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1
2 An act relating to naturopathic medicine; amending s.
3 456.47, F.S.; revising the definition of the term
4 "telehealth provider" to include licensed naturopathic
5 doctors; renaming ch. 462, F.S., as "Naturopathic
6 Medicine"; creating s. 462.001, F.S.; providing
7 legislative findings and intent; creating s. 462.002,
8 F.S.; providing applicability and construction;
9 renumbering and amending s. 462.01, F.S.; revising and
10 providing definitions; creating s. 462.004, F.S.;
11 creating the Board of Naturopathic Medicine within the
12 Department of Health; providing for membership of the
13 board; providing applicability; renumbering and
14 amending s. 462.023, F.S.; requiring the board and the
15 department to adopt rules; deleting obsolete language;
16 creating s. 462.006, F.S.; prohibiting unlicensed
17 persons from practicing naturopathic medicine or
18 promoting, identifying, or describing themselves using
19 specified titles or abbreviations; providing criminal
20 penalties; creating s. 462.007, F.S.; providing for
21 licensure by examination of naturopathic doctors;
22 prohibiting the board from certifying certain
23 applicants for licensure until a certain investigation
24 is completed; authorizing the board to take specified
25 actions if it determines that an applicant does not
26 meet all of the requirements for licensure; creating
27 s. 462.008, F.S.; providing for licensure by
28 endorsement of naturopathic doctors; renumbering and
29 amending s. 462.08, F.S.; revising requirements for

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30 licensure renewal for naturopathic doctors; requiring
31 the department to renew a license under certain
32 circumstances; requiring the department to adopt
33 rules; renumbering and amending s. 462.18, F.S.;
34 revising continuing education requirements for
35 naturopathic doctors; requiring naturopathic doctors
36 to use the department's electronic continuing
37 education tracking system to demonstrate compliance
38 with continuing education requirements; renumbering
39 and amending s. 462.19, F.S.; revising provisions
40 related to reactivation of inactive naturopathic
41 doctor licenses; requiring the board to adopt rules;
42 specifying requirements for such rules; renumbering
43 and amending s. 462.14, F.S.; revising grounds for
44 disciplinary action; authorizing the board, rather
45 than the department, to enter an order denying
46 licensure or imposing disciplinary action for
47 specified violations; requiring the board, rather than
48 the department, to establish by rule disciplinary
49 guidelines; repealing s. 462.17, F.S., relating to
50 penalty for offenses relating to naturopathy; amending
51 ss. 20.43, 381.0031, 468.301, 476.044, 477.0135,
52 485.003, 486.161, 627.351, 893.02, and 921.0022, F.S.;
53 conforming provisions to changes made by the act;
54 providing an effective date.

55
56 Be It Enacted by the Legislature of the State of Florida:

57
58 Section 1. Paragraph (b) of subsection (1) of section

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59 456.47, Florida Statutes, is amended to read:

60 456.47 Use of telehealth to provide services.—

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

62 (b) “Telehealth provider” means any individual who provides
63 health care and related services using telehealth and who is
64 licensed or certified under s. 393.17; part III of chapter 401;
65 chapter 457; chapter 458; chapter 459; chapter 460; chapter 461;
66 chapter 462; chapter 463; chapter 464; chapter 465; chapter 466;
67 chapter 467; part I, part III, part IV, part V, part X, part
68 XIII, or part XIV of chapter 468; chapter 478; chapter 480; part
69 I, part II, or part III of chapter 483; chapter 484; chapter
70 486; chapter 490; or chapter 491; who is licensed under a
71 multistate health care licensure compact of which Florida is a
72 member state; or who is registered under and complies with
73 subsection (4).

74 Section 2. Chapter 462, Florida Statutes, entitled
75 “Naturopathy,” is renamed as “Naturopathic Medicine.”

76 Section 3. Section 462.001, Florida Statutes, is created to
77 read:

78 462.001 Legislative findings and intent.—The Legislature
79 finds that the interest of public health requires modernization
80 of regulation related to naturopathy in this state. Since 1927,
81 when Florida first regulated naturopathy, the profession and its
82 role in the health care industry have evolved, including the
83 distinction that exists today between naturopathy and
84 naturopathic medicine, and this chapter reflects that evolution.
85 It is the intent of the Legislature to remove the near total ban
86 on the profession which has been in effect in this state since
87 1959 and ensure that:

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88 (1) Naturopaths can freely offer naturopathy in this state.

89 (2) The safe and effective practice of naturopathic
90 medicine can once again take place in this state through
91 licensure of naturopathic doctors who meet minimum standards of
92 education and training and who are held accountable for the safe
93 practice of naturopathic medicine.

94 Section 4. Section 462.002, Florida Statutes, is created to
95 read:

96 462.002 Exceptions.—

97 (1) This chapter does not apply to:

98 (a) Other duly licensed health care practitioners acting
99 within their respective scopes of practice, as authorized by
100 statute.

101 (b) Students practicing under the direct supervision of a
102 licensed naturopathic doctor as part of a preceptorship program
103 while enrolled in a college or university program that is
104 accredited by, or has candidacy status with, the Council on
105 Naturopathic Medical Education or an equivalent accrediting body
106 for the naturopathic medical profession which is recognized by
107 the United States Department of Education or the board.

108 (c) Naturopathic residents practicing under the direct
109 supervision of a licensed naturopathic doctor at a residency
110 site recognized by the Council on Naturopathic Medical Education
111 or by an equivalent accrediting body for the naturopathic
112 medical profession which is recognized by the United States
113 Department of Education or the board.

114 (d) A naturopathic doctor who holds an active license in
115 another jurisdiction of the United States or Canada and is
116 performing naturopathic procedures or demonstrating equipment or

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117 supplies for educational purposes in a board-approved continuing
118 education program.

119 (e) The practice of the religious tenets of any church in
120 this state.

121 (f) The domestic administration of recognized family
122 remedies.

123 (2) This chapter does not prohibit:

124 (a) A person who sells a dietary supplement from providing
125 information about the dietary supplement.

126 (b) Any person:

127 1. Not licensed as a naturopathic doctor from employing in
128 her or his occupation Ayurveda, herbalism, homeopathy,
129 naturopathy as defined in s. 462.003, nutrition, traditional
130 Chinese medicine, or other natural therapy included as part of
131 the practice of naturopathic medicine as defined in s. 462.003;
132 or

133 2. From using such terms as "certified naturopath,"
134 "naturopath," "naturopathy," "traditional naturopath," or
135 "traditional naturopathy," provided that the person does not:

136 a. Use a title protected under s. 462.006(1); or

137 b. Represent herself or himself as, or otherwise assume the
138 character or appearance of, a naturopathic doctor.

139 Section 5. Section 462.01, Florida Statutes, is renumbered
140 as section 462.003, Florida Statutes, and amended to read:

141 462.003 ~~462.01~~ Definitions.—As used in this chapter, the
142 term:

143 (1) "Board" means the Board of Naturopathic Medicine.

144 (2) "Department" means the Department of Health.

145 (3) "Naturopathic doctor" means a person who is licensed

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146 under this chapter to practice naturopathic medicine.

147 (4) "Naturopathic medicine" or "the practice of
148 naturopathic medicine" means the diagnosis, prevention, and
149 treatment by a naturopathic doctor of any deformity, disease,
150 injury, pain, or other mental or physical condition using
151 botanical or fungal extracts, clinical nutrition, counseling
152 techniques, dietary supplements, environmental medicine,
153 homeopathic remedies, imaging studies, laboratory testing,
154 lifestyle medicine, natural substances, physical examination, or
155 physical medicine in a manner consistent with the education
156 offered by naturopathic doctoral degree programs accredited by,
157 or having candidacy status with, the Council on Naturopathic
158 Medical Education or another accrediting agency recognized by
159 the United States Department of Education or the board, and
160 applied in a manner consistent with the principles of
161 naturopathic medicine and the naturopathic therapeutic order
162 defined herein. The term does not include any of the following:

163 (a) Prescribing, dispensing, or administering any legend or
164 prescription drug other than natural, nonpharmacologic
165 substances, including, but not limited to, vitamin B12.

166 (b) Performing any surgical procedure.

167 (c) Practicing or claiming to practice as a medical doctor
168 or physician, an osteopathic physician, a dentist, a podiatric
169 physician, an optometrist, a psychologist, a nurse practitioner,
170 a physician assistant, a chiropractic physician, a physical
171 therapist, an acupuncturist, a midwife, a licensed dietitian, or
172 any other health care practitioner as defined in s. 456.001.

173 (d) Using general or spinal anesthetics.

174 (e) Administering ionizing radioactive substances.

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175 (f) Performing chiropractic or osteopathic adjustments or
176 manipulations that include high-velocity thrusts at or beyond
177 the end range of normal joint motion, unless the naturopathic
178 doctor is also licensed as a chiropractic physician or an
179 osteopathic physician.

180 (g) Performing acupuncture, unless the naturopathic doctor
181 is also licensed as an acupuncturist.

182 (h) Managing labor and delivery, unless the naturopathic
183 doctor is also a licensed midwife or physician.

184 (5) "Naturopathic therapeutic order" means the principle
185 defined by the American Association of Naturopathic Physicians
186 to guide naturopathic doctors in reducing or resolving a
187 patient's symptoms by addressing the root cause of a patient's
188 condition while using the least therapeutic force necessary.

189 (6)(1) "Natureopathy" and "Naturopathy," which is shall be
190 construed as synonymous with "traditional naturopathy" and is
191 understood to be distinct from naturopathic medicine, means the
192 traditional, noninvasive health practice offered by naturopaths
193 and traditional naturopaths focusing on education about natural
194 practices and substances that can be used to promote general
195 health and well-being terms and mean the use and practice of
196 psychological, mechanical, and material health sciences to aid
197 in purifying, cleansing, and normalizing human tissues for the
198 preservation or restoration of health, according to the
199 fundamental principles of anatomy, physiology, and applied
200 psychology, as may be required. Naturopathic practice employs,
201 among other agencies, phytotherapy, dietetics, psychotherapy,
202 suggestotherapy, hydrotherapy, zone therapy, biochemistry,
203 external applications, electrotherapy, mechanotherapy,

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204 ~~mechanical and electrical appliances, hygiene, first aid,~~
205 ~~sanitation, and heliotherapy; provided, however, that nothing in~~
206 ~~this chapter shall be held or construed to authorize any~~
207 ~~naturopathic physician licensed hereunder to practice materia~~
208 ~~medica or surgery or chiropractic medicine, nor shall the~~
209 ~~provisions of this law in any manner apply to or affect the~~
210 ~~practice of osteopathic medicine, chiropractic medicine,~~
211 ~~Christian Science, or any other treatment authorized and~~
212 ~~provided for by law for the cure or prevention of disease and~~
213 ~~ailments.~~

214 ~~(2) "Department" means the Department of Health.~~

215 (7) "Principles of naturopathic medicine" means the
216 philosophic foundation of naturopathic medical education and
217 practice as set forth by the American Association of
218 Naturopathic Physicians or the board and embodied in the
219 education offered by naturopathic doctoral degree programs
220 accredited by, or having candidacy status with, the Council on
221 Naturopathic Medical Education or another accrediting agency
222 recognized by the United States Department of Education or the
223 board, and includes the following principles:

224 (a) The healing power of nature.

225 (b) Identify and treat the causes.

226 (c) First, do no harm.

227 (d) Doctor as teacher.

228 (e) Treat the whole person.

229 (f) Prevention.

230 Section 6. Section 462.004, Florida Statutes, is created to
231 read:

232 462.004 Board of Naturopathic Medicine.—

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233 (1) The Board of Naturopathic Medicine is created within
234 the department and shall be composed of seven members appointed
235 by the Governor and confirmed by the Senate. All members must be
236 residents of this state.

237 (2) (a) Four members of the board must be licensed
238 naturopathic doctors. The first four members appointed to the
239 board must meet the criteria specified in paragraphs s.
240 462.007(1)(b), (c), and (f).

241 (b) Two members of the board must be physicians licensed
242 under chapter 458 or chapter 459.

243 (c) One member of the board must never have been licensed
244 as a naturopathic doctor, a physician, or a practitioner of any
245 other closely related profession.

246 (3) Members shall serve for 4-year staggered terms. A
247 vacancy on the board shall be filled in the same manner as the
248 original appointment. A member whose term expires shall serve
249 until the Governor appoints the member's successor.

250 (4) All provisions of chapter 456 relating to regulatory
251 boards shall apply to the board.

252 Section 7. Section 462.023, Florida Statutes, is renumbered
253 as section 462.005, Florida Statutes, and amended to read:

254 462.005 ~~462.023~~ Rulemaking authority; fees ~~powers and~~
255 ~~duties of the department.~~ The board and the department shall
256 adopt rules to implement this chapter. ~~The department may adopt~~
257 ~~such rules as are necessary to carry out the purposes of this~~
258 ~~chapter, initiate disciplinary action as provided by this~~
259 ~~chapter, and shall establish fees based on its estimates of the~~
260 ~~revenue required to administer this chapter but shall not exceed~~
261 ~~the fee amounts provided in this chapter. The department shall~~

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262 ~~not adopt any rules which would cause any person who was not~~
263 ~~licensed in accordance with this chapter on July 1, 1959, and~~
264 ~~had not been a resident of the state for 2 years prior to such~~
265 ~~date, to become licensed.~~

266 Section 8. Section 462.006, Florida Statutes, is created to
267 read:

268 462.006 License required.—

269 (1) Unless licensed under this chapter, a person may not
270 practice naturopathic medicine in this state and may not
271 promote, identify, or describe herself or himself as a "doctor
272 of naturopathic medicine" or a "naturopathic doctor" or use the
273 abbreviations "N.D." or "N.M.D."

274 (2) A person who violates this section commits a
275 misdemeanor of the second degree, punishable as provided in s.
276 775.082 or s. 775.083.

277 Section 9. Section 462.007, Florida Statutes, is created to
278 read:

279 462.007 Licensure by examination.—

280 (1) Any person desiring to be licensed as a naturopathic
281 doctor must apply to the department on forms furnished by the
282 department. The department shall license each applicant who
283 completes the application form and who the board certifies has
284 met all of the following criteria:

285 (a) Is at least 21 years of age.

286 (b) Has received a bachelor's degree from one of the
287 following:

288 1. A college or university accredited by an accrediting
289 agency recognized by the United States Department of Education
290 or the Council for Higher Education Accreditation or a successor

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291 entity recognized by the board;

292 2. A college or university in Canada which is a member of
293 Universities Canada or a successor entity recognized by the
294 board; or

295 3. A college or university in a foreign country, other than
296 Canada, if the applicant has provided evidence that her or his
297 educational credentials are deemed equivalent to those provided
298 in the United States or Canada. To have educational credentials
299 deemed equivalent, the applicant must provide her or his foreign
300 educational credentials, including transcripts, course
301 descriptions or syllabi, and diplomas, to a nationally
302 recognized educational credential evaluating agency approved by
303 the board for the evaluation and determination of equivalency of
304 the foreign educational credentials.

305 (c) Has received a naturopathic doctoral degree from a
306 college or program accredited by, or having candidacy status
307 with, the Council on Naturopathic Medical Education or another
308 accrediting agency recognized by the United States Department of
309 Education or the board.

310 (d) Is of good moral character.

311 (e) Has submitted to background screening in accordance
312 with s. 456.0135.

313 (f) Has obtained a passing score on Part I - Biomedical
314 Science Examination and Part II - Core Clinical Science
315 Examination of the competency-based national Naturopathic
316 Physician Licensing Examination administered by the North
317 American Board of Naturopathic Examiners, or an equivalent
318 examination offered by an equivalent or successor entity, as
319 approved by the board.

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320 (2) The board may not certify to the department for
321 licensure any applicant who is under investigation in another
322 jurisdiction for an offense that would constitute a violation of
323 this chapter or chapter 456 until the investigation has been
324 completed.

325 (3) If the board determines that an applicant for licensure
326 does not meet all of the requirements of this section to the
327 board's satisfaction, it may take one of the following actions:

328 (a) Refuse to certify to the department an application for
329 licensure.

330 (b) Certify to the department an application for licensure
331 with restrictions on the scope of practice of the naturopathic
332 doctor.

333 (c) Certify to the department an application for licensure
334 with a probationary period for the applicant, subject to such
335 conditions as the board specifies, including, but not limited
336 to, requiring the naturopathic doctor to submit to treatment,
337 attend continuing education courses, submit to reexamination, or
338 work under the supervision of another naturopathic doctor.

339 Section 10. Section 462.008, Florida Statutes, is created
340 to read:

341 462.008 Licensure by endorsement.—The department shall
342 issue a license to practice naturopathic medicine by endorsement
343 to an applicant who, upon applying to the department on forms
344 furnished by the department, the board certifies has met the
345 requirements for licensure by endorsement under s. 456.0145.

346 Section 11. Section 462.08, Florida Statutes, is renumbered
347 as section 462.009, Florida Statutes, and amended to read:

348 462.009 ~~462.08~~ Renewal of license to practice naturopathic

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349 medicine naturopathy.—

350 (1) In order to continue practicing naturopathic medicine
351 in this state, each licensed naturopathic doctor must
352 ~~licenseholder shall~~ biennially renew her or his license to
353 practice naturopathic medicine naturopathy. The department shall
354 renew a license upon receipt of the renewal application,
355 verification of ~~The applicant must furnish to the department~~
356 ~~such evidence as it requires of the applicant's~~ compliance with
357 s. 462.011 s. 462.18, relating to continuing education
358 ~~educational~~ requirements, and receipt of a nonrefundable. ~~The~~
359 biennial renewal fee, the amount of which shall be determined by
360 the department but which may not exceed \$1,000, ~~must be paid at~~
361 ~~the time the application for renewal of the license is filed.~~

362 (2) The department shall adopt rules establishing
363 procedures for the biennial renewal of licenses under this
364 chapter.

365 Section 12. Section 462.18, Florida Statutes, is renumbered
366 as section 462.011, Florida Statutes, and amended to read:

367 462.011 462.18 Continuing education ~~Educational~~
368 requirements.—

369 (1) At the time each licensee renews ~~shall renew~~ her or his
370 license as ~~otherwise~~ provided in s. 462.009 ~~this chapter,~~ each
371 licensee must submit, ~~in addition to the payment of the regular~~
372 ~~renewal fee,~~ ~~shall furnish~~ to the department satisfactory
373 evidence that, in the preceding biennial period, the licensee
374 has completed the continuing education requirements of this
375 section.

376 (2) The board shall require each licensee to complete at
377 least 60 hours of continuing education during each biennial

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378 renewal period.

379 (a) The board shall approve organizations that accredit
380 naturopathic continuing education providers, including, but not
381 limited to, the American Association of Naturopathic Physicians
382 and the North American Naturopathic Continuing Education
383 Accreditation Council.

384 (b) The determination of whether substitute continuing
385 education programs are permissible is solely within the
386 discretion of the board.

387 (3) The licensee must use the electronic continuing
388 education tracking system developed by the department under s.
389 456.0361 to demonstrate compliance with the continuing education
390 requirements of this section ~~year preceding each such~~
391 application for renewal, the licensee has attended the 2-day
392 educational program as promulgated and conducted by the Florida
393 Naturopathic Physicians Association, Inc., or, as a substitute
394 therefor, the equivalent of that program as approved by the
395 department. The department shall send a written notice to this
396 effect to every person holding a valid license to practice
397 naturopathy within this state at least 30 days prior to May 1 in
398 each even-numbered year, directed to the last known address of
399 such licensee, and shall enclose with the notice proper blank
400 forms for application for annual license renewal. All of the
401 details and requirements of the aforesaid educational program
402 shall be adopted and prescribed by the department. In the event
403 of national emergencies, or for sufficient reason, the
404 department shall have the power to excuse the naturopathic
405 physicians as a group or as individuals from taking this
406 postgraduate course.

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407 ~~(2) The determination of whether a substitute annual~~
408 ~~educational program is necessary shall be solely within the~~
409 ~~discretion of the department.~~

410 Section 13. Section 462.19, Florida Statutes, is renumbered
411 as section 462.012, Florida Statutes, and amended to read:

412 462.012 462.19 Renewal of license; Inactive status; renewal
413 and reactivation of inactive license.-

414 ~~(1) The department shall renew a license upon receipt of~~
415 ~~the renewal application and fee.~~

416 ~~(2)~~ A licensee may request that her or his license be
417 placed in an inactive status by making application to the
418 department and paying a fee in an amount set by the department
419 not to exceed \$50.

420 (2) The board shall adopt rules relating to the
421 reactivation of licenses that have become inactive and the
422 renewal of inactive licenses. The rules must include continuing
423 education requirements as a condition for reactivating a
424 license. The continuing education requirements for reactivating
425 a license may not be fewer than 20 classroom hours for each year
426 the license was inactive.

427 Section 14. Section 462.14, Florida Statutes, is renumbered
428 as section 462.017, Florida Statutes, and amended to read:

429 462.017 462.14 Grounds for disciplinary action; action by
430 the department.-

431 (1) The following acts constitute grounds for denial of a
432 license or disciplinary action, as specified in s. 456.072(2):

433 (a) Attempting to obtain, obtaining, or renewing a license
434 to practice naturopathic medicine by bribery, by fraudulent
435 misrepresentation, or through an error of the department.

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436 (b) Having a license to practice naturopathic medicine
437 revoked, suspended, or otherwise acted against, including the
438 denial of licensure, by the licensing authority of another
439 state, territory, or country.

440 (c) Being convicted or found guilty, regardless of
441 adjudication, of a crime in any jurisdiction which directly
442 relates to the practice of naturopathic medicine or to the
443 ability to practice naturopathic medicine. Any plea of nolo
444 contendere shall be considered a conviction for purposes of this
445 chapter.

446 (d) Engaging in false, deceptive, or misleading advertising
447 related to the practice of naturopathic medicine.

448 (e) Advertising, practicing, or attempting to practice
449 under a name other than one's own.

450 (f) Failing to report to the department any person who the
451 licensee knows is in violation of this chapter or of the rules
452 of the department. However, a person who the licensee knows is
453 unable to practice naturopathic medicine with reasonable skill
454 and safety to patients by reason of illness or use of alcohol,
455 drugs, narcotics, chemicals, or any other type of material, or
456 as a result of a mental or physical condition, may be reported
457 to a consultant operating an impaired practitioner program as
458 described in s. 456.076 rather than to the department.

459 (g) Aiding, assisting, procuring, employing, or advising
460 any unlicensed person to practice naturopathic medicine contrary
461 to this chapter or to a rule of the department.

462 (h) Failing to perform any statutory or legal obligation
463 placed upon a licensed naturopathic doctor ~~physician~~.

464 (i) Making or filing a report which the licensee knows to

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465 be false, intentionally or negligently failing to file a report
466 or record required by state or federal law, willfully impeding
467 or obstructing such filing or inducing another person to do so.
468 Such reports or records shall include only those which are
469 signed in the capacity as a licensed naturopathic doctor
470 physician.

471 ~~(j) Paying or receiving any commission, bonus, kickback, or~~
472 ~~rebate, or engaging in any split-fee arrangement in any form~~
473 ~~whatsoever with a physician, organization, agency, or person,~~
474 ~~either directly or indirectly, for patients referred to~~
475 ~~providers of health care goods and services, including, but not~~
476 ~~limited to, hospitals, nursing homes, clinical laboratories,~~
477 ~~ambulatory surgical centers, or pharmacies. The provisions of~~
478 ~~This paragraph shall not be construed to prevent a naturopathic~~
479 ~~physician from receiving a fee for professional consultation~~
480 ~~services.~~

481 ~~(k)~~ Exercising influence in within a patient-naturopathic
482 doctor patient-physician relationship for purposes of engaging a
483 patient in sexual activity. A patient is ~~shall be~~ presumed to be
484 incapable of giving free, full, and informed consent to sexual
485 activity with her or his naturopathic doctor physician.

486 ~~(l) Making deceptive, untrue, or fraudulent representations~~
487 ~~in the practice of naturopathic medicine or employing a trick or~~
488 ~~scheme in the practice of naturopathic medicine when such scheme~~
489 ~~or trick fails to conform to the generally prevailing standards~~
490 ~~of treatment in the medical community.~~

491 ~~(m) Soliciting patients, either personally or through an~~
492 ~~agent, through the use of fraud, intimidation, undue influence,~~
493 ~~or a form of overreaching or vexatious conduct. A "solicitation"~~

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494 ~~is any communication which directly or implicitly requests an~~
495 ~~immediate oral response from the recipient.~~

496 ~~(k)(n) Failing to keep written medical records justifying~~
497 ~~the course of treatment of the patient, including, but not~~
498 ~~limited to, patient histories, examination results, test~~
499 ~~results, X rays, and records of the prescribing, dispensing and~~
500 ~~administering of drugs.~~

501 ~~(l)(o) Exercising influence on the patient or client in~~
502 ~~such a manner as to exploit the patient or client for the~~
503 ~~financial gain of the licensee or of a third party, which shall~~
504 ~~include, but not be limited to, the promoting or selling of~~
505 ~~services, goods, appliances, or drugs and the promoting or~~
506 ~~advertising on any prescription form of a community pharmacy~~
507 ~~unless the form also states "This prescription may be filled at~~
508 ~~any pharmacy of your choice."~~

509 ~~(p) Performing professional services which have not been~~
510 ~~duly authorized by the patient or client, or her or his legal~~
511 ~~representative, except as provided in s. 743.064, s. 766.103, or~~
512 ~~s. 768.13.~~

513 ~~(q) Prescribing, dispensing, administering, mixing, or~~
514 ~~otherwise preparing a legend drug, including any controlled~~
515 ~~substance, other than in the course of the naturopathic~~
516 ~~physician's professional practice. For the purposes of this~~
517 ~~paragraph, it shall be legally presumed that prescribing,~~
518 ~~dispensing, administering, mixing, or otherwise preparing legend~~
519 ~~drugs, including all controlled substances, inappropriately or~~
520 ~~in excessive or inappropriate quantities is not in the best~~
521 ~~interest of the patient and is not in the course of the~~
522 ~~naturopathic physician's professional practice, without regard~~

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523 ~~to her or his intent.~~

524 ~~(r) Prescribing, dispensing, or administering any medicinal~~
525 ~~drug appearing on any schedule set forth in chapter 893 by the~~
526 ~~naturopathic physician to herself or himself, except one~~
527 ~~prescribed, dispensed, or administered to the naturopathic~~
528 ~~physician by another practitioner authorized to prescribe,~~
529 ~~dispense, or administer medicinal drugs.~~

530 ~~(m)(s)~~ Being unable to practice naturopathic medicine with
531 reasonable skill and safety to patients by reason of illness or
532 use of alcohol, drugs, narcotics, chemicals, or any other type
533 of material or as a result of any mental or physical condition.
534 In enforcing this paragraph, ~~the department shall have,~~ upon a
535 finding of the State Surgeon General or her or his designee that
536 probable cause exists to believe that the licensee is unable to
537 serve as a naturopathic doctor due to the reasons stated in this
538 paragraph, the department shall have the authority to issue an
539 order to compel the licensee, ~~authority to compel a naturopathic~~
540 ~~physician~~ to submit to a mental or physical examination by a
541 physician ~~physicians~~ designated by the department. If the
542 licensee does not comply with such order, the department's order
543 directing failure of a naturopathic physician to submit to such
544 an examination may be enforced by filing a petition for
545 enforcement in the circuit court for the county in which the
546 naturopathic doctor resides or does business. The naturopathic
547 doctor against whom the petition is filed may not be named or
548 identified by initials in any public court record or document,
549 and the proceedings must be closed to the public. The department
550 is entitled to the summary procedure provided in s. 51.011 ~~when~~
551 ~~so directed shall constitute an admission of the allegations~~

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552 ~~against her or him upon which a default and final order may be~~
553 ~~entered without the taking of testimony or presentation of~~
554 ~~evidence, unless the failure was due to circumstances beyond the~~
555 ~~naturopathic physician's control.~~ A naturopathic doctor subject
556 to an order issued ~~physician affected~~ under this paragraph must,
557 ~~shall~~ at reasonable intervals, be afforded an opportunity to
558 demonstrate that she or he can resume the competent practice of
559 naturopathic medicine with reasonable skill and safety to
560 patients. In any proceeding under this paragraph, neither the
561 record of proceedings nor the orders entered by the department
562 may be used against a naturopathic doctor ~~physician~~ in any other
563 proceeding.

564 (n) ~~(t)~~ Engaging in gross or repeated malpractice or the
565 failure to practice naturopathic medicine with that level of
566 care, skill, and treatment which is recognized by a reasonably
567 prudent similar physician as being acceptable under similar
568 conditions and circumstances. ~~The department shall give great~~
569 ~~weight to the provisions of s. 766.102 when enforcing this~~
570 ~~paragraph.~~

571 ~~(u)~~ ~~Performing any procedure or prescribing any therapy~~
572 ~~which, by the prevailing standards of medical practice in the~~
573 ~~community, constitutes experimentation on a human subject,~~
574 ~~without first obtaining full, informed, and written consent.~~

575 (o) ~~(v)~~ Practicing or offering to practice beyond the scope
576 permitted by law or accepting and performing professional
577 responsibilities which the licensee knows or has reason to know
578 ~~that~~ she or he is not competent to perform.

579 (p) ~~(w)~~ Delegating professional responsibilities to a person
580 when the licensee delegating such responsibilities knows or has

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581 reason to know that such person is not qualified by training,
582 experience, or licensure to perform them.

583 (q)~~(x)~~ Violating a lawful order of the board ~~the department~~
584 previously entered in a disciplinary hearing or failing to
585 comply with a lawfully issued subpoena of the board or
586 department.

587 (r)~~(y)~~ Conspiring with another licensee or with any other
588 person to commit an act, or committing an act, which would tend
589 to coerce, intimidate, or preclude another licensee from
590 lawfully advertising her or his services.

591 (s) Engaging in fraud or deceit or gross negligence,
592 incompetence, or misconduct in the operation of a course of
593 study.

594 (t) Failing to comply with state, county, or municipal
595 regulations or reporting requirements relating to public health
596 and the control of contagious and infectious diseases

597 ~~(z) Procuring, or aiding or abetting in the procuring of,~~
598 ~~an unlawful termination of pregnancy.~~

599 ~~(aa) Presigning blank prescription forms.~~

600 ~~(bb) Prescribing by the naturopathic physician for office~~
601 ~~use any medicinal drug appearing on Schedule II in chapter 893.~~

602 ~~(cc) Prescribing, ordering, dispensing, administering,~~
603 ~~supplying, selling, or giving any drug which is an amphetamine~~
604 ~~or sympathomimetic amine drug, or a compound designated pursuant~~
605 ~~to chapter 893 as a Schedule II controlled substance to or for~~
606 ~~any person except for:~~

607 ~~1. The treatment of narcolepsy; hyperkinesis; behavioral~~
608 ~~syndrome in children characterized by the developmentally~~
609 ~~inappropriate symptoms of moderate to severe distractability,~~

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610 ~~short attention span, hyperactivity, emotional lability, and~~
611 ~~impulsivity; or drug-induced brain dysfunction.~~

612 ~~2. The differential diagnostic psychiatric evaluation of~~
613 ~~depression or the treatment of depression shown to be refractory~~
614 ~~to other therapeutic modalities.~~

615 ~~3. The clinical investigation of the effects of such drugs~~
616 ~~or compounds when an investigative protocol therefor is~~
617 ~~submitted to, reviewed, and approved by the department before~~
618 ~~such investigation is begun.~~

619 ~~(dd) Prescribing, ordering, dispensing, administering,~~
620 ~~supplying, selling, or giving growth hormones, testosterone or~~
621 ~~its analogs, human chorionic gonadotropin (HCG), or other~~
622 ~~hormones for the purpose of muscle building or to enhance~~
623 ~~athletic performance. For the purposes of this subsection, the~~
624 ~~term "muscle building" does not include the treatment of injured~~
625 ~~muscle. A prescription written for the drug products listed~~
626 ~~above may be dispensed by the pharmacist with the presumption~~
627 ~~that the prescription is for legitimate medical use.~~

628 ~~(u)(ee)~~ Violating any provision of this chapter or chapter
629 456, or any rule ~~rules~~ adopted pursuant thereto.

630 (2) The board ~~department~~ may enter an order denying
631 licensure or imposing any of the penalties in s. 456.072(2)
632 against any applicant for licensure or licensee who is found
633 guilty of violating any provision of subsection (1) ~~of this~~
634 ~~section~~ or who is found guilty of violating any provision of s.
635 456.072(1).

636 (3) ~~The department shall not reinstate the license of a~~
637 ~~naturopathic physician until such time as the department is~~
638 ~~satisfied that such person has complied with all the terms and~~

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639 ~~conditions set forth in the final order and that such person is~~
640 ~~capable of safely engaging in the practice of naturopathic~~
641 ~~medicine.~~

642 (4) The board ~~department~~ shall by rule establish guidelines
643 for the disposition of disciplinary cases involving specific
644 types of violations. Such guidelines may include minimum and
645 maximum fines, periods of supervision or probation, or
646 conditions of probation or reissuance of a license.

647 Section 15. Section 462.17, Florida Statutes, is repealed.

648 Section 16. Paragraph (g) of subsection (3) of section
649 20.43, Florida Statutes, is amended to read:

650 20.43 Department of Health.—There is created a Department
651 of Health.

652 (3) The following divisions of the Department of Health are
653 established:

654 (g) Division of Medical Quality Assurance, which is
655 responsible for the following boards and professions established
656 within the division:

657 1. The Board of Acupuncture, created under chapter 457.

658 2. The Board of Medicine, created under chapter 458.

659 3. The Board of Osteopathic Medicine, created under chapter
660 459.

661 4. The Board of Chiropractic Medicine, created under
662 chapter 460.

663 5. The Board of Podiatric Medicine, created under chapter
664 461.

665 6. The Board of Naturopathic Medicine ~~Naturopathy~~, as
666 provided under chapter 462.

667 7. The Board of Optometry, created under chapter 463.

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- 668 8. The Board of Nursing, created under part I of chapter
669 464.
- 670 9. Nursing assistants, as provided under part II of chapter
671 464.
- 672 10. The Board of Pharmacy, created under chapter 465.
- 673 11. The Board of Dentistry, created under chapter 466.
- 674 12. Midwifery, as provided under chapter 467.
- 675 13. The Board of Speech-Language Pathology and Audiology,
676 created under part I of chapter 468.
- 677 14. The Board of Nursing Home Administrators, created under
678 part II of chapter 468.
- 679 15. The Board of Occupational Therapy, created under part
680 III of chapter 468.
- 681 16. Respiratory therapy, as provided under part V of
682 chapter 468.
- 683 17. Dietetics and nutrition practice, as provided under
684 part X of chapter 468.
- 685 18. The Board of Athletic Training, created under part XIII
686 of chapter 468.
- 687 19. The Board of Orthotists and Prosthetists, created under
688 part XIV of chapter 468.
- 689 20. Electrolysis, as provided under chapter 478.
- 690 21. The Board of Massage Therapy, created under chapter
691 480.
- 692 22. The Board of Clinical Laboratory Personnel, created
693 under part I of chapter 483.
- 694 23. Medical physicists, as provided under part II of
695 chapter 483.
- 696 24. The Board of Opticianry, created under part I of

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697 chapter 484.

698 25. The Board of Hearing Aid Specialists, created under
699 part II of chapter 484.

700 26. The Board of Physical Therapy Practice, created under
701 chapter 486.

702 27. The Board of Psychology, created under chapter 490.

703 28. School psychologists, as provided under chapter 490.

704 29. The Board of Clinical Social Work, Marriage and Family
705 Therapy, and Mental Health Counseling, created under chapter
706 491.

707 30. Emergency medical technicians and paramedics, as
708 provided under part III of chapter 401.

709 Section 17. Subsection (2) of section 381.0031, Florida
710 Statutes, is amended to read:

711 381.0031 Epidemiological research; report of diseases of
712 public health significance to department.—

713 (2) Any practitioner licensed in this state to practice
714 medicine, osteopathic medicine, chiropractic medicine,
715 naturopathic medicine ~~naturopathy~~, or veterinary medicine; any
716 licensed pharmacist authorized under a protocol with a
717 supervising physician under s. 465.1895, or a collaborative
718 pharmacy practice agreement, as defined in s. 465.1865, to
719 perform or order and evaluate laboratory and clinical tests; any
720 hospital licensed under part I of chapter 395; or any laboratory
721 appropriately certified by the Centers for Medicare and Medicaid
722 Services under the federal Clinical Laboratory Improvement
723 Amendments and the federal rules adopted thereunder which
724 diagnoses or suspects the existence of a disease of public
725 health significance shall immediately report the fact to the

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726 Department of Health.

727 Section 18. Subsection (11) of section 468.301, Florida
728 Statutes, is amended to read:

729 468.301 Definitions.—As used in this part, the term:

730 (11) “Licensed practitioner” means a person who is licensed
731 or otherwise authorized by law to practice medicine, podiatric
732 medicine, chiroprody, osteopathic medicine, naturopathic medicine
733 ~~naturopathy~~, or chiropractic medicine in this state.

734 Section 19. Subsection (1) of section 476.044, Florida
735 Statutes, is amended to read:

736 476.044 Exemptions.—This chapter does not apply to the
737 following persons when practicing pursuant to their professional
738 responsibilities and duties:

739 (1) Persons authorized under the laws of this state to
740 practice medicine, surgery, osteopathic medicine, chiropractic
741 medicine, naturopathic medicine ~~naturopathy~~, or podiatric
742 medicine;

743 Section 20. Paragraph (a) of subsection (1) of section
744 477.0135, Florida Statutes, is amended to read:

745 477.0135 Exemptions.—

746 (1) This chapter does not apply to the following persons
747 when practicing pursuant to their professional or occupational
748 responsibilities and duties:

749 (a) Persons authorized under the laws of this state to
750 practice medicine, surgery, osteopathic medicine, chiropractic
751 medicine, massage therapy, naturopathic medicine ~~naturopathy~~, or
752 podiatric medicine.

753 Section 21. Subsections (2) and (3) of section 485.003,
754 Florida Statutes, are amended to read:

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755 485.003 Definitions.—In construing this chapter, the words,
756 phrases, or terms, unless the context otherwise indicates, shall
757 have the following meanings:

758 (2) "Healing arts" shall mean the practice of medicine,
759 surgery, psychiatry, dentistry, osteopathic medicine,
760 chiropractic medicine, naturopathic medicine ~~naturopathy~~,
761 podiatric medicine, chiropody, psychology, clinical social work,
762 marriage and family therapy, mental health counseling, and
763 optometry.

764 (3) "Practitioner of the healing arts" shall mean a person
765 licensed under the laws of the state to practice medicine,
766 surgery, psychiatry, dentistry, osteopathic medicine,
767 chiropractic medicine, naturopathic medicine ~~naturopathy~~,
768 podiatric medicine, chiropody, psychology, clinical social work,
769 marriage and family therapy, mental health counseling, or
770 optometry within the scope of his or her professional training
771 and competence and within the purview of the statutes applicable
772 to his or her respective profession, and who may refer a patient
773 for treatment by a qualified person, who shall employ hypnotic
774 techniques under the supervision, direction, prescription, and
775 responsibility of such referring practitioner.

776 Section 22. Subsection (1) of section 486.161, Florida
777 Statutes, is amended to read:

778 486.161 Exemptions.—

779 (1) ~~No provision of~~ This chapter does not ~~shall be~~
780 ~~construed to~~ prohibit any person licensed in this state from
781 using any physical agent as a part of, or incidental to, the
782 lawful practice of her or his profession under the statutes
783 applicable to the profession of chiropractic physician,

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784 podiatric physician, doctor of medicine, massage therapist,
785 nurse, osteopathic physician or surgeon, occupational therapist,
786 or naturopathic doctor ~~naturopath~~.

787 Section 23. Paragraph (h) of subsection (4) of section
788 627.351, Florida Statutes, is amended to read:

789 627.351 Insurance risk apportionment plans.—

790 (4) MEDICAL MALPRACTICE RISK APPORTIONMENT; ASSOCIATION
791 CONTRACTS AND PURCHASES.—

792 (h) As used in this subsection:

793 1. "Health care provider" means hospitals licensed under
794 chapter 395; physicians licensed under chapter 458; osteopathic
795 physicians licensed under chapter 459; podiatric physicians
796 licensed under chapter 461; dentists licensed under chapter 466;
797 chiropractic physicians licensed under chapter 460; naturopathic
798 doctors ~~naturopaths~~ licensed under chapter 462; nurses licensed
799 under part I of chapter 464; midwives licensed under chapter
800 467; physician assistants licensed under chapter 458 or chapter
801 459; physical therapists and physical therapist assistants
802 licensed under chapter 486; health maintenance organizations
803 certificated under part I of chapter 641; ambulatory surgical
804 centers licensed under chapter 395; other medical facilities as
805 defined in subparagraph 2.; blood banks, plasma centers,
806 industrial clinics, and renal dialysis facilities; or
807 professional associations, partnerships, corporations, joint
808 ventures, or other associations for professional activity by
809 health care providers.

810 2. "Other medical facility" means a facility the primary
811 purpose of which is to provide human medical diagnostic services
812 or a facility providing nonsurgical human medical treatment, to

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813 which facility the patient is admitted and from which facility
814 the patient is discharged within the same working day, and which
815 facility is not part of a hospital. However, a facility existing
816 for the primary purpose of performing terminations of pregnancy
817 or an office maintained by a physician or dentist for the
818 practice of medicine may not be construed to be an "other
819 medical facility."

820 3. "Health care facility" means any hospital licensed under
821 chapter 395, health maintenance organization certificated under
822 part I of chapter 641, ambulatory surgical center licensed under
823 chapter 395, or other medical facility as defined in
824 subparagraph 2.

825 Section 24. Subsection (23) of section 893.02, Florida
826 Statutes, is amended to read:

827 893.02 Definitions.—The following words and phrases as used
828 in this chapter shall have the following meanings, unless the
829 context otherwise requires:

830 (23) "Practitioner" means a physician licensed under
831 chapter 458, a dentist licensed under chapter 466, a
832 veterinarian licensed under chapter 474, an osteopathic
833 physician licensed under chapter 459, an advanced practice
834 registered nurse licensed under chapter 464, ~~a naturopath~~
835 ~~licensed under chapter 462,~~ a certified optometrist licensed
836 under chapter 463, a psychiatric nurse as defined in s. 394.455,
837 a podiatric physician licensed under chapter 461, or a physician
838 assistant licensed under chapter 458 or chapter 459, provided
839 such practitioner holds a valid federal controlled substance
840 registry number.

841 Section 25. Paragraph (g) of subsection (3) of section

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842 921.0022, Florida Statutes, is amended to read:

843 921.0022 Criminal Punishment Code; offense severity ranking
844 chart.—

845 (3) OFFENSE SEVERITY RANKING CHART

846 (g) LEVEL 7

847

848

Florida Statute	Felony Degree	Description
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849

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

850

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

851

316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
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852

327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.
------------------	-----	---

853

402.319(2)	2nd	Misrepresentation and
------------	-----	-----------------------

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negligence or intentional act
resulting in great bodily harm,
permanent disfiguration,
permanent disability, or death.

854

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

855

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

856

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

857

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

858

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

859

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

860

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

861

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862	461.012 (1)	3rd	Practicing podiatric medicine without a license.
863	462.17	3rd	Practicing naturopathy without a license.
864	463.015 (1)	3rd	Practicing optometry without a license.
865	464.016 (1)	3rd	Practicing nursing without a license.
866	465.015 (2)	3rd	Practicing pharmacy without a license.
867	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
868	467.201	3rd	Practicing midwifery without a license.
869	468.366	3rd	Delivering respiratory care services without a license.
870	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
	483.901 (7)	3rd	Practicing medical physics

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without a license.

871

484.013(1)(c) 3rd Preparing or dispensing optical devices without a prescription.

872

484.053 3rd Dispensing hearing aids without a license.

873

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.

874

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

875

560.125(5)(a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

876

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

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institution.

877

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

878

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

879

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

880

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

881

782.07(1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

882

782.071 2nd Killing of a human being or unborn child by the operation

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violent predators facility
staff.

891

784.08 (2) (a) 1st Aggravated battery on a person
65 years of age or older.

892

784.081 (1) 1st Aggravated battery on specified
official or employee.

893

784.082 (1) 1st Aggravated battery by detained
person on visitor or other
detainee.

894

784.083 (1) 1st Aggravated battery on code
inspector.

895

787.025 (2) (b) 2nd Luring or enticing a child;
second or subsequent offense.

896

787.025 (2) (c) 2nd Luring or enticing a child with
a specified prior conviction.

897

787.06 (3) (a) 2. 1st Human trafficking using
coercion for labor and services
of an adult.

898

787.06 (3) (e) 2. 1st Human trafficking using
coercion for labor and services
by the transfer or transport of

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an adult from outside Florida
to within the state.

899

790.07(4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07(1) or
(2).

900

790.16(1) 1st Discharge of a machine gun
under specified circumstances.

901

790.165(2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

902

790.165(3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

903

790.166(3) 2nd Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

904

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

905

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906	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
907	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.
908	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
909	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
910	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
911	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.

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912	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.
913	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
914	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
915	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
916	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
917	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
	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

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property damage; 1st degree
grand theft.

918

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

919

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

920

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

921

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

922

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

923

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

924

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

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925	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
926	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
927	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
928	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
929	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
930	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.
931	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to

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defraud.

932

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

933

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

934

817.611 (2) (b) 2nd Traffic in or possess 15 to 49
counterfeit credit cards or
related documents.

935

825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

936

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.

937

827.03 (2) (b) 2nd Neglect of a child causing
great bodily harm, disability,
or disfigurement.

938

827.04 (3) 3rd Impregnation of a child under
16 years of age by person 21
years of age or older.

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939	827.071(2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
940	827.071(4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
941	837.05(2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
942	838.015	2nd	Bribery.
943	838.016	2nd	Unlawful compensation or reward for official behavior.
944	838.021(3)(a)	2nd	Unlawful harm to a public servant.
945	838.22	2nd	Bid tampering.
946	843.0855(2)	3rd	Impersonation of a public officer or employee.
947	843.0855(3)	3rd	Unlawful simulation of legal process.

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948	843.0855 (4)	3rd	Intimidation of a public officer or employee.
949	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
950	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
951	872.06	2nd	Abuse of a dead human body.
952	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
953	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
954	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

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care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

955

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.

956

893.13(4)(a) 1st Use or hire of minor; deliver
to minor other controlled
substance.

957

893.135(1)(a)1. 1st Trafficking in cannabis, more
than 25 lbs., less than 2,000
lbs.

958

893.135
(1)(b)1.a. 1st Trafficking in cocaine, more
than 28 grams, less than 200
grams.

959

893.135
(1)(c)1.a. 1st Trafficking in illegal drugs,
more than 4 grams, less than 14

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grams.

960

893.135 1st Trafficking in hydrocodone, 28
(1) (c) 2.a. grams or more, less than 50
grams.

961

893.135 1st Trafficking in hydrocodone, 50
(1) (c) 2.b. grams or more, less than 100
grams.

962

893.135 1st Trafficking in oxycodone, 7
(1) (c) 3.a. grams or more, less than 14
grams.

963

893.135 1st Trafficking in oxycodone, 14
(1) (c) 3.b. grams or more, less than 25
grams.

964

893.135 1st Trafficking in fentanyl, 4
(1) (c) 4.b. (I) grams or more, less than 14
grams.

965

893.135 1st Trafficking in phencyclidine,
(1) (d) 1.a. 28 grams or more, less than 200
grams.

966

893.135 (1) (e) 1. 1st Trafficking in methaqualone,
200 grams or more, less than 5
kilograms.

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967	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28 grams.
968	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
969	893.135 (1) (h) 1.a.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
970	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
971	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
972	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
973	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.

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974	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
975	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
976	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
977	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
978	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
979	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
980			

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981	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
982	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
983	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
984	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
985	944.607 (10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.
986	944.607 (12)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
	944.607 (13)	3rd	Sexual offender; failure to

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

987

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

988

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

989

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

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991

992

Section 26. This act shall take effect December 31, 2026.