

1                   A bill to be entitled  
2     An act relating to gambling; amending s. 16.712, F.S.;  
3     revising the contents of an annual report by the  
4     Florida Gaming Control Commission; amending s. 16.713,  
5     F.S.; prohibiting certain appointment or employment  
6     for a specified period before or during service with  
7     the commission; amending s. 16.715, F.S.; revising  
8     standards of conduct for the commission; prohibiting  
9     certain post-employment activities for former  
10    commissioners and employees for a specified period;  
11    amending s. 546.10, F.S.; authorizing certain  
12    organizations to petition the commission before  
13    purchasing, installing, or operating a game or machine  
14    on their premises before petitioning for and being  
15    issued a specified declaratory statement from the  
16    commission if the organizations are unsure if such  
17    game or machine is an amusement machine; prohibiting  
18    such organizations from purchasing or installing a  
19    game or machine until an outstanding declaratory  
20    statement is issued; prohibiting such organizations  
21    from seeking a declaratory statement if the game or  
22    machine in question is the subject of a criminal  
23    investigation; requiring the commission to issue a  
24    declaratory statement within a specified timeframe;  
25    prohibiting the commission from denying a petition if

26        it was validly requested; specifying the information  
27        that must be included in a request for a declaratory  
28        statement; providing that the declaratory statement is  
29        valid only for the game or machine for which it is  
30        requested; providing that the declaratory statement is  
31        invalid if the specifications for the game or machine  
32        have been changed; providing that the declaratory  
33        statement is binding on the commission and may be  
34        introduced as evidence in subsequent proceedings;  
35        providing construction; amending s. 550.002, F.S.;  
36        revising the definition of the term "ultimate  
37        equitable owner"; amending s. 550.054, F.S.; revising  
38        when commission approval is needed for transfers of  
39        stock or other evidence of ownership of certain pari-  
40        mutuel permitholders; amending s. 550.09512, F.S.;  
41        removing provisions requiring reissuance of escheated  
42        harness horse permits; amending s. 550.09515, F.S.;  
43        prohibiting reissuance of horse permits to certain  
44        permitholders who do not pay tax on handle for live  
45        races for a specified period; removing provisions  
46        requiring reissuance of escheated horse permits;  
47        amending s. 838.12, F.S.; prohibiting betting on  
48        athletic contests with knowledge that the results are  
49        prearranged or predetermined; providing criminal  
50        penalties; amending s. 849.01, F.S.; revising criminal

penalties for offenses involving keeping a gambling house; amending s. 849.02, F.S.; increasing criminal penalties for specified offenses by agents or employees of a keeper of a gambling house; amending s. 849.03, F.S.; revising criminal penalties for offenses involving renting a house for gambling purposes; amending s. 849.08, F.S.; providing definitions; prohibiting Internet gambling and Internet sports wagering and related offenses; providing criminal penalties; providing an exception; amending s. 849.086, F.S.; prohibiting specified actions relating to the manipulation of card games; providing criminal penalties; creating s. 849.0932, F.S.; defining the term "fantasy sports contest"; requiring such contests to meet specified requirements; providing penalties for violations; authorizing the commission to investigate and refer violations for prosecution; authorizing enforcement actions by the Attorney General and state attorneys; providing criminal penalties for certain violations; amending s. 849.11, F.S.; prohibiting certain offenses relating to games of chance; providing criminal penalties; amending s. 849.13, F.S.; providing enhanced criminal penalties for second or subsequent violations of certain provisions; amending s. 849.14, F.S.; revising

76 criminal penalties for betting or wagering on certain  
77 activities; repealing s. 849.142, F.S., relating to  
78 exempted activities; amending s. 849.15, F.S.;  
79 defining the terms "conviction" and "person of  
80 authority"; providing criminal penalties for specified  
81 offenses relating to the manufacture, possession, and  
82 sale of slot machines or devices; creating s. 849.155,  
83 F.S.; prohibiting trafficking in slot machines,  
84 devices, or parts thereof; providing criminal  
85 penalties; providing for the deposit of fines into a  
86 specified trust fund for specified purposes; creating  
87 s. 849.157, F.S.; prohibiting the making of a false or  
88 misleading statement regarding the legality of slot  
89 machines or devices for specified purposes; providing  
90 criminal penalties; repealing s. 849.23, F.S.,  
91 relating to penalties for violations of specified  
92 provisions; creating s. 849.47, F.S.; defining the  
93 term "illegal gambling"; prohibiting the  
94 transportation of specified numbers of persons or  
95 persons of certain ages, for the purpose of  
96 facilitating illegal gambling; providing criminal  
97 penalties; creating s. 849.48, F.S.; defining the term  
98 "illegal gambling"; prohibiting specified gambling or  
99 gaming advertisements; providing criminal penalties;  
100 providing construction; creating s. 849.49, F.S.;

preempting to the state the regulation of gaming,  
gambling, lotteries, or other specified activities;  
amending s. 921.0022, F.S.; ranking offenses for  
purposes of the offense severity ranking chart of the  
Criminal Punishment Code; amending ss. 772.102 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. Present paragraph (i) of subsection (3) of  
section 16.712, Florida Statutes, is redesignated as paragraph  
(k), new paragraphs (i) and (j) are added to that subsection,  
and paragraph (h) of that subsection is amended, 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 or any information  
being filed and the resolution of such criminal charges or case.

(i) The number of complaints received by the commission

126 categorized by subject matter or the type of complaint and a  
127 summary of the action taken on each complaint by the commission.

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

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

133 16.713 Florida Gaming Control Commission; appointment and  
134 employment restrictions.—

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

138 (a) A person may not, for the 2 years immediately  
139 preceding the date of appointment to or employment with the  
140 commission and while appointed to or employed with the  
141 commission:

142 1. Hold a permit or license issued under chapter 550 or a  
143 license issued under chapter 551 or chapter 849; be an officer,  
144 official, or employee of such permitholder or licensee; or be an  
145 ultimate equitable owner, as defined in s. 550.002(37), of such  
146 permitholder or licensee;

147 2. Be an officer, official, employee, or other person with  
148 duties or responsibilities relating to a gaming operation owned  
149 by an Indian tribe that has a valid and active compact with the  
150 state; be a contractor or subcontractor of such tribe or an

entity employed, licensed, or contracted by such tribe; or be an ultimate equitable owner, as defined in s. 550.002(37), of such entity;

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

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

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

(b) A person is ineligible for appointment to or employment with the commission if, within the 2 years immediately preceding such appointment or employment, he or she violated paragraph (a) or solicited or accepted employment with, acquired any direct or indirect interest in, or had any direct or indirect business association, partnership, or financial

relationship with, or is a relative of:

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

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

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

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 3. Paragraph (b) of subsection (1) and paragraphs (b) and (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

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

228 3. While employed, and for 2 years after service as a  
229 commissioner or for 2 years after employment with the  
230 commission, a commissioner or an employee may not accept any  
231 form of employment with or engage in any business activity with  
232 any business entity that, either directly or indirectly, owns or  
233 controls any person regulated by the commission; any person  
234 regulated by the commission; or any business entity that, either  
235 directly or indirectly, is an affiliate or subsidiary of any  
236 person regulated by the commission; or be an employee,  
237 associate, owner, or contractor for any person or entity that  
238 conducts or facilitates an activity regulated, enforced, or  
239 investigated by the commission, including fantasy sports  
240 contests and other betting activities.

241 4. While employed, and for 2 years after service as a  
242 commissioner or for 2 years after employment with the  
243 commission, a commissioner, an employee, or a relative living in  
244 the same household as a commissioner or an employee may not have  
245 any financial interest, other than shares in a mutual fund, in  
246 any person regulated by the commission; in any business entity  
247 that, either directly or indirectly, owns or controls any person  
248 regulated by the commission; or in any business entity that,  
249 either directly or indirectly, is an affiliate or a subsidiary  
250 of any person regulated by the commission; or be an employee,

251 associate, owner, or contractor for any person or entity that  
252 conducts or facilitates an activity regulated, enforced, or  
253 investigated by the commission, including fantasy sports  
254 contests and other betting activities. If a commissioner, an  
255 employee, or a relative living in the same household as a  
256 commissioner or an employee acquires any financial interest  
257 prohibited by this subsection during the commissioner's term of  
258 office or the employee's employment with the commission as a  
259 result of events or actions beyond the commissioner's, the  
260 employee's, or the relative's control, he or she shall  
261 immediately sell such financial interest. For the purposes of  
262 this subsection, the term "relative" has the same meaning as in  
263 s. 16.713(2)(b).

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

267 6. A commissioner may not serve as the representative of  
268 any political party or on any executive committee or other  
269 governing body of a political party; serve as an executive  
270 officer or employee of any political party, committee,  
271 organization, or association; receive remuneration for  
272 activities on behalf of any candidate for public office; engage  
273 on behalf of any candidate for public office in the solicitation  
274 of votes or other activities on behalf of such candidacy; or  
275 become a candidate for election to any public office without

276 first resigning from office.

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

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

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

288       10. A commissioner or an employee may not directly or  
289 indirectly, through staff or other means, solicit anything of  
290 value from any person regulated by the commission, or from any  
291 business entity that, whether directly or indirectly, is an  
292 affiliate or a subsidiary of any person regulated by the  
293 commission, or from any party appearing in a proceeding  
294 considered by the commission in the last 2 years.

295       11. A commissioner may not lobby the Governor or any  
296 agency of the state, members or employees of the Legislature, or  
297 any county or municipal government or governmental agency except  
298 to represent the commission in an official capacity.

299       (2) FORMER COMMISSIONERS AND EMPLOYEES.—

300       (b) A commissioner, the executive director, or an employee

301 of the commission may not, for the 2 years immediately following  
302 the date of resignation or termination from the commission:

303 1. Hold a permit or license issued under chapter 550, or a  
304 license issued under chapter 551 or chapter 849; be an officer,  
305 official, or employee of such permitholder or licensee; ~~or~~ be an  
306 ultimate equitable owner, as defined in s. 550.002(37), of such  
307 permitholder or licensee; or be an employee, associate, owner,  
308 or contractor for any person or entity that conducts or  
309 facilitates an activity regulated, enforced, or investigated by  
310 the commission, including fantasy sports contests and other  
311 betting activities;

312 2. Accept employment by or compensation from a business  
313 entity that, directly or indirectly, owns or controls a person  
314 regulated by the commission; from a person regulated by the  
315 commission; from a business entity which, directly or  
316 indirectly, is an affiliate or subsidiary of a person regulated  
317 by the commission; ~~or~~ from a business entity or trade  
318 association that has been a party to a commission proceeding  
319 within the 2 years preceding the member's resignation or  
320 termination of service on the commission; or from any person or  
321 entity that conducts or facilitates an activity regulated,  
322 enforced, or investigated by the commission, including fantasy  
323 sports contests and other betting activities; or

324 3. Be a bingo game operator or an employee of a bingo game  
325 operator.

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

329 1. Hold a permit or license issued under chapter 550, or a  
330 license issued under chapter 551 or chapter 849; be an officer,  
331 official, or employee of such permitholder or licensee; ~~or~~ be an  
332 ultimate equitable owner, as defined in s. 550.002(37), of such  
333 permitholder or licensee; or be an employee, associate, owner,  
334 or contractor for any person or entity that conducts or  
335 facilitates an activity regulated, enforced, or investigated by  
336 the commission, including fantasy sports contests and other  
337 betting activities; or

338 2. Be a bingo game operator or an employee of a bingo game  
339 operator.

340 **Section 4. Present subsections (8) and (9) of section**  
341 **546.10, Florida Statutes, are renumbered as subsections (9) and**  
342 **(10), respectively, and a new subsection (8) is added to that**  
343 **section, to read:**

344 546.10 Amusement games or machines.—

345 (8)(a)1. Before purchasing or installing a game or machine  
346 on the premises of any veterans' service organization granted a  
347 federal charter under Title 36, U.S.C., or a division, a  
348 department, a post, or a chapter of such organization, for which  
349 an alcoholic beverage license has been issued, and the veterans'  
350 service organization is in doubt about whether a machine meets

351 the definition of an amusement machine under this section, the  
352 organization may petition the Florida Gaming Control Commission  
353 for a declaratory statement under s. 120.565 on whether the  
354 operation of the game or machine complies with this section or  
355 chapter 849. An organization awaiting a declaratory statement  
356 from the commission may not purchase or install such game or  
357 machine until the declaratory statement is issued.

358 2. If there is a game or machine currently on the premises  
359 of any veterans' service organization granted a federal charter  
360 under Title 36, U.S.C., or a division, a department, a post, or  
361 a chapter of such organization, for which an alcoholic beverage  
362 license has been issued and the veterans' service organization  
363 is in doubt about whether a machine meets the definition of an  
364 amusement machine under this section, the organization may  
365 petition the commission for a declaratory statement pursuant to  
366 s. 120.565 on whether the operation of the game or machine  
367 complies with this section or would be a violation of this  
368 section or chapter 849. If the game, machine, premises, or  
369 organization is the subject of an ongoing criminal  
370 investigation, the organization may not petition the commission  
371 for a declaratory statement under this subsection.

372 3. The commission shall issue a declaratory statement  
373 pursuant to this subsection within 60 days after receiving a  
374 petition requesting such statement. The commission may not deny  
375 a petition that is validly requested pursuant to this subsection

376 and s. 120.565.

377 (b) A petition made under this subsection must provide  
378 enough information for the commission to issue the declaratory  
379 statement and must be accompanied by the exact specifications  
380 for the type of game or machine that the organization will  
381 purchase or install or currently has on the premises. The  
382 declaratory statement is valid only for the game or machine for  
383 which it is requested and is invalid if the specifications for  
384 the game or the machine have been changed.

385 (c) The declaratory statement is binding on the commission  
386 and may be introduced in any subsequent proceedings as evidence  
387 of a good faith effort to comply with this section or chapter  
388 849.

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

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

399 **Section 5. Subsection (37) of section 550.002, Florida**  
400 **Statutes, is amended to read:**



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

(37) "Ultimate equitable owner" means a natural person who, directly or indirectly, owns or controls ~~5 percent or more~~ of an ownership interest in a corporation, foreign corporation, or alien business organization, regardless of whether such person owns or controls such ownership through one or more natural persons or one or more proxies, powers of attorney, nominees, corporations, associations, partnerships, trusts, joint stock companies, or other entities or devices, or any combination thereof.

**Section 6. Paragraph (b) of subsection (11) and subsection (12) of section 550.054, Florida Statutes, are amended to read:**

550.054 Application for permit to conduct pari-mutuel wagering.—

(11)

(b) If a permit to conduct pari-mutuel wagering is held by a corporation or business entity other than an individual, the transfer of any ~~10 percent or more of the~~ stock or other evidence of ownership or equity in the permitholder may not be made without the prior approval of the transferee by the commission pursuant to s. 550.1815.

(12) Changes in ownership or interest of a pari-mutuel permit of any ~~5 percent or more of the~~ stock or other evidence of ownership or equity in the permitholder shall be approved by the commission before ~~prior to~~ such change, ~~unless the owner is~~

~~an existing owner of that permit who was previously approved by the commission. Changes in ownership or interest of a pari-mutuel permit of less than 5 percent shall be reported to the commission within 20 days of the change. The commission may then conduct an investigation related to the request for to ensure that the permit is properly updated to show the change in ownership or interest.~~

**Section 7. Subsection (3) of section 550.09512, Florida Statutes, is amended to read:**

550.09512 Harness horse taxes; abandoned interest in a permit for nonpayment of taxes.—

(3)~~(a)~~ The permit of a harness horse permitholder who is conducting live harness horse performances and who does not pay tax on handle for any such performances conducted during any 2 consecutive state fiscal years shall be void and may not be reissued unless such failure to operate and pay tax on handle was the direct result of fire, strike, war, hurricane, pandemic, or other disaster or event beyond the ability of the permitholder to control. Financial hardship to the permitholder shall not, in and of itself, constitute just cause for failure to operate and pay tax on handle.

~~(b) In order to maximize the tax revenues to the state, the commission shall reissue an escheated harness horse permit to a qualified applicant pursuant to the provisions of this chapter as for the issuance of an initial permit. However, the~~

~~provisions of this chapter relating to referendum requirements for a pari-mutuel permit shall not apply to the reissuance of an escheated harness horse permit. As specified in the application and upon approval by the commission of an application for the permit, the new permitholder shall be authorized to operate a harness horse facility anywhere in the same county in which the escheated permit was authorized to be operated, notwithstanding the provisions of s. 550.054(2) relating to mileage limitations.~~

**Section 8. Subsection (3) of section 550.09515, Florida Statutes, is amended to read:**

550.09515 Thoroughbred horse taxes; abandoned interest in a permit for nonpayment of taxes.—

(3) ~~(a)~~ The permit of a thoroughbred horse permitholder who does not pay tax on handle for live thoroughbred horse performances for a full schedule of live races during any 2 consecutive state fiscal years shall be void and shall not be reissued ~~escheat to and become the property of the state unless~~ such failure to operate and pay tax on handle was the direct result of fire, strike, war, or other disaster or event beyond the ability of the permitholder to control. Financial hardship to the permitholder does ~~shall~~ not, in and of itself, constitute just cause for failure to operate and pay tax on handle.

~~(b) In order to maximize the tax revenues to the state, the commission shall reissue an escheated thoroughbred horse permit to a qualified applicant pursuant to the provisions of~~

~~this chapter as for the issuance of an initial permit. However, the provisions of this chapter relating to referendum requirements for a pari-mutuel permit shall not apply to the reissuance of an escheated thoroughbred horse permit. As specified in the application and upon approval by the commission of an application for the permit, the new permit holder shall be authorized to operate a thoroughbred horse facility anywhere in the same county in which the escheated permit was authorized to be operated, notwithstanding the provisions of s. 550.054(2) relating to mileage limitations.~~

**Section 9. Section 838.12, Florida Statutes, is amended, to read:**

838.12 Bribery in athletic contests.—

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

501    whatsoever, with intent to influence him or her or them to lose  
502    or cause to be lost any game, contest, match, race or sport, or  
503    to limit his or her or their or any person's or any team's  
504    margin of victory in any game, contest, match, race, or sport,  
505    or to fix or throw any game, contest, match, race or sport,  
506    commits ~~shall be guilty of~~ a felony of the third degree,  
507    punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

508        (2) Any participant or prospective participant in any  
509    professional or amateur game, contest, match, race or sport; or  
510    any umpire, referee, judge or other official of such game,  
511    contest, match, race or sport; or any owner, manager, coach or  
512    trainer of, or any relative of, or any person having any direct,  
513    indirect, remote or possible connection with, any team,  
514    individual, participant or prospective participant in any such  
515    professional or amateur game, contest, match, race or sport, or  
516    the officials aforesaid; who in any way solicits, receives or  
517    accepts, or agrees to receive or accept, or who conspires to  
518    receive or accept, any bribe, money, goods, present, reward or  
519    any valuable thing whatsoever, or any promise, contract or  
520    agreement whatsoever, with intent to lose or cause to be lost  
521    any game, contest, match, race or sport, or to limit his, her,  
522    their or any person's or any team's margin of victory in any  
523    game, contest, match, race or sport, or to fix or throw any  
524    game, contest, match, race or sport, commits ~~shall be guilty of~~  
525    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 results of such professional or amateur game, contest, match, race, or sport are 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 10. Section 849.01, Florida Statutes, is amended to read:**

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

**Section 11. Section 849.02, Florida Statutes, is amended to read:**

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

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

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

(3) 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.~~

**Section 12. Section 849.03, Florida Statutes, is amended to read:**

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

(1) For a first offense, a felony of the third 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 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.

**Section 13. Section 849.08, Florida Statutes, is amended**

576 **to read:**

577 849.08 Gambling.—

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

579 (a) "Illegal gambling" means any criminal violation of  
580 chapter 546, chapter 550, or chapter 551, or this chapter that  
581 occurs at any business, establishment, premises, or other  
582 location.

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

590 (c) "Internet sports wagering" means to use a platform  
591 that is available on the Internet and accessible on a mobile  
592 device, computer terminal, or other similar access device to  
593 stake, bet, or wager any money or other thing of value upon the  
594 result of any trial or contest of skill, speed, power, or  
595 endurance of human or beast.

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

(b) For a second or subsequent offense, 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 illegal  
gambling, Internet gambling or Internet sports wagering, or  
receives in any manner whatsoever any money or other thing of  
value offered for the purpose of illegal gambling, 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 of 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), or any gaming activities  
authorized under chapter 550.

**Section 14. Paragraph (e) is added to subsection (12) of  
section 849.086, Florida Statutes, to read:**

849.086 Cardrooms authorized.—

626 (12) PROHIBITED ACTIVITIES.—

627 (e) A person who, by physical tampering or by use of any  
628 object, instrument, or device, whether mechanical, electrical,  
629 magnetic, or involving other means, manipulates or attempts to  
630 manipulate playing cards for the purpose of affecting the  
631 outcome or payoff of a card game in a licensed cardroom, or  
632 otherwise manipulates or attempts to manipulate the outcome or  
633 payoff of such a card game, commits a felony of the third  
634 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
635 775.084.

636 **Section 15. Section 849.0932, Florida Statutes, is created**  
637 **to read:**

638 849.0932 Fantasy sports contests; conditions for conduct.—

639 (1) As used in this section, the term "fantasy sports  
640 contest" means a contest in which a participant pays an entry  
641 fee and manages a fantasy or simulation sports team composed of  
642 athletes from a professional sports organization with the  
643 opportunity to win a cash prize. The term includes a simulation  
644 sports game.

645 (2) Fantasy sports contests must meet all of the following  
646 requirements:

647 (a) Prizes and awards for the winning participants are  
648 established and disclosed to contest participants before entry.

649 (b) All winning outcomes reflect the relative knowledge  
650 and skill of the fantasy sports contest participant.

651 (c) All winning outcomes are determined predominantly by  
652 accumulated statistical results of the performance of more than  
653 one individual.

654 (d) A winning outcome may not be based on:

655 1. The score, point spread, or performance of a team or  
656 combination of teams.

657 2. The single performance of an individual in a single  
658 event or a pari-mutuel event, as the term "pari-mutuel" is  
659 defined in s. 550.002 as of January 1, 2026.

660 3. A game of poker or other card game.

661 4. The performance of participants in collegiate, high  
662 school, or youth sporting events.

663 (e) Casino graphics, themes, or titles, including, but not  
664 limited to, depictions of slot machine-style symbols, cards,  
665 dice, craps, roulette, or lotto, are not displayed or depicted.

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

668 (b) An operator or owner of any website, platform, or  
669 application that offers fantasy sports contests in violation of  
670 this section is punishable by a fine of up to \$100,000 per  
671 violation.

672 (4) The Florida Gaming Control Commission shall  
673 investigate and refer violations of this section for  
674 prosecution. The Attorney General or state attorney may also  
675 institute proceedings to enjoin any person found to be violating

676 this section.

677 (5) (a) A person who willfully and knowingly violates any  
678 provision of this section commits a misdemeanor of the first  
679 degree, punishable as provided in s. 775.082 or s. 775.083.

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

684 **Section 16. Section 849.11, Florida Statutes, is amended**  
685 **to read:**

686 849.11 Plays at games of chance by lot.—

687 (1) A person who ~~Whoever sets up, promotes or plays in~~  
688 person or in any other manner, including, but not limited to, by  
689 the use, at least in part, of the Internet, at any game of  
690 chance by lot or with dice, cards, numbers, hazards or any other  
691 gambling device whatever for, or for the disposal of money or  
692 other thing of value or under the pretext of a sale, gift or  
693 delivery thereof, or for any right, share or interest therein,  
694 commits ~~shall be guilty of~~ a misdemeanor of the second degree,  
695 punishable as provided in s. 775.082 or s. 775.083.

696 (2) A person who sets up, operates, conducts, promotes, or  
697 receives in any manner whatsoever any money or other thing of  
698 value offered for the purpose of playing at any game of chance  
699 by lot in violation of subsection (1), or who knowingly becomes  
700 the custodian or depositary of any money or other thing of value

701 so offered, or who aids, assists, abets, or influences in any  
702 manner in any of such acts, commits a felony of the third  
703 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
704 775.084.

705 **Section 17. Section 849.13, Florida Statutes, is amended**  
706 **to read:**

707 849.13 ~~Punishment on~~ Second or subsequent offense in  
708 connection with lotteries conviction. ~~A person who commits a~~  
709 second or subsequent violation of the same ~~Whoever, after being~~  
710 ~~convicted of an offense forbidden by law~~ in connection with  
711 lotteries for which there is no penalty specified for a second  
712 or subsequent offense, shall have the offense reclassified to an  
713 offense of the next higher degree, ~~commits the like offense,~~  
714 ~~shall be guilty of a misdemeanor of the first degree, punishable~~  
715 ~~as provided in s. 775.082 or s. 775.083.~~ For purposes of  
716 sentencing under chapter 921, a felony offense that is  
717 reclassified under this section is ranked one level above the  
718 ranking under s. 921.0022 or s. 921.0023 of the felony offense  
719 committed.

720 **Section 18. Section 849.14, Florida Statutes, is amended**  
721 **to read:**

722 849.14 Unlawful to bet on result of trial or contest of  
723 skill, etc. A person who:

724 (1) Whoever Stakes, bets, or wagers any money or other  
725 thing of value upon the result of any trial or contest of skill,

726 speed or power or endurance of human or beast;i

727 (2) ~~, or whoever~~ Receives in any manner whatsoever any  
728 money or other thing of value staked, bet, or wagered, or  
729 offered for the purpose of being staked, bet, or wagered, by or  
730 for any other person upon any such result;i

731 (3) ~~, or whoever~~ Knowingly becomes the custodian or  
732 depository of any money or other thing of value so staked, bet,  
733 or wagered upon any such result;i or

734 (4) ~~whoever~~ Aids, or assists, or abets, or influences in  
735 any manner in any of such acts,i

736  
737 ~~all of which are hereby forbidden,~~ commits a felony of the third  
738 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or  
739 s. 775.084.

740 **Section 19.** Section 849.142, Florida Statutes, is  
741 repealed.

742 **Section 20. Section 849.15, Florida Statutes, is amended**  
743 **to read:**

744 849.15 Manufacture, sale, possession, etc., of slot  
745 machines or devices prohibited.—

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

747 (a) "Conviction" means a determination of guilt that is  
748 the result of a plea or a trial, regardless of whether  
749 adjudication is withheld or a plea of nolo contendere is  
750 entered.

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

754        1. Has actual authority to act on behalf of the business,  
755        establishment, premises, or other location; or

756        2. Is an officer, director, or managing member of the  
757        business, establishment, premises, or other location.

758        (2)-(1) It is unlawful:

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

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

776        (3) (a) Except as provided in paragraphs (b) and (c), a  
777        person who violates subsection (2) commits a misdemeanor of the  
778        first degree, punishable as provided in s. 775.082 or s.  
779        775.083.

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

783        1. Was a person of authority at the time of the violation;  
784        or  
785        2. Has one prior conviction for a violation of subsection  
786        (2).

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

790        1.a. Was a person of authority at the time of the  
791        violation; and

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

794        2. Has two or more prior convictions for a violation of  
795        subsection (2).

796        (4)-(2) Pursuant to section 2 of that chapter of the  
797        Congress of the United States entitled "An act to prohibit  
798        transportation of gaming devices in interstate and foreign  
799        commerce," approved January 2, 1951, being ch. 1194, 64 Stat.  
800        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, 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).

**Section 21. Section 849.155, Florida Statutes, is created**

to read:

849.155 Trafficking in slot machines, devices, or parts.—A 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. If the quantity of slot machines or devices or any parts thereof involved is:

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

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

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

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

**Section 22. 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 who knowingly and willfully makes a materially false or misleading statement or who knowingly and willfully disseminates false or misleading information regarding the legality of a slot machine or device for the purpose of facilitating the sale or delivery of a slot machine or device for any money or other valuable consideration 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 23.** Section 849.23, Florida Statutes, is repealed.

**Section 24. 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 chapter 546, chapter 550, or chapter 551, or this chapter that 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  
in violation of subsection (2) 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. 775.082, s. 775.083, or s. 775.084.

(c) A person who commits a second or subsequent violation  
of subsection (2) within a 2-year period commits a felony of the  
third degree, punishable as provided in s. 775.082, s. 775.083,  
or s. 775.084.

**Section 25. Section 849.48, Florida Statutes, is created**  
**to read:**

849.48 Gambling or gaming advertisements; prohibited.—

(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.

901       (2) (a) Except as otherwise specifically authorized by law,  
902       a person may not knowingly and intentionally make, publish,  
903       disseminate, circulate, or place before the public, or cause,  
904       directly or indirectly, to be made, published, disseminated,  
905       circulated, or placed before the public in this state, in any  
906       manner, whether in person or by the use, at least in part, of  
907       the Internet, any advertisement, circular, bill, poster,  
908       pamphlet, list, schedule, announcement, or notice for the  
909       purpose of promoting or facilitating illegal gambling.

910       (b) Except as otherwise specifically authorized by law, a  
911       person may not set up any type or plate for any type of  
912       advertisement, circular, bill, poster, pamphlet, list, schedule,  
913       announcement, or notice when he or she knows or reasonably  
914       should know that such material will be used for the purpose of  
915       promoting or facilitating illegal gambling.

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

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

919       2. For a second or subsequent offense, a felony of the  
920       third degree, punishable as provided in s. 775.082, s. 775.083,  
921       or s. 775.084.

922       (3) This section does not prohibit the printing or  
923       producing of any advertisement, circular, bill, poster,  
924       pamphlet, list, schedule, announcement, or notice to be used for  
925       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 26. 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 s. 546.10 or this chapter, except  
as otherwise expressly provided by the State Constitution,  
general law, or special law.

**Section 27. Paragraphs (a), (c), (e), and (g) 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

(a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
104.0616(2)	3rd	Unlawfully distributing,

ordering, requesting,  
collecting, delivering, or  
possessing vote-by-mail  
ballots.

946

212.054 (2) (b)                      3rd      Discretionary sales surtax;  
limitations, administration,  
and collection.

947

212.15 (2) (b)                      3rd      Failure to remit sales taxes,  
amount \$1,000 or more but less  
than \$20,000.

948

316.1935 (1)                      3rd      Fleeing or attempting to elude  
law enforcement officer.

949

319.30 (5)                      3rd      Sell, exchange, give away  
certificate of title or  
identification number plate.

950

319.35 (1) (a)                      3rd      Tamper, adjust, change, etc.,  
an odometer.

951

320.26 (1) (a)                      3rd      Counterfeit, manufacture, or  
sell registration license

plates or validation stickers.

952

322.212  
(1) (a) - (c)

3rd

Possession of forged, stolen,  
counterfeit, or unlawfully  
issued driver license;  
possession of simulated  
identification.

953

322.212 (4)

3rd

Supply or aid in supplying  
unauthorized driver license or  
identification card.

954

322.212 (5) (a)

3rd

False application for driver  
license or identification card.

955

414.39 (3) (a)

3rd

Fraudulent misappropriation of  
public assistance funds by  
employee/official, value more  
than \$200.

956

443.071 (1)

3rd

False statement or  
representation to obtain or  
increase reemployment  
assistance benefits.

957



CS/CS/HB 189

2026

958	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
959	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
960	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
961	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
962	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
963	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
	817.569 (2)	3rd	Use of public record or public records information or providing false information to

CS/CS/HB 189

2026

facilitate commission of a  
felony.

826.01                      3rd      Bigamy.

828.122 (3)                3rd      Fighting or baiting animals.

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

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

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

832.05 (2) (b) &        3rd      Knowing, making, issuing  
(4) (c)                    worthless checks \$150 or more  
or obtaining property in return  
for worthless check \$150 or  
more.

CS/CS/HB 189

2026

970	838.15 (2)	3rd	Commercial bribe receiving.
971	838.16	3rd	Commercial bribery.
972	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
973	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
974	<del>849.09 (1) (a) - (d)</del>	3rd	<del>Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.</del>
975	<del>849.23</del>	3rd	<del>Gambling-related machines; "common offender" as to property rights.</del>
976	<del>849.25 (2)</del>	3rd	<del>Engaging in bookmaking.</del>
977	860.08	3rd	Interfere with a railroad

CS/CS/HB 189

2026

signal.

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

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

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

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

(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.
--------------------------	-----	--

CS/CS/HB 189

2026

987	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
988	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
989	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
990	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
991	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
992	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
993	327.35 (2) (b)	3rd	Felony BUI.

CS/CS/HB 189

2026

994	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
995	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
996	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
997	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.
998	379.2431	3rd	Possessing any marine turtle

Page 46 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

999	(1) (e) 6.		species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.
	379.2431	3rd	Soliciting to commit or
	(1) (e) 7.		conspiring to commit a violation of the Marine Turtle Protection Act.
1000			
	400.9935 (4) (a)	3rd	Operating a clinic, or offering
	or (b)		services requiring licensure, without a license.
1001			
	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
1002			
	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
1003			

CS/CS/HB 189

2026

1004	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
1005	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
1006	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1007	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
1008	697.08	3rd	Equity skimming.
1009	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
	794.053	3rd	Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24



CS/CS/HB 189

2026

1010			years of age or older.
	800.045 (3)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes a lewd or lascivious image.
1011			
	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1012			
	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
1013			
	810.09 (2) (b)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
1014			
	810.145 (2) (c)	3rd	Digital voyeurism; 19 years of age or older.
1015			
	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but

CS/CS/HB 189

2026

1016			less than \$10,000.
	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1017			
	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
1018			
	812.081 (2)	3rd	Theft of a trade secret.
1019			
	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
1020			
	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
1021			
	817.233	3rd	Burning to defraud insurer.
1022			
	817.234	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
	(8) (b) & (c)		
1023			

CS/CS/HB 189

2026

1024	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
1025	817.236	3rd	Filing a false motor vehicle insurance application.
1026	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
1027	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
1028	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.

Page 51 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

CS/CS/HB 189

2026

1029	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
1030	836.13 (2)	3rd	Generating an altered sexual depiction of an identifiable person without consent.
1031	836.13 (4)	3rd	Promoting, or possessing with intent to promote, an altered sexual depiction of an identifiable person without consent.
1032	<u>838.12 (3)</u>	<u>3rd</u>	<u>Betting on predetermined or prearranged professional or amateur game, contest, match, race, or sport.</u>
1033	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
1034	847.01385	3rd	Harmful communication to a minor.

Page 52 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

CS/CS/HB 189

2026

1035	<u>849.01</u>	<u>3rd</u>	<u>Keeping gambling house.</u>
1036	<u>849.02 (2)</u>	<u>3rd</u>	<u>Agents or employees of keeper</u> <u>of gambling house.</u>
1037	<u>849.03 (1)</u>	<u>3rd</u>	<u>Renting house for gambling</u> <u>purposes.</u>
1038	<u>849.086 (12) (e)</u>	<u>3rd</u>	<u>Tampering with cards or card</u> <u>games.</u>
1039	<u>849.09 (1) (a) - (d)</u>	<u>3rd</u>	<u>Lottery; set up, promote, etc.,</u> <u>or assist therein, conduct or</u> <u>advertise drawing for prizes,</u> <u>or dispose of property or money</u> <u>by means of lottery.</u>
1040	<u>849.09 (1) (e) - (k)</u>	<u>3rd</u>	<u>Conducting unlawful lottery;</u> <u>second or subsequent offense.</u>
1041	<u>849.11 (2)</u>	<u>3rd</u>	<u>Offenses relating to games of</u> <u>chance.</u>
1042	<u>849.14</u>	<u>3rd</u>	<u>Betting on result of trial or</u>

CS/CS/HB 189

2026

			<u>contest of skill, etc.</u>
1043	<u>849.15 (3) (b)</u>	<u>3rd</u>	<u>Manufacture, sale, or</u> <u>possession of slot machine; by</u> <u>person of authority or with</u> <u>prior conviction.</u>
1044	<u>849.157 (1)</u>	<u>3rd</u>	<u>False or misleading statement</u> <u>to facilitate sale of slot</u> <u>machines or devices.</u>
1045	<u>849.25 (2)</u>	<u>3rd</u>	<u>Engaging in bookmaking.</u>
1046	<u>849.47 (3) (a) &amp;</u> <u>(b)</u>	<u>3rd</u>	<u>Transporting persons to</u> <u>facilitate illegal gambling;</u> <u>minor, person 65 years of age</u> <u>or older, or 12 or more</u> <u>persons.</u>
1047	860.15 (3)	3rd	Overcharging for repairs and parts.
1048	870.01 (2)	3rd	Riot.
1049	870.01 (4)	3rd	Inciting a riot.

CS/CS/HB 189

2026

1050	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).
1051	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.
1052	893.13(1)(f)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs within 1,000 feet of public housing facility.
1053	893.13(4)(c)	3rd	Use or hire of minor; deliver

			to minor other controlled substances.
1054	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
1055	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
1056	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
1057	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
1058	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.



1059	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.
1060	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.
1061	893.13 (8) (a) 3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
1062	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

CS/CS/HB 189

2026

1063			writing the prescription is a monetary benefit for the practitioner.
	918.13 (1)	3rd	Tampering with or fabricating physical evidence.
1064			
	944.47	3rd	Introduce contraband to
	(1) (a) 1. & 2.		correctional facility.
1065			
	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
1066			
	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
1067			
1068	(e) LEVEL 5		
1069			
	Florida	Felony	
	Statute	Degree	Description
1070			
	316.027 (2) (a)	3rd	Accidents involving personal

CS/CS/HB 189

2026

1071			injuries other than serious bodily injury, failure to stop; leaving scene.
	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.
1072			
	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
1073			
	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1074			
	327.30 (5) (a) 2.	3rd	Vessel accidents involving personal injuries other than serious bodily injury; leaving scene.
1075			
	365.172	2nd	Misuse of emergency

CS/CS/HB 189

2026

1076	(14) (b) 2.		communications system resulting in death.
1077	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 imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.
	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.

CS/CS/HB 189

2026

1078	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
1079	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
1080	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
1081	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
1082	440.381 (2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
1083	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
1084			

CS/CS/HB 189

2026

1085	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
1086	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
1087	790.162	2nd	Threat to throw or discharge destructive device.
1088	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
1089	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
1090	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
1091	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
	800.04 (6) (c)	3rd	Lewd or lascivious conduct;

Page 62 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

CS/CS/HB 189

2026

			offender less than 18 years of age.
1092	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1093	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1094	810.145 (4)	3rd	Commercial digital voyeurism dissemination.
1095	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
1096	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
1097	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.

Page 63 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

CS/CS/HB 189

2026

1098	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1099	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1100	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1101	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
1102	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1103	812.081 (3)	2nd	Trafficking in trade secrets.
1104	812.131 (2) (b)	3rd	Robbery by sudden snatching.
1105	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.



CS/CS/HB 189

2026

1106	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
1107	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
1108	817.2341 (1) , (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
1109	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.
1110			

CS/CS/HB 189

2026

1111	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
1112	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
1113	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
1114	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
1115	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
	839.13 (2) (b)	2nd	Falsifying records of an individual in the care and

CS/CS/HB 189

2026

			custody of a state agency involving great bodily harm or death.
1116	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
1117	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
1118	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1119	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
1120	<u>849.02 (3)</u>	<u>2nd</u>	<u>Agents or employees of keeper of gambling house, third or subsequent offense.</u>
1121	<u>849.03 (2)</u>	<u>2nd</u>	<u>Renting house for gambling purposes; second or subsequent</u>

1122			<u>offense.</u>
	<u>849.15 (3) (c)</u>	<u>2nd</u>	<u>Manufacture, sale, or</u> <u>possession of slot machine; by</u> <u>person of authority of five or</u> <u>more machines or two or more</u> <u>prior convictions.</u>
1123			
	<u>849.157 (2)</u>	<u>2nd</u>	<u>False or misleading statement</u> <u>to facilitate sale of slot</u> <u>machines or devices; five or</u> <u>more machines.</u>
1124			
	<u>849.25 (3)</u>	<u>2nd</u>	<u>Bookmaking; second or</u> <u>subsequent offense.</u>
1125			
	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
1126			
	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
1127			

CS/CS/HB 189

2026

1128	893.13(1)(a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).
1129	893.13(1)(c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
1129	893.13(1)(d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.

CS/CS/HB 189

2026

1130	893.13(1)(e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
1131	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.
1132	893.13(4)(b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
1133	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing

of controlled substance.

(g) LEVEL 7

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

CS/CS/HB 189

2026

1142	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.
1143	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
1144	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
1145	456.065(2)	3rd	Practicing a health care profession without a license.
1146	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1147	458.327(1)	3rd	Practicing medicine without a license.
	459.013(1)	3rd	Practicing osteopathic medicine

Page 72 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2



			without a license.
1148	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1149	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1150	462.17	3rd	Practicing naturopathy without a license.
1151	463.015 (1)	3rd	Practicing optometry without a license.
1152	464.016 (1)	3rd	Practicing nursing without a license.
1153	465.015 (2)	3rd	Practicing pharmacy without a license.
1154	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1155	467.201	3rd	Practicing midwifery without a license.

CS/CS/HB 189

2026

1156	468.366	3rd	Delivering respiratory care services without a license.
1157	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
1158	483.901 (7)	3rd	Practicing medical physics without a license.
1159	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1160	484.053	3rd	Dispensing hearing aids without a license.
1161	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.
1162	560.123 (8) (b) 1.	3rd	Failure to report currency or

Page 74 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

			payment instruments exceeding \$300 but less than \$20,000 by a money services business.
1163	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1164	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1165	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1166	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1167	775.21 (10) (g)	3rd	Failure to report or providing

			false information about a sexual predator; harbor or conceal a sexual predator.
1168	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
1169	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1170	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1171	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

CS/CS/HB 189

2026

1172	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1173	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1174	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1175	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1176	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1177	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1178	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1179	784.08 (2) (a)	1st	Aggravated battery on a person

CS/CS/HB 189

2026

1180			65 years of age or older.
	784.081 (1)	1st	Aggravated battery on specified official or employee.
1181			
	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1182			
	784.083 (1)	1st	Aggravated battery on code inspector.
1183			
	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
1184			
	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
1185			
	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1186			
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of

Page 78 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

1187			an adult from outside Florida to within the state.
	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2) .
1188			
	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.
1189			
	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1190			
	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1191			
	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1192			
	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax

			weapon of mass destruction while committing or attempting to commit a felony.
1193	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
1194	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.
1195	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1196	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1197	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18



			years of age.
1198	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.
1199	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.
1200	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1201	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1202	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1203			

CS/CS/HB 189

2026

1204	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1205	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1206	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.
1207	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1208	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from

CS/CS/HB 189

2026

1209			authorized emergency vehicle.
	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
1210			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1211			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1212			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.
1213			
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1214			
	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1215			
	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to

CS/CS/HB 189

2026

1216			defraud.
	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1217			
	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1218			
	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1219			
	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1220			
	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1221			

CS/CS/HB 189

2026

1222	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1223	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1224	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1225	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.
1226	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1227	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.

CS/CS/HB 189

2026

1228	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
1229	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
1230	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1231	838.015	2nd	Bribery.
1232	838.016	2nd	Unlawful compensation or reward for official behavior.
1233	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1234	838.22	2nd	Bid tampering.
	843.0855 (2)	3rd	Impersonation of a public officer or employee.

Page 86 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

CS/CS/HB 189

2026

1235	843.0855 (3)	3rd	Unlawful simulation of legal process.
1236	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1237	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1238	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1239	<u>849.155</u>	<u>1st</u>	<u>Trafficking in slot machines or devices or any parts thereof.</u>
1240	872.06	2nd	Abuse of a dead human body.
1241	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1242	874.10	1st, PBL	Knowingly initiates, organizes,

1243 plans, finances, directs,  
manages, or supervises criminal  
gang-related activity.

893.13(1)(c)1.            1st    Sell, manufacture, or deliver  
cocaine (or other drug  
prohibited under s.  
893.03(1)(a), (1)(b), (1)(d),  
(2)(a), (2)(b), or (2)(c)5.)  
within 1,000 feet of a child  
care facility, school, or  
state, county, or municipal  
park or publicly owned  
recreational facility or  
community center.

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.



CS/CS/HB 189

2026

1246	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1247	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1248	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
1249	893.135 (1)(c)1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1250	893.135 (1)(c)2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1251	893.135 (1)(c)2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
	893.135	1st	Trafficking in oxycodone, 7

CS/CS/HB 189

2026

1252	(1) (c) 3.a.		grams or more, less than 14 grams.
	893.135	1st	Trafficking in oxycodone, 14
	(1) (c) 3.b.		grams or more, less than 25 grams.
1253			
	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14 grams.
1254			
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.a.		28 grams or more, less than 200 grams.
1255			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.
1256			
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
1257			
	893.135	1st	Trafficking in flunitrazepam, 4
	(1) (g) 1.a.		grams or more, less than 14

CS/CS/HB 189

2026

			grams.
1258	893.135	1st	Trafficking in gamma-
	(1) (h) 1.a.		hydroxybutyric acid (GHB), 1
			kilogram or more, less than 5
			kilograms.
1259	893.135	1st	Trafficking in 1,4-Butanediol,
	(1) (j) 1.a.		1 kilogram or more, less than 5
			kilograms.
1260	893.135	1st	Trafficking in Phenethylamines,
	(1) (k) 2.a.		10 grams or more, less than 200
			grams.
1261	893.135	1st	Trafficking in synthetic
	(1) (m) 2.a.		cannabinoids, 280 grams or
			more, less than 500 grams.
1262	893.135	1st	Trafficking in synthetic
	(1) (m) 2.b.		cannabinoids, 500 grams or
			more, less than 1,000 grams.
1263	893.135	1st	Trafficking in n-benzyl
	(1) (n) 2.a.		phenethylamines, 14 grams or

CS/CS/HB 189

2026

1264			more, less than 100 grams.
	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1265			
	896.101(5)(a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1266			
	896.104(4)(a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1267			
	943.0435(4)(c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1268			
	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

Page 92 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

CS/CS/HB 189

2026

1269	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1270	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1271	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1272	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
1273	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1274	944.607 (12)	3rd	Failure to report or providing

Page 93 of 98

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb189-02-c2

1275			false information about a sexual offender; harbor or conceal a sexual offender.
	944.607(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1276			
	985.4815(10)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
1277			
	985.4815(12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1278			
	985.4815(13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1279			

1280       **Section 28. Paragraph (a) of subsection (1) and paragraph**  
1281 **(a) of subsection (2) of section 772.102, Florida Statutes, are**  
1282 **amended to read:**

1283       772.102 Definitions.—As used in this chapter, the term:

1284       (1) "Criminal activity" means to commit, to attempt to  
1285 commit, to conspire to commit, or to solicit, coerce, or  
1286 intimidate another person to commit:

1287       (a) Any crime that is chargeable by indictment or  
1288 information under the following provisions:

1289       1. Section 210.18, relating to evasion of payment of  
1290 cigarette taxes.

1291       2. Section 414.39, relating to public assistance fraud.

1292       3. Section 440.105 or s. 440.106, relating to workers'  
1293 compensation.

1294       4. Part IV of chapter 501, relating to telemarketing.

1295       5. Chapter 517, relating to securities transactions.

1296       6. Section 550.235 or s. 550.3551, relating to dogracing  
1297 and horseracing.

1298       7. Chapter 550, relating to jai alai frontons.

1299       8. Chapter 552, relating to the manufacture, distribution,  
1300 and use of explosives.

1301       9. Chapter 562, relating to beverage law enforcement.

1302       10. Section 624.401, relating to transacting insurance  
1303 without a certificate of authority, s. 624.437(4)(c)1., relating  
1304 to operating an unauthorized multiple-employer welfare

1305 arrangement, or s. 626.902(1)(b), relating to representing or  
 1306 aiding an unauthorized insurer.

1307       11. Chapter 687, relating to interest and usurious  
 1308 practices.

1309       12. Section 721.08, s. 721.09, or s. 721.13, relating to  
 1310 real estate timeshare plans.

1311       13. Chapter 782, relating to homicide.

1312       14. Chapter 784, relating to assault and battery.

1313       15. Chapter 787, relating to kidnapping or human  
 1314 trafficking.

1315       16. Chapter 790, relating to weapons and firearms.

1316       17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,  
 1317 relating to prostitution.

1318       18. Chapter 806, relating to arson.

1319       19. Section 810.02(2)(c), relating to specified burglary  
 1320 of a dwelling or structure.

1321       20. Chapter 812, relating to theft, robbery, and related  
 1322 crimes.

1323       21. Chapter 815, relating to computer-related crimes.

1324       22. Chapter 817, relating to fraudulent practices, false  
 1325 pretenses, fraud generally, and credit card crimes.

1326       23. Section 827.071, relating to commercial sexual  
 1327 exploitation of children.

1328       24. Chapter 831, relating to forgery and counterfeiting.

1329       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. 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 29. 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 30.** This act shall take effect October 1, 2026.