines or devices or any parts  
1097 thereof or more, such person must be fined \$500,000.

1098       (2) Pursuant to section 2 of that chapter of the Congress  
1099 of the United States entitled "An act to prohibit transportation  
1100 of gaming devices in interstate and foreign commerce," approved  
1101 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also  
1102 designated as 15 U.S.C. ss. 1171-1177, relating to

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1103 transportation of gambling devices in interstate and foreign  
1104 commerce, the State of Florida, acting by and through the duly  
1105 elected and qualified members of its Legislature, does hereby in  
1106 this section, and in accordance with and in compliance with  
1107 section 2 of such chapter of Congress, declare and proclaim that  
1108 any county of the State of Florida within which slot machine  
1109 gaming is authorized pursuant to chapter 551 is exempt from  
1110 section 2 of that chapter of the Congress of the United States  
1111 entitled "An act to prohibit transportation of gaming devices in  
1112 interstate and foreign commerce," designated as 15 U.S.C. ss.  
1113 1171-1177, approved January 2, 1951. All shipments of slot  
1114 machines into any county of this state in which slot machine  
1115 gaming is authorized pursuant to chapter 551 and the  
1116 registering, recording, and labeling of which have been duly  
1117 performed by the manufacturer or distributor thereof in  
1118 accordance with sections 3 and 4 of that chapter of the Congress  
1119 of the United States entitled "An act to prohibit transportation  
1120 of gaming devices in interstate and foreign commerce," approved  
1121 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also  
1122 designated as 15 U.S.C. ss. 1171-1177, are deemed legal  
1123 shipments thereof into this state, provided the destination of  
1124 such shipments is an eligible facility as defined in s. 551.102  
1125 or the facility of a slot machine manufacturer or slot machine  
1126 distributor as provided in s. 551.109(2)(a).

1127 (3) All shipments of legal gaming devices, including legal  
1128 slot machines, onto Indian lands located within this state are  
1129 deemed legal shipments thereof, provided that such Indian lands  
1130 are held in federal trust for the benefit of a federally  
1131 recognized Indian tribe that is a party to a tribal-state

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1132 compact with the state pursuant to the federal Indian Gaming  
1133 Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C.  
1134 ss. 2701 et seq.

1135

1136 Notwithstanding any other law, all fines imposed and collected  
1137 pursuant to this section shall be deposited into the Pari-mutuel  
1138 Wagering Trust Fund to be used by the Florida Gaming Control  
1139 Commission for the enforcement of this chapter and chapters 546,  
1140 550, and 551.

1141 Section 25. Section 849.157, Florida Statutes, is created  
1142 to read:

1143 849.157 Making a false or misleading statement regarding  
1144 the legality of slot machines or devices to facilitate sale.—

1145 (1) Except as provided in subsection (2), a person may not  
1146 knowingly and willfully make a materially false or misleading  
1147 statement or knowingly and willfully disseminate false or  
1148 misleading information regarding the legality of a slot machine  
1149 or device for the purpose of facilitating the sale or delivery  
1150 of such slot machine or device for any money or other thing of  
1151 value. A person who violates this subsection commits a felony of  
1152 the third degree, punishable as provided in s. 775.082, s.  
1153 775.083, or s. 775.084.

1154 (2) A person who violates subsection (1), when such a  
1155 violation involves the sale or delivery, or attempted sale or  
1156 delivery, of five or more slot machines or devices, commits a  
1157 felony of the second degree, punishable as provided in s.  
1158 775.082, s. 775.083, or s. 775.084.

1159 Section 26. Section 849.18, Florida Statutes, is amended to  
1160 read:

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1161                   849.18 Disposition of machines upon conviction.—  
1162                   (1) For any slot machine or device prohibited pursuant to  
1163 s. 849.15 which is not destroyed pursuant to s. 849.181, upon  
1164 entering a plea of guilty or nolo contendere to, regardless of  
1165 adjudication, the filing of a nolle prosequi or upon the  
1166 successful completion of a diversion program or a deferred  
1167 prosecution agreement, the filing of a no-information, or upon  
1168 conviction of the person arrested for the violation of ss.  
1169 849.15-849.22 any of the provisions of ss. 849.15-849.23, the  
1170 judge of the court trying the case, after such notice to the  
1171 person convicted, and any other person whom the judge may be of  
1172 the opinion is entitled to such notice, and as the judge may  
1173 deem reasonable, shall issue to the sheriff of the county a  
1174 written order adjudging and declaring any such machine,  
1175 apparatus or device forfeited, and directing such sheriff to  
1176 destroy the same, with the exception of the money. The order of  
1177 the court must shall state the time and place and the manner in  
1178 which such property must shall be destroyed, and the sheriff  
1179 shall destroy the same in the presence of the clerk of the  
1180 circuit court of such county.

1181                   (2) For any slot machine or device prohibited pursuant to  
1182 s. 849.15 which is not destroyed pursuant to s. 849.181, if no  
1183 arrests or criminal charges have been filed against any person  
1184 for violations of ss. 849.15-849.22, the Florida Gaming Control  
1185 Commission may destroy such seized machine, apparatus, or device  
1186 under s. 849.16 if, 60 days after the conclusion of a lawful  
1187 investigation, no claim has been filed in any court of competent  
1188 jurisdiction for such machine, apparatus, or device.

1189                   Section 27. Section 849.181, Florida Statutes, is created

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1190 to read:

1191 849.181 Destruction of excess machines.-1192 (1) It is the intent of the Legislature to protect the  
1193 public health, safety, and welfare of the residents of this  
1194 state by removing slot machines or devices as defined in s.1195 849.16 from public circulation and preventing the warehousing of  
1196 large quantities of such slot machines or devices.1197 (2) As used in this section, the term:1198 (a) "Criminal justice agency" has the same meaning as  
1199 provided in s. 943.045.1200 (b) "Excess slot machines" means more than five slot  
1201 machines seized during an investigation.1202 (c) "Slot machine" has the same meaning as the term "slot  
1203 machine or device" as defined in s. 849.16(1) and includes the  
1204 definition of "parts thereof" provided in s. 849.15.1205 (3) Notwithstanding any other law, a criminal justice  
1206 agency having custody of excess slot machines may destroy such  
1207 slot machines during the pendency of any related legal  
1208 proceedings or ongoing criminal investigations, provided that  
1209 such criminal justice agency:1210 (a) Retains at least five slot machines seized during an  
1211 investigation until such time as the slot machines may be  
1212 destroyed as provided in s. 849.18;1213 (b) Notifies the appropriate United States Attorney or  
1214 assistant United States Attorney, the responsible state or local  
1215 prosecutor, or a criminal justice agency conducting a criminal  
1216 investigation that the excess slot machines will be destroyed  
1217 after 60 days from the date notice is provided, unless the  
1218 entity receiving the notice under this paragraph requests in

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1219 writing that the criminal justice agency not destroy the excess  
1220 slot machines;

1221 (c) Photographs and records on video each excess slot  
1222 machine before its destruction to serve as evidentiary exhibits  
1223 for use at trial. Each photograph and video recording must  
1224 include a written description of the name of the violator of  
1225 this chapter, the location where the alleged violation occurred,  
1226 the name of the investigating law enforcement officer, the date  
1227 the photograph or video recording was taken, and the name of the  
1228 photographer or videographer. Such writing must be made under  
1229 oath by the investigating law enforcement officer, and the  
1230 photograph and video recording must be authenticated by the  
1231 photographer's or videographer's signature;

1232 (d) Destroys each excess slot machine in the presence of a  
1233 law enforcement officer. The law enforcement officer shall  
1234 create a written and properly sworn documentation of the date,  
1235 time, location, and number of excess slot machines destroyed;  
1236 and

1237 (e) Maintains the written and properly sworn documentation  
1238 created by the witnessing law enforcement officer pursuant to  
1239 paragraph (d) as required under s. 119.021.

1240 (4) In any prosecution for a violation of this chapter, a  
1241 photograph and video recording of an excess slot machine  
1242 captured and documented pursuant to paragraph (c) may be deemed  
1243 competent evidence and may be admissible in the prosecution to  
1244 the same extent as if such excess slot machine were introduced  
1245 as evidence.

1246 (5) If any provision of this section or its application to  
1247 any person or circumstance is held invalid, the invalidity does

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1248 not affect other provisions or applications of this section or  
1249 chapter which can be given effect without the invalid provision  
1250 or application, and to this end the provisions of this section  
1251 are severable.

1252 Section 28. Section 849.47, Florida Statutes, is created to  
1253 read:

1254 849.47 Transporting or procuring the transportation of  
1255 persons to facilitate illegal gambling.—

1256 (1) As used in this section, the term "illegal gambling"  
1257 means any criminal violation of this chapter, chapter 546,  
1258 chapter 550, or chapter 551 which occurs at any business,  
1259 establishment, premises, or other location.

1260 (2) Except as provided in subsection (3), a person who  
1261 knowingly and willfully transports, or procures the  
1262 transportation of, five or more other persons into or within  
1263 this state when he or she knows or reasonably should know that  
1264 such transportation is for the purpose of facilitating illegal  
1265 gambling, commits a misdemeanor of the first degree, punishable  
1266 as provided in s. 775.082 or s. 775.083.

1267 (3) (a) A person who transports, or procures the  
1268 transportation of, a minor or a person 65 years of age or older  
1269 into or within this state when he or she knows or reasonably  
1270 should know that such transportation is for the purpose of  
1271 facilitating illegal gambling commits a felony of the third  
1272 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
1273 775.084.

1274 (b) A person who transports, or procures the transportation  
1275 of, 12 or more persons in violation of subsection (2) commits a  
1276 felony of the third degree, punishable as provided in s.

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1277 775.082, s. 775.083, or s. 775.084.

1278       Section 29. Section 849.48, Florida Statutes, is created to  
1279       read:

1280       849.48 Gambling or gaming advertisements; prohibited.—

1281       (1) As used in this section, the term "illegal gambling"  
1282       has the same meaning as in s. 849.47(1).

1283       (2) (a) Except as otherwise authorized by law, a person may  
1284       not knowingly and intentionally make, publish, disseminate,  
1285       circulate, or place before the public, or cause, directly or  
1286       indirectly, to be made, published, disseminated, circulated, or  
1287       placed before the public in this state, in any manner, whether  
1288       in person or by the use, at least in part, of the Internet, any  
1289       advertisement, circular, bill, poster, pamphlet, list, schedule,  
1290       announcement, or notice for the purpose of promoting or  
1291       facilitating illegal gambling.

1292       (b) Except as otherwise authorized by law, a person may not  
1293       set up any type or plate for any type of advertisement,  
1294       circular, bill, poster, pamphlet, list, schedule, announcement,  
1295       or notice when he or she knows or reasonably should know that  
1296       such material will be used for the purpose of promoting or  
1297       facilitating illegal gambling.

1298       (c) A person who violates this subsection commits:

1299       1. For a first offense, a misdemeanor of the first degree,  
1300       punishable as provided in s. 775.082 or s. 775.083.

1301       2. For a second or subsequent offense, a felony of the  
1302       third degree, punishable as provided in s. 775.082, s. 775.083,  
1303       or s. 775.084.

1304       (3) This section does not prohibit the printing or  
1305       producing of any advertisement, circular, bill, poster,

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1306 pamphlet, list, schedule, announcement, or notice to be used for  
1307 the purpose of promoting or facilitating gambling conducted in  
1308 any other state or nation, outside of this state, where such  
1309 gambling is not prohibited.

1310 Section 30. Section 849.49, Florida Statutes, is created to  
1311 read:

1312 849.49 Preemption.—A county, municipality, or other  
1313 political subdivision of the state may not enact or enforce any  
1314 ordinance or local rule relating to gaming, gambling, lotteries,  
1315 or any activities described in this chapter or s. 546.10, except  
1316 as otherwise expressly provided by general law, special law, or  
1317 the State Constitution.

1318 Section 31. Section 849.51, Florida Statutes, is created to  
1319 read:

1320 849.51 Limited Slot Machine Surrender Program.—

1321 (1) The Legislature finds that illegal gaming operations  
1322 not only undermine public trust but also expose citizens of this  
1323 state to organized criminal conduct, financial exploitation, and  
1324 a host of other social harms. Furthermore, the Legislature finds  
1325 that certain persons or entities owning, storing, keeping,  
1326 possessing, transporting, permitting the operation of, or  
1327 otherwise offering illegal gaming devices for play may have been  
1328 misled regarding the legality of the otherwise illegal gaming  
1329 devices. Therefore, the Legislature finds that there is a  
1330 compelling state interest in creating a limited period of time  
1331 in which otherwise illegal gaming devices may be surrendered  
1332 without penalty to ensure that any unknowing or otherwise  
1333 innocent party may avoid criminal prosecution or civil penalty.

1334 (2) There is created within the commission the Limited Slot

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1335 Machine Surrender Program. The purpose of the program is to  
1336 allow individuals and organizations an opportunity to surrender  
1337 or otherwise disclaim any and all interest in any gaming  
1338 devices, including, but not limited to, those devices or games  
1339 described in ss. 849.09 and 849.16, and devices or games  
1340 purported to be authorized by ss. 546.10, 849.0931, 849.094, and  
1341 849.14, and convey such gaming devices to the commission. The  
1342 surrender of a gaming device pursuant to the program is deemed  
1343 irrevocable and final.

1344 (3) Any individual or organization that surrenders a gaming  
1345 device to the commission pursuant to the program is immune from  
1346 criminal prosecution for a violation of this chapter related to  
1347 any of the surrendered devices.

1348 (4) The program shall begin by September 1, 2026, and end  
1349 on October 1, 2026.

1350 (5) The commission shall advertise the program no earlier  
1351 than 60 days before October 1, 2026.

1352 (6) A person or an entity does not have any right to  
1353 property in any of the devices surrendered to the commission  
1354 pursuant to this section.

1355 (7) The commission may execute memoranda of understanding  
1356 with other criminal justice agencies to administer the program.

1357 Section 32. Present paragraphs (i) through (m) of  
1358 subsection (2) of section 903.046, Florida Statutes, are  
1359 redesignated as paragraphs (j) through (n), respectively, and a  
1360 new paragraph (i) is added to that subsection, to read:

1361 903.046 Purpose of and criteria for bail determination.—

1362 (2) When determining whether to release a defendant on bail  
1363 or other conditions, and what that bail or those conditions may

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1364 be, the court shall consider:

1365       (i) The amount of currency seized which is connected to or  
1366 involved in a violation of chapter 546, chapter 550, chapter  
1367 551, or chapter 849.

1368       Section 33. Paragraphs (c), (e), (g), and (h) of subsection  
1369 (3) of section 921.0022, Florida Statutes, are amended to read:

1370       921.0022 Criminal Punishment Code; offense severity ranking  
1371 chart.—

1372       (3) OFFENSE SEVERITY RANKING CHART

1373       (c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (3)(b)-(d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.

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1379	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
1380	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
1381	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
1382	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
1383	327.35 (2) (b)	3rd	Felony BUI.
1384	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
1385	328.07 (4)	3rd	Manufacture, exchange, or

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1386			possess vessel with counterfeit or wrong ID number.
	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
1387	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
1388	379.2431 (1) (e) 6.	3rd	Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
1389			

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379.2431	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.	
(1) (e)7.			
1390			
400.9935 (4) (a) or (b)	3rd	Operating a clinic, or offering services requiring licensure, without a license.	
1391			
400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.	
1392			
440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.	
1393			
501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.	
1394			
624.401 (4) (a)	3rd	Transacting insurance without a certificate of	

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1395		authority.	
	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1396	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
1397	697.08	3rd	Equity skimming.
1398	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
1399	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.
1400	800.045(3)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes a lewd or lascivious image.

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1401	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1402	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
1403	810.09 (2) (b)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
1404	810.145 (2) (c)	3rd	Digital voyeurism; 19 years of age or older.
1405	812.014 (2) (c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
1406	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1407	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.

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1408	812.081(2)	3rd	Theft of a trade secret.
1409	815.04(4) (b)	2nd	Computer offense devised to defraud or obtain property.
1410	817.034(4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
1411	817.233	3rd	Burning to defraud insurer.
1412	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
1413	817.234(11) (a)	3rd	Insurance fraud; property value less than \$20,000.
1414	817.236	3rd	Filing a false motor vehicle insurance application.
1415	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

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1416	817.413(2)	3rd	Sale of used goods of \$1,000 or more as new.
1417	817.49(2) (b)1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
1418	831.28(2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
1419	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
1420	836.13(2)	3rd	Generating an altered sexual depiction of an identifiable person without consent.
1421	836.13(4)	3rd	Promoting, or possessing with intent to promote, an

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altered sexual depiction of  
an identifiable person  
without consent.

1422

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

1423

838.12 3rd Bribery in athletic  
contests.

1424

847.01385 3rd Harmful communication to a  
minor.

1425

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

1426

849.01 (3) (b) 3rd Knowingly benefitting from  
or participating in the  
operation of a gambling  
house.

1427

849.02 (1) (b) & (2) (a) 3rd Agents or employees of  
keeper of gambling house.

1428

849.021 (3) (a) 3rd Government employee  
misconduct relating to  
gambling houses.

1429

849.03 (1) (a) 3rd Renting space at a gambling  
house.

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1430	<u>849.08 (4)</u>	<u>3rd</u>	<u>Internet wagering.</u>
1431	<u>849.086 (12) (e)</u>	<u>3rd</u>	<u>Manipulating playing cards.</u>
1432	<u>849.09 (2)</u>	<u>3rd</u>	<u>Illegal lottery.</u>
1433	<u>849.11 (2)</u>	<u>3rd</u>	<u>Operating or playing games</u> <u>of chance by lot.</u>
1434	<u>849.14</u>	<u>3rd</u>	<u>Betting on result of trial</u> <u>or contest of skill.</u>
1435	<u>849.15 (3) (b)</u>	<u>3rd</u>	<u>Manufacture, sale,</u> <u>possession, etc. of slot</u> <u>machines or devices.</u>
1436	<u>849.157 (1)</u>	<u>3rd</u>	<u>False or misleading</u> <u>statement to facilitate</u> <u>sale of slot machines or</u> <u>devices.</u>
1437	<u>849.25 (2)</u>	<u>3rd</u>	<u>Bookmaking.</u>
1438	<u>849.47 (3) (a) &amp; (b)</u>	<u>3rd</u>	<u>Transporting or procuring</u> <u>transportation of certain</u> <u>persons to facilitate</u> <u>gambling.</u>
1439			

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	<u>849.48 (2) (c) 2.</u>	3rd	<u>Prohibited gambling or</u> <u>gaming advertisements.</u>
1440	860.15 (3)	3rd	Overcharging for repairs and parts.
1441	870.01 (2)	3rd	Riot.
1442	870.01 (4)	3rd	Inciting a riot.
1443	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs).
1444	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.
1445	893.13 (1) (f) 2.	2nd	Sell, manufacture, or

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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.

1446

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

1447

893.13(6)(a) 3rd Possession of any  
controlled substance other  
than felony possession of  
cannabis.

1448

893.13(7)(a)8. 3rd Withhold information from  
practitioner regarding  
previous receipt of or  
prescription for a  
controlled substance.

1449

893.13(7)(a)9. 3rd Obtain or attempt to obtain  
controlled substance by  
fraud, forgery,  
misrepresentation, etc.

1450

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	893.13(7) (a)10.	3rd	Affix false or forged label to package of controlled substance.
1451	893.13(7) (a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
1452	893.13(8) (a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
1453	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.
1454	893.13(8) (a)3.	3rd	Knowingly write a prescription for a controlled substance for a

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1455			fictitious person.
	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.
1456	918.13(1)	3rd	Tampering with or fabricating physical evidence.
1457	944.47 (1) (a)1. & 2 .	3rd	Introduce contraband to correctional facility.
1458	944.47(1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
1459	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility) .
1460			
1461	(e) LEVEL 5		
1462			

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	Florida Statute	Felony Degree	Description
1463	316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
1464	316.1935(3) (a)	2nd	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.
1465	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
1466	322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1467	327.30(5) (a)2.	3rd	Vessel accidents

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

1468

365.172  
(14) (b) 2.

2nd Misuse of emergency  
communications system  
resulting in death.

1469

379.365 (2) (c) 1.

3rd Violation of rules  
relating to: willful  
molestation of stone  
crab traps, lines, or  
buoys; illegal  
bartering, trading, or  
sale, conspiring or  
aiding in such barter,  
trade, or sale, or  
supplying, agreeing to  
supply, aiding in  
supplying, or giving  
away stone crab trap  
tags or certificates;  
making, altering,  
forging, counterfeiting,  
or reproducing stone  
crab trap tags;  
possession of forged,  
counterfeit, or

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1470			imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
1471	379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.
1472	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
1473	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.
1474	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
1475			

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440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.	
1476			
624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.	
1477			
626.902(1)(c)	2nd	Representing an unauthorized insurer; repeat offender.	
1478			
790.01(3)	3rd	Unlawful carrying of a concealed firearm.	
1479			
790.162	2nd	Threat to throw or discharge destructive device.	
1480			
790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use	

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1481			of firearms in violent manner.
	790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
1482	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
1483	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
1484	800.04(6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1485	800.04(7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1486	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1487	810.145(4)	3rd	Commercial digital

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1488			voyeurism dissemination.
	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
1489			
	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
1490			
	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
1491			
	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1492			
	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1493			
	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1494			
	812.015 (8) (g)	3rd	Retail theft; committed

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1495			with specified number of other persons.
	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
1496	812.081(3)	2nd	Trafficking in trade secrets.
1497	812.131(2) (b)	3rd	Robbery by sudden snatching.
1498	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
1499	817.034(4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
1500	817.234(11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
1501	817.2341(1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property

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1502			values relating to the solvency of an insuring entity.
	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
1503			Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
1504			Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
1505			Lewd or lascivious exhibition in the

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1506			presence of an elderly person or disabled adult.
	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
1507			
	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
1508			
	<u>838.12</u>	<u>3rd</u>	<u>Bribery in athletic contests (2nd or subsequent conviction).</u>
1509			
	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.
1510			
	843.01(1)	3rd	Resist officer with violence to person; resist arrest with

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violence.

1511

847.0135 (5) (b)

2nd

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

1512

847.0137

3rd

(2) &amp; (3)

Transmission of pornography by electronic device or equipment.

1513

847.0138

3rd

(2) &amp; (3)

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

1514

849.01 (2) (b)

2nd

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

1515

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

2nd

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

1516

849.021 (3) (b)

2nd

Government employee misconduct relating to gambling houses (2nd or

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subsequent offense).

1517

849.03(1)(b)

2nd

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

1518

849.08(4)

2nd

Operating, conducting,  
promoting, aiding,  
assisting, abetting,  
influencing Internet  
gambling and Internet  
sports wagering (2nd or  
subsequent conviction).

1519

849.086(12)(e)

2nd

Tampering with cards or  
card games (2nd or  
subsequent conviction).

1520

849.11(2)

2nd

Offenses related to  
games of chance (2nd or  
subsequent conviction).

1521

849.14

2nd

Betting on result of  
trial or contest of  
skill (2nd or subsequent  
conviction).

1522

849.15(3)(c)

2nd

Manufacture, sale,  
possession, etc. of slot

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1523	<u>849.47 (3) (a) &amp; (b)</u>	2nd	<u>machines or devices.</u>
1524	<u>849.48 (2) (c) 2.</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>
1525	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
1526	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
1527	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a),

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1528			(1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
	893.13(1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1) (c), (2) (c)1., (2) (c)2., (2) (c)3., (2) (c)6., (2) (c)7., (2) (c)8., (2) (c)9., (2) (c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1529	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.
1530	893.13(1) (e) 2.	2nd	Sell, manufacture, or

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

1531

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.

1532

893.13(4)(b)

2nd

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

1533

893.1351(1)

3rd

Ownership, lease, or rental for trafficking in or manufacturing of

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controlled substance.

1534

1535

1536 (g) LEVEL 7

1537

Florida Statute	Felony Degree	Description
316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.

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1542	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
1543	409.920 (2) (b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1544	409.920 (2) (b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1545	456.065 (2)	3rd	Practicing a health care profession without a license.
1546	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1547	458.327 (1)	3rd	Practicing medicine without a license.
1548	459.013 (1)	3rd	Practicing osteopathic medicine without a

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1549	460.411(1)	3rd	Practicing chiropractic medicine without a license.
1550	461.012(1)	3rd	Practicing podiatric medicine without a license.
1551	462.17	3rd	Practicing naturopathy without a license.
1552	463.015(1)	3rd	Practicing optometry without a license.
1553	464.016(1)	3rd	Practicing nursing without a license.
1554	465.015(2)	3rd	Practicing pharmacy without a license.
1555	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
1556	467.201	3rd	Practicing midwifery without a license.
1557			

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1558	468.366	3rd	Delivering respiratory care services without a license.
1559	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1560	483.901 (7)	3rd	Practicing medical physics without a license.
1561	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1562	484.053	3rd	Dispensing hearing aids without a license.
1563	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.
	560.123 (8) (b)1.	3rd	Failure to report currency or payment

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1564			instruments exceeding \$300 but less than \$20,000 by a money services business.
	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1565	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1566	775.21(10)(a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1567	775.21(10)(b)	3rd	Sexual predator working where children regularly congregate.
1568			

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1569	775.21(10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1570	782.051(3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1571	782.07(1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1572	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless

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1573			manner (vessel homicide).
	784.045(1)(a)1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1574	784.045(1)(a)2.	2nd	Aggravated battery; using deadly weapon.
1575	784.045(1)(b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1576	784.048(4)	3rd	Aggravated stalking; violation of injunction or court order.
1577	784.048(7)	3rd	Aggravated stalking; violation of court order.
1578	784.07(2)(d)	1st	Aggravated battery on law enforcement officer.
1579	784.074(1)(a)	1st	Aggravated battery on sexually violent predators facility staff.
1580	784.08(2)(a)	1st	Aggravated battery on a

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1581		person 65 years of age or older.	
	784.081(1)	1st	Aggravated battery on specified official or employee.
1582	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.
1583	784.083(1)	1st	Aggravated battery on code inspector.
1584	787.025(2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
1585	787.025(2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
1586	787.06(3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1587	787.06(3) (e) 2.	1st	Human trafficking using coercion for labor and

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1588			services by the transfer or transport of an adult from outside Florida to within the state.
790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).	
1589	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
1590	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1591	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1592	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1593			

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	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1594	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1595	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.
1596	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
1597	796.05(1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1598	800.04(5)(c)1.	2nd	Lewd or lascivious

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			molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1599			
	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.
1600			
	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.
1601			
	806.01(2)	2nd	Maliciously damage structure by fire or explosive.
1602			
	810.02(3)(a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1603			

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1604	810.02(3)(b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1605	810.02(3)(d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1606	810.02(3)(e)	2nd	Burglary of authorized emergency vehicle.
1607	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.
1608	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.

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1609	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1610	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014(2)(c)5.
1611	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1612	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1613	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1614	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1615	817.034 (4) (a)1.	1st	Communications fraud,

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value greater than  
\$50,000.

1616

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

1617

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

1618

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

1619

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.

1620

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

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1621	817.504(1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1622	817.535(2) (a)	3rd	Filing false lien or other unauthorized document.
1623	817.611(2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1624	825.102(3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1625	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.
1626	827.03(2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or

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disfigurement.

1627	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
1628	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1629	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1630	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1631	838.015	2nd	Bribery.
1632	838.016	2nd	Unlawful compensation or reward for official behavior.
1633			

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	838.021(3) (a)	2nd	Unlawful harm to a public servant.
1634	838.22	2nd	Bid tampering.
1635	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1636	843.0855 (3)	3rd	Unlawful simulation of legal process.
1637	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1638	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1639	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1640	<u>849.01(4)</u>	<u>2nd</u>	<u>Keeping a gambling house;</u> <u>great bodily harm,</u> <u>permanent disability, or</u> <u>permanent disfigurement.</u>
1641	<u>849.157(2)</u>	<u>2nd</u>	<u>False or misleading</u>

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statement to facilitate  
sale of 5 or more slot  
machines or devices.

1642

872.06 2nd Abuse of a dead human body.

1643

874.05(2)(b) 1st Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.

1644

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

1645

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

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1646		publicly owned recreational facility or community center.	
	893.13(1)(e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.
1647	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1648	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1649	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1650	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.

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1651	893.135 (1) (c)2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1652	893.135 (1) (c)2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
1653	893.135 (1) (c)3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1654	893.135 (1) (c)3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1655	893.135 (1) (c)4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
1656	893.135 (1) (d)1.a.	1st	Trafficking in phencyclidine, 28 grams or more, less than 200 grams.
1657	893.135 (1) (e)1.	1st	Trafficking in methaqualone, 200 grams

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or more, less than 5  
kilograms.

1658

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

1659

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

1660

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

1661

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

1662

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

1663

893.135  
(1)(m)2.a. 1st Trafficking in synthetic  
cannabinoids, 280 grams

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1664			or more, less than 500 grams.
	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
1665			
	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
1666			
	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1667			
	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1668			
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than

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\$20,000.

1669	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1670	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1671	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1672	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1673	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false

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registration information.

1674

944.607(9)

3rd

Sexual offender; failure to comply with reporting requirements.

1675

944.607(10)(a)

3rd

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

1676

944.607(12)

3rd

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

1677

944.607(13)

3rd

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

1678

985.4815(10)

3rd

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

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1679

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

1680

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

1681

1682

1683

(h) LEVEL 8

1684

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.

1687

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1688	327.35 (3) (a) 3.c. (I)	2nd	Vessel BUI manslaughter.
1689	499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
1690	499.0051 (7)	1st	Knowing forgery of prescription labels or prescription drug labels.
1691	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.
1692	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.
	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding

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1693			\$20,000, but less than \$100,000 by financial institutions.
	777.03(2)(a)	1st	Accessory after the fact, capital felony.
1694	<u>782.04(3)</u>	<u>1st</u>	<u>Killing of a human being during the attempt or perpetration of certain felonies.</u>
1695	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.
1696	782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated

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1697			in s. 782.04(3).
	782.071(1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
1698			
	782.071(1) (c)	1st	Vehicular homicide with a prior conviction for DUI manslaughter, BUI manslaughter, vehicular homicide, or vessel homicide.
1699			
	782.072(2) (b)	1st	Committing vessel homicide and failing to render aid or give information.
1700			
	782.072(3)	1st	Vessel homicide with a prior conviction for DUI manslaughter, BUI manslaughter, vehicular homicide, or vessel homicide.
1701			
	787.06(3) (a)1.	1st	Human trafficking for labor and services of a child.

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1702	787.06(3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
1703	787.06(3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
1704	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.
1705	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.
1706	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property

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damage.

1707

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.

1708

794.011(5)(b)

2nd

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

1709

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.

1710

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;

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1711			prior conviction for specified sex offense.
	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
1712	800.04 (4) (b)	2nd	Lewd or lascivious battery.
1713	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
1714	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
1715	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
1716	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous

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1717			weapon.
	810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
1718	812.014(2)(a)2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
1719	812.015(11)(b)	1st	Retail theft; possession of a firearm during commission of offense.
1720	812.13(2)(b)	1st	Robbery with a weapon.
1721	812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
1722	817.418(2)(b)	2nd	Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.
1723			

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1724	817.504 (1) (b)	2nd	Offering or advertising a vaccine with intent to defraud; second or subsequent offense.
1725	817.505 (4) (c)	1st	Patient brokering; 20 or more patients.
1726	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
1727	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
1728	817.535 (4) (a)1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
	817.535 (5) (a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial

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1729			loss as a result of the false instrument.
	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
1730	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
1731	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
1732	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
1733	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
1734	837.02 (2)	2nd	Perjury in official proceedings relating to

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1735	837.021(2)	2nd	prosecution of a capital felony.
1736	<u>849.155</u>	<u>1st</u>	<u>Trafficking in slot machines or devices.</u>
1737	860.121(2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
1738	860.16	1st	Aircraft piracy.
1739	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).
1740	893.13(2) (b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).

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1741	893.13(6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
1742	893.135(1) (a) 2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
1743	893.135 (1) (b) 1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
1744	893.135 (1) (c) 1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
1745	893.135 (1) (c) 2.c.	1st	Trafficking in hydrocodone, 100 grams or more, less than 300 grams.
1746	893.135 (1) (c) 3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
1747	893.135	1st	Trafficking in fentanyl,

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	(1) (c) 4.b. (II)		14 grams or more, less than 28 grams.
1748	893.135	1st	Trafficking in phencyclidine, 200 grams or more, less than 400 grams.
	(1) (d) 1.b.		
1749	893.135	1st	Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms.
	(1) (e) 1.b.		
1750	893.135	1st	Trafficking in amphetamine, 28 grams or more, less than 200 grams.
	(1) (f) 1.b.		
1751	893.135	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
	(1) (g) 1.b.		
1752	893.135	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
	(1) (h) 1.b.		
1753			

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1754	893.135 (1) (j)1.b.	1st	Trafficking in 1,4- Butanediol, 5 kilograms or more, less than 10 kilograms.
1755	893.135 (1) (k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
1756	893.135 (1) (m)2.c.	1st	Trafficking in synthetic cannabinoids, 1,000 grams or more, less than 30 kilograms.
1757	893.1351 (3)	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
1758	895.03(1)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
			Use or invest proceeds derived from pattern of racketeering activity.

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1759

895.03(2) 1st Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.

1760

895.03(3) 1st Conduct or participate in any enterprise through pattern of racketeering activity.

1761

896.101(5)(b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

1762

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.

1763

1764

1765 Section 34. Paragraph (a) of subsection (1) and paragraph

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1766       (a) of subsection (2) of section 772.102, Florida Statutes, are  
1767       amended to read:

1768       772.102 Definitions.—As used in this chapter, the term:

1769       (1) "Criminal activity" means to commit, to attempt to  
1770       commit, to conspire to commit, or to solicit, coerce, or  
1771       intimidate another person to commit:

1772       (a) Any crime that is chargeable by indictment or  
1773       information under the following provisions:

1774       1. Section 210.18, relating to evasion of payment of  
1775       cigarette taxes.

1776       2. Section 414.39, relating to public assistance fraud.

1777       3. Section 440.105 or s. 440.106, relating to workers'  
1778       compensation.

1779       4. Part IV of chapter 501, relating to telemarketing.

1780       5. Chapter 517, relating to securities transactions.

1781       6. Section 550.235 or s. 550.3551, relating to dogracing  
1782       and horseracing.

1783       7. Chapter 550, relating to jai alai frontons.

1784       8. Chapter 552, relating to the manufacture, distribution,  
1785       and use of explosives.

1786       9. Chapter 562, relating to beverage law enforcement.

1787       10. Section 624.401, relating to transacting insurance  
1788       without a certificate of authority, s. 624.437(4)(c)1., relating  
1789       to operating an unauthorized multiple-employer welfare  
1790       arrangement, or s. 626.902(1)(b), relating to representing or  
1791       aiding an unauthorized insurer.

1792       11. Chapter 687, relating to interest and usurious  
1793       practices.

1794       12. Section 721.08, s. 721.09, or s. 721.13, relating to

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1795 real estate timeshare plans.

1796 13. Chapter 782, relating to homicide.

1797 14. Chapter 784, relating to assault and battery.

1798 15. Chapter 787, relating to kidnapping or human

1799 trafficking.

1800 16. Chapter 790, relating to weapons and firearms.

1801 17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,

1802 relating to prostitution.

1803 18. Chapter 806, relating to arson.

1804 19. Section 810.02(2)(c), relating to specified burglary of

1805 a dwelling or structure.

1806 20. Chapter 812, relating to theft, robbery, and related

1807 crimes.

1808 21. Chapter 815, relating to computer-related crimes.

1809 22. Chapter 817, relating to fraudulent practices, false

1810 pretenses, fraud generally, and credit card crimes.

1811 23. Section 827.071, relating to commercial sexual

1812 exploitation of children.

1813 24. Chapter 831, relating to forgery and counterfeiting.

1814 25. Chapter 832, relating to issuance of worthless checks

1815 and drafts.

1816 26. Section 836.05, relating to extortion.

1817 27. Chapter 837, relating to perjury.

1818 28. Chapter 838, relating to bribery and misuse of public

1819 office.

1820 29. Chapter 843, relating to obstruction of justice.

1821 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

1822 s. 847.07, relating to obscene literature and profanity.

1823 31. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.

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1824 849.25, relating to gambling.

1825 32. Chapter 893, relating to drug abuse prevention and  
1826 control.

1827 33. Section 914.22 or s. 914.23, relating to witnesses,  
1828 victims, or informants.

1829 34. Section 918.12, s. 918.125, or s. 918.13, relating to  
1830 tampering with or harassing court officials, retaliating against  
1831 court officials, and tampering with evidence.

1832 (2) "Unlawful debt" means any money or other thing of value  
1833 constituting principal or interest of a debt that is legally  
1834 unenforceable in this state in whole or in part because the debt  
1835 was incurred or contracted:

1836 (a) In violation of any one of the following provisions of  
1837 law:

1838 1. Section 550.235 or s. 550.3551, relating to dogracing  
1839 and horseracing.

1840 2. Chapter 550, relating to jai alai frontons.

1841 3. Section 687.071, relating to criminal usury and loan  
1842 sharking.

1843 4. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.  
1844 849.25, relating to gambling.

1845 Section 35. Section 849.17, Florida Statutes, is amended to  
1846 read:

1847 849.17 Confiscation of machines by arresting officer.—Upon  
1848 the arrest of any person charged with the violation of ss.  
1849 849.15-849.22, ~~any of the provisions of ss. 849.15-849.23~~ the  
1850 arresting officer shall take into his or her custody any such  
1851 machine, apparatus or device, and its contents, and the  
1852 arresting agency, at the place of seizure, shall make a complete

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1853 and correct list and inventory of all such things so taken into  
1854 his or her custody, and deliver to the person from whom such  
1855 article or articles may have been seized, a true copy of the  
1856 list of all such articles. The arresting agency shall retain all  
1857 evidence seized and shall have the same forthcoming at any  
1858 investigation, prosecution, or other proceedings, incident to  
1859 charges of violation of ss. 849.15-849.22 ~~any of the provisions~~  
1860 ~~of ss. 849.15-849.23.~~

1861 Section 36. Section 849.18, Florida Statutes, is amended to  
1862 read:

1863 849.18 Disposition of machines upon conviction.—Upon  
1864 conviction of the person arrested for the violation of ss.  
1865 849.15-849.22 ~~any of the provisions of ss. 849.15-849.23~~, the  
1866 judge of the court trying the case, after such notice to the  
1867 person convicted, and any other person whom the judge may be of  
1868 the opinion is entitled to such notice, and as the judge may  
1869 deem reasonable, shall issue to the sheriff of the county a  
1870 written order adjudging and declaring any such machine,  
1871 apparatus or device forfeited, and directing such sheriff to  
1872 destroy the same, with the exception of the money. The order of  
1873 the court must ~~shall~~ state the time and place and the manner in  
1874 which such property must ~~shall~~ be destroyed, and the sheriff  
1875 shall destroy the same in the presence of the clerk of the  
1876 circuit court of such county.

1877 Section 37. Section 849.20, Florida Statutes, is amended to  
1878 read:

1879 849.20 Machines and devices declared nuisance; place of  
1880 operation subject to lien for fine.—Any room, house, building,  
1881 boat, vehicle, structure, or place wherein any machine or

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1882 device, or any part thereof, the possession, operation, or use  
1883 of which is prohibited by ss. 849.15-849.22 ~~ss. 849.15-849.23~~,  
1884 must ~~shall~~ be maintained or operated, and each of such machines  
1885 or devices, is declared to be a common nuisance. If a person has  
1886 knowledge, or reason to believe, that his or her room, house,  
1887 building, boat, vehicle, structure, or place is occupied or used  
1888 in violation of ss. 849.15-849.22 ~~the provisions of ss. 849.15-~~  
1889 ~~849.23~~ and by acquiescence or consent suffers the same to be  
1890 used, such room, house, building, boat, vehicle, structure, or  
1891 place is ~~shall~~ be subject to a lien for and may be sold to pay  
1892 all fines or costs assessed against the person guilty of such  
1893 nuisance, for such violation, and the several state attorneys  
1894 shall enforce such lien in the courts of this state having  
1895 jurisdiction.

1896 Section 38. Section 849.21, Florida Statutes, is amended to  
1897 read:

1898 849.21 Injunction to restrain violation.—An action to  
1899 enjoin any nuisance as herein defined may be brought by any  
1900 person in the courts of equity in this state. If it is made to  
1901 appear by affidavit or otherwise, to the satisfaction of the  
1902 court, or judge in vacation, that such nuisance exists, a  
1903 temporary writ of injunction shall forthwith issue restraining  
1904 the defendant from conducting or permitting the continuance of  
1905 such nuisance until the conclusion of the action. Upon  
1906 application of the complainant in such a proceeding, the court  
1907 or judge may also enter an order restraining the defendant and  
1908 all other persons from removing, or in any way interfering with  
1909 the machines or devices or other things used in connection with  
1910 the violation of ss. 849.15-849.22 ~~ss. 849.15-849.23~~

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1911       constituting such a nuisance. A ~~No~~ bond is not shall be required  
1912       in instituting such proceedings.

1913       Section 39. Section 849.22, Florida Statutes, is amended to  
1914       read:

1915       849.22 Fees of clerk of circuit court and sheriff.—The  
1916       clerks of the courts and the sheriffs performing duties under  
1917       ss. 849.15-849.22 ~~the provisions of ss. 849.15-849.23~~ shall  
1918       receive the same fees as prescribed by general law for the  
1919       performance of similar duties, and such fees must shall be paid  
1920       out of the fine and forfeiture fund of the county as costs are  
1921       paid upon conviction of an insolvent person.

1922       Section 40. Paragraph (a) of subsection (12) of section  
1923       895.02, Florida Statutes, is amended to read:

1924       895.02 Definitions.—As used in ss. 895.01-895.08, the term:

1925       (12) “Unlawful debt” means any money or other thing of  
1926       value constituting principal or interest of a debt that is  
1927       legally unenforceable in this state in whole or in part because  
1928       the debt was incurred or contracted:

1929       (a) In violation of any one of the following provisions of  
1930       law:

1931       1. Section 550.235 or s. 550.3551, relating to dogracing  
1932       and horseracing.

1933       2. Chapter 550, relating to jai alai frontons.

1934       3. Section 551.109, relating to slot machine gaming.

1935       4. Chapter 687, relating to interest and usury.

1936       5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23,~~ or s.  
1937       849.25, relating to gambling.

1938       Section 41. This act shall take effect July 1, 2026.