

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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employment or compensation from or engaging in any business activity with certain persons or entities for a specified timeframe; authorizing certain employees to request that the commission waive certain postemployment restrictions for a certain purpose; requiring the commission to consider and approve or deny each waiver request on a case-by-case basis; authorizing the commission to adopt rules; amending s. 20.055, F.S.; conforming a provision to changes made by the act; amending s. 546.10, F.S.; authorizing certain veterans' service organizations to petition the commission for a declaratory statement to determine whether a game or machine is authorized by law before such organizations purchase or install such game or machine; prohibiting the purchase or installation of a game or machine awaiting such declaratory statement until the declaratory statement has been issued; authorizing veterans' service organizations that have a game or machine already installed on their premises to petition the commission for a declaratory statement to determine whether a game or machine is authorized by law; prohibiting such veterans' service organizations from petitioning the commission if the game, machine, premises, or organization is the subject of an ongoing criminal investigation; requiring the commission to issue the declaratory statement or deny the petition for a declaratory statement within a specified timeframe; 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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revising the criminal penalties for persons who keep a gambling house or are agents or employees of a keeper of a gambling house, respectively; defining the term "course of conduct"; prohibiting a person from knowingly or recklessly benefit or participate in a course of conduct in furtherance of illegal gambling; creating s. 849.021, F.S.; defining the terms "government employee" and "political subdivision"; prohibiting a government employee from knowingly certifying, licensing, approving, aiding, facilitating, or concealing the operation of a gambling house; providing criminal penalties; providing applicability; creating s. 849.023, F.S.; defining terms; providing that violations of certain laws are deemed immediate and serious dangers to public health, safety, and welfare; authorizing the Department of Business and Professional Regulation, the commission, or the Office of Financial Regulation to summarily suspend the license of certain persons violating such laws; authorizing a licensee or an applicant to retain, apply for, or be reissued a license if the license-issuing agency finds that such licensee has removed the controlling person violating such laws from the business; providing that a licensee is subject to a specified fine; amending s. 849.03, F.S.; revising the criminal penalties for persons who rent or lease a house for gambling purposes; defining the term "knowingly"; amending s. 849.08, F.S.; defining terms; providing criminal penalties for

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

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

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machines if the criminal justice agency takes certain actions; requiring that written descriptions of such slot machines be made under oath by the investigating law enforcement officer before the slot machines are destroyed; requiring that photographs and video recordings of such slot machines be authenticated by the photographer's or videographer's signature; requiring that a law enforcement officer create written and sworn documentation of certain information regarding a destroyed slot machine; providing that such photographs or video recordings may be deemed competent evidence and may be admissible in a prosecution to the same extent as if such slot machines were introduced as evidence; providing severability; creating s. 849.47, F.S.; defining the term "illegal gambling"; prohibiting persons from knowingly and willfully transporting, or procuring the transportation of, certain persons into this state for the purpose of illegal gambling; providing criminal penalties; creating s. 849.48, F.S.; defining the term "illegal gambling"; prohibiting persons from advertising illegal gambling or setting up any type or plate for any type for advertising illegal gambling; providing criminal penalties; providing exceptions; creating s. 849.49, F.S.; prohibiting counties, municipalities, or other political subdivisions from enacting or enforcing any ordinance or local rule relating to certain gaming and gambling activities; creating s. 849.51, F.S.; providing legislative

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

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

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

Section 2. Subsection (5) of section 16.71, Florida



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Statutes, is amended to read:

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

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

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

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

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

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

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

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

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

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section 16.713, Florida Statutes, to read:

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

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

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

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

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

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

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

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

(1) STANDARDS OF CONDUCT.—

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

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

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

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

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

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s. 16.713(2)(b).

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

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

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

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

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

10. A commissioner or an employee may not directly or indirectly, through staff or other means, solicit anything of value from any person regulated by the commission, or from any 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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operator.

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

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

20.055 Agency inspectors general.—

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

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

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

546.10 Amusement games or machines.—

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

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

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

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

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



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

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

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

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

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

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

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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) Aggravated child abuse,
- (i) Aggravated abuse of an elderly person or disabled

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adult,

(j) Aircraft piracy,

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

(l) Carjacking,

(m) Home-invasion robbery,

(n) Aggravated stalking,

(o) Murder of another human being,

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

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

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

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

by a person other than the person engaged in the perpetration of or in the attempt to perpetrate such felony, the person perpetrating or attempting to perpetrate such felony commits murder in the second degree, which constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.

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

838.12 Bribery in athletic contests.—

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

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

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

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

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

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

843.08 False personation.—A person who falsely assumes or pretends to be a firefighter, a sheriff, an officer of the Florida Highway Patrol, an officer of the Fish and Wildlife Conservation Commission, an officer of the Department of Environmental Protection, an officer of the Department of Financial Services, any personnel or representative of the Florida Gaming Control Commission, any personnel or representative of the Division of Criminal Investigations, an officer of the Department of Corrections, a correctional probation officer, a deputy sheriff, a state attorney or an 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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775.083, or s. 775.084.

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

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

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

849.02 Agents or employees of keeper of gambling house.—

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

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

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

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

(2)(a) Notwithstanding subsection (1), if the clerk, agent, or employee is authorized to bind the gambling house in violation of s. 849.01 or act on behalf of any person in the violation of s. 849.01, he or she commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

(a) “Commission” means the Florida Gaming Control Commission.

(b) “Controlling person” means:

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

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

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

(c) “Conviction” means a determination of guilt which is the result of a plea or trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(d) “License” has the same meaning as in s. 120.52 and is issued by:

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

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

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

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

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

(2) PENALTIES.—

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

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

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

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

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

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849.03 Renting or leasing house for gambling purposes.—

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

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

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

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

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

849.08 Gambling.—

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

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

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

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

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

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

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

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

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

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

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

849.086 Cardrooms authorized.—

(12) PROHIBITED ACTIVITIES.—

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

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

849.09 Lottery prohibited; exceptions.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Any ownership interest in such business, establishment, premises, or other location. For purposes of this paragraph, the term "ownership interest" includes an officer, a director, or a managing member of the business, establishment, premises, or other location.

(2) It is unlawful:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) Pursuant to section 2 of that chapter of the Congress of the United States entitled "An act to prohibit transportation of gaming devices in interstate and foreign commerce," approved January 2, 1951, being ch. 1194, 64 Stat. 1134, and also 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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compact with the state pursuant to the federal Indian Gaming  
Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C.  
ss. 2701 et seq.

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

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

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

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

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

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



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849.18 Disposition of machines upon conviction.—

(1) For any slot machine or device prohibited pursuant to s. 849.15 which is not destroyed pursuant to s. 849.181, upon entering a plea of guilty or nolo contendere to, regardless of adjudication, the filing of a nolle prosequi or upon the successful completion of a diversion program or a deferred prosecution agreement, the filing of a no-information, or upon conviction of the person arrested for the violation of ss. 849.15-849.22 ~~any of the provisions of ss. 849.15-849.23, the judge of the court trying the case, after such notice to the person convicted, and any other person whom the judge may be of the opinion is entitled to such notice, and as the judge may deem reasonable, shall issue to the sheriff of the county a written order adjudging and declaring any such machine, apparatus or device forfeited, and directing such sheriff to destroy the same, with the exception of the money. The order of the court must shall state the time and place and the manner in which such property must shall be destroyed, and the sheriff shall destroy the same in the presence of the clerk of the circuit court of such county.~~

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

Section 27. Section 849.181, Florida Statutes, is created

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to read:

849.181 Destruction of excess machines.—

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

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

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

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

(c) "Slot machine" has the same meaning as the term "slot machine or device" as defined in s. 849.16(1) and includes the definition of "parts thereof" provided in s. 849.15.

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

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

(b) Notifies the appropriate United States Attorney or assistant United States Attorney, the responsible state or local prosecutor, or a criminal justice agency conducting a criminal investigation that the excess slot machines will be destroyed after 60 days from the date notice is provided, unless the 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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not affect other provisions or applications of this section or chapter which can be given effect without the invalid provision or application, and to this end the provisions of this section are severable.

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

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

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

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

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

(b) A person who transports, or procures the transportation of, 12 or more persons in violation of subsection (2) commits a 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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pamphlet, list, schedule, announcement, or notice to be used for the purpose of promoting or facilitating gambling conducted in any other state or nation, outside of this state, where such gambling is not prohibited.

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

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

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

849.51 Limited Slot Machine Surrender Program.—

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

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

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

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

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

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

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

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

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

903.046 Purpose of and criteria for bail determination.—

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

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be, the court shall consider:

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

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

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(c) LEVEL 3

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

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			authority.
1395	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 3rd Unlawful solicitation of persons involved in motor vehicle accidents.  
(8) (b) & (c)

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	<u>838.12</u>	<u>3rd</u>	<u>Bribery in athletic</u> <u>contests.</u>
1424	847.01385	3rd	Harmful communication to a minor.
1425	<u>849.01 (2) (a)</u>	<u>3rd</u>	<u>Keeping a gambling house.</u>
1426	<u>849.01 (3) (b)</u>	<u>3rd</u>	<u>Knowingly benefitting from</u> <u>or participating in the</u> <u>operation of a gambling</u> <u>house.</u>
1427	<u>849.02 (1) (b) &amp; (2) (a)</u>	<u>3rd</u>	<u>Agents or employees of</u> <u>keeper of gambling house.</u>
1428	<u>849.021 (3) (a)</u>	<u>3rd</u>	<u>Government employee</u> <u>misconduct relating to</u> <u>gambling houses.</u>
1429	<u>849.03 (1) (a)</u>	<u>3rd</u>	<u>Renting space at a gambling</u> <u>house.</u>



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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 of chance by lot.</u>
1434	<u>849.14</u>	<u>3rd</u>	<u>Betting on result of trial or contest of skill.</u>
1435	<u>849.15 (3) (b)</u>	<u>3rd</u>	<u>Manufacture, sale, possession, etc. of slot machines or devices.</u>
1436	<u>849.157 (1)</u>	<u>3rd</u>	<u>False or misleading statement to facilitate sale of slot machines or 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 transportation of certain persons to facilitate gambling.</u>
1439			

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1440	<u>849.48 (2) (c) 2.</u>	<u>3rd</u>	<u>Prohibited gambling or gaming advertisements.</u>
1441	860.15 (3)	3rd	Overcharging for repairs and parts.
1442	870.01 (2)	3rd	Riot.
1443	870.01 (4)	3rd	Inciting a riot.
1444	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).
1445	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.
	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	Felony	
	Statute	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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1468

365.172  
(14) (b) 2.

2nd

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

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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			imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
1470	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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			of firearms in violent manner.
1481	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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			voyeurism dissemination.
1488	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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			with specified number of other persons.
1495	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

817.611 (2) (a)

2nd

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

1504

817.625 (2) (b)

2nd

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

1505

825.1025 (4)

3rd

Lewd or lascivious  
exhibition in the

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			presence of an elderly person or disabled adult.
1506	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 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1513	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
1514	<u>849.01 (2) (b)</u>	<u>2nd</u>	<u>Keeping a gambling house</u> <u>(2nd or subsequent</u> <u>offense).</u>
1515	<u>849.02 (1) (c) &amp; (2) (b)</u>	<u>2nd</u>	<u>Agents or employees of</u> <u>keeper of gambling house</u> <u>(2nd or subsequent</u> <u>offense).</u>
1516	<u>849.021 (3) (b)</u>	<u>2nd</u>	<u>Government employee</u> <u>misconduct relating to</u> <u>gambling houses (2nd or</u>

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1517

subsequent offense).849.03 (1) (b)2ndRenting space at a  
gambling house (2nd or  
subsequent offense).

1518

849.08 (4)2ndOperating, conducting,  
promoting, aiding,  
assisting, abetting,  
influencing Internet  
gambling and Internet  
sports wagering (2nd or  
subsequent conviction).

1519

849.086 (12) (e)2ndTampering with cards or  
card games (2nd or  
subsequent conviction).

1520

849.11 (2)2ndOffenses related to  
games of chance (2nd or  
subsequent conviction).

1521

849.142ndBetting on result of  
trial or contest of  
skill (2nd or subsequent  
conviction).

1522

849.15 (3) (c)2ndManufacture, sale,  
possession, etc. of slot



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1523

machines or devices.849.47 (3) (a) & (b)2nd

Transporting persons to  
facilitate illegal  
gambling; minor, person  
65 years of age or  
older, or 12 or more  
persons (2nd or  
subsequent conviction).

1524

849.48 (2) (c) 2.2nd

Prohibited gambling or  
gaming advertisements  
(2nd or subsequent  
offense).

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

893.13(1)(c)2.

2nd

(1)(b), (1)(d), (2)(a),  
(2)(b), or (2)(c)5.  
drugs).

1529

893.13(1)(d)1.

1st

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.

1530

893.13(1)(e)2.

2nd

Sell, manufacture, or  
deliver cocaine (or  
other s. 893.03(1)(a),  
(1)(b), (1)(d), (2)(a),  
(2)(b), or (2)(c)5.  
drugs) within 1,000 feet  
of university.

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

Felony

Statute

Degree

Description

1538

316.027(2)(c)

1st

Accident involving death,  
failure to stop; leaving  
scene.

1539

316.193(3)(c)2.

3rd

DUI resulting in serious  
bodily injury.

1540

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.

1541

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 disfiguration, 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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			license.
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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instruments exceeding  
\$300 but less than  
\$20,000 by a money  
services business.

1564

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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775.21 (10) (g)

3rd

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

1569

782.051 (3)

2nd

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

1570

782.07 (1)

2nd

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

1571

782.071

2nd

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

1572

782.072

2nd

Killing of a human being  
by the operation of a  
vessel in a reckless

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manner (vessel homicide).

1573

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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person 65 years of age or  
older.

1581

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

1588

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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1594	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
	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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1599

molestation; victim  
younger than 12 years of  
age; offender younger  
than 18 years of age.

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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810.02 (3) (b)

2nd

Burglary of unoccupied dwelling; unarmed; no assault or battery.

1604

810.02 (3) (d)

2nd

Burglary of occupied conveyance; unarmed; no assault or battery.

1605

810.02 (3) (e)

2nd

Burglary of authorized emergency vehicle.

1606

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.

1607

812.014 (2) (b) 2.

2nd

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

1608

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

1st

(2) (b) &amp; (3) (b)

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

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			<u>statement to facilitate</u> <u>sale of 5 or more slot</u> <u>machines or devices.</u>
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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or more, less than 500  
grams.

1664

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

1685

316.193  
(3) (c) 3.a.

2nd

DUI manslaughter.

1686

316.1935(4) (b)

1st

Aggravated fleeing or  
attempted eluding with  
serious bodily injury or  
death.

1687

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

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\$20,000, but less than  
\$100,000 by financial  
institutions.

1693

777.03 (2) (a)

1st

Accessory after the fact,  
capital felony.

1694

782.04 (3)1st

Killing of a human being  
during the attempt or  
perpetration of certain  
felonies.

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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in s. 782.04(3).

1697

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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			prior conviction for specified sex offense.
1711	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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weapon.

1717

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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			loss as a result of the false instrument.
1729	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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			prosecution of a capital felony.
1735	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to 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
	(1) (d) 1.b.		phencyclidine, 200 grams or more, less than 400 grams.
1749	893.135	1st	Trafficking in
	(1) (e) 1.b.		methaqualone, 5 kilograms or more, less than 25 kilograms.
1750	893.135	1st	Trafficking in
	(1) (f) 1.b.		amphetamine, 28 grams or more, less than 200 grams.
1751	893.135	1st	Trafficking in
	(1) (g) 1.b.		flunitrazepam, 14 grams or more, less than 28 grams.
1752	893.135	1st	Trafficking in gamma-
	(1) (h) 1.b.		hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
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	893.135 (1) (n) 2.b.	1st	Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams.
1758	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
	895.03 (1)	1st	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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(a) of subsection (2) of section 772.102, Florida Statutes, are amended to read:

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

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

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

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

2. Section 414.39, relating to public assistance fraud.

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

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

5. Chapter 517, relating to securities transactions.

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

7. Chapter 550, relating to jai alai frontons.

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

9. Chapter 562, relating to beverage law enforcement.

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

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

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

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real estate timeshare plans.

13. Chapter 782, relating to homicide.

14. Chapter 784, relating to assault and battery.

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

16. Chapter 790, relating to weapons and firearms.

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

18. Chapter 806, relating to arson.

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

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

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

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

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

24. Chapter 831, relating to forgery and counterfeiting.

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

26. Section 836.05, relating to extortion.

27. Chapter 837, relating to perjury.

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

29. Chapter 843, relating to obstruction of justice.

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

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

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849.25, relating to gambling.

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

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

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

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

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

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

2. Chapter 550, relating to jai alai frontons.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2. Chapter 550, relating to jai alai frontons.

3. Section 551.109, relating to slot machine gaming.

4. Chapter 687, relating to interest and usury.

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

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