A bill to be entitled
An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.0355, F.S.; revising provisions relating to rulemaking; amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting ss. 893.13(1)-(6) and 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

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

Section 1. Paragraphs (a) and (c) of subsection (1) of section 893.03, Florida Statutes, are amended to read:
893.03 Standards and schedules.—The substances enumerated in this section are controlled by this chapter. The controlled substances listed or to be listed in Schedules I, II, III, IV, and V are included by whatever official, common, usual, chemical, or trade name designated. The provisions of this section shall not be construed to include within any of the schedules contained in this section any excluded drugs listed within the purview of 21 C.F.R. s. 1308.22, styled "Excluded Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt Anabolic Steroid Products."

(1) SCHEDULE I.—A substance in Schedule I has a high potential for abuse and has no currently accepted medical use in treatment in the United States and in its use under medical supervision does not meet accepted safety standards. The following substances are controlled in Schedule I:

(a) Unless specifically excepted or unless listed in another schedule, any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:

1. Acetyl-alpha-methylfentanyl.
2. Acetylmethadol.
3. Allylprodine.
4. Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate,
57 or LAAM).
58 5. Alphamethadol.
59 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)
60 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
61 (N-propanilido) piperidine).
63 8. Alphameprodine.
70 15. Betamethadol.
71 16. Betaprodine.
72 17. Clonitazene.
73 18. Dextromoramide.
74 19. Diampromide.
75 20. Diethylthiambutene.
76 21. Difenoxin.
77 22. Dimenoxadol.
78 23. Dimepheptanol.
79 24. Dimethylthiambutene.
80 25. Dioxaphetyl butyrate.
81 26. Dipipanone.
82 27. Ethylmethylthiambutene.
83 28. Etonitazene.
84 29. Etoxeridine.
85  30. Flunitrazepam.
86  31. Furethidine.
87  32. Hydroxypethidine.
88  33. Ketobemidone.
89  34. Levomoramide.
90  35. Levophenacylmorphan.
91  36. 1-Methyl-4-Phenyl-4-Propionoxypiperidine (MPPP).
92  37. 3-Methylfentanyl (N-
93  [3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide).
94  38. 3-Methylthiofentanyl.
95  39. 3, 4-Methylenedioxyamphetamine (MDMA).
96  39. 40. Morpheridine.
97  40. 41. Noracymethadol.
98  41. 42. Norlevorphanol.
99  42. 43. Normethadone.
100 43. 44. Norpipanone.
101 44. 45. Para-Fluorofentanyl.
102 45. 46. Phenadoxone.
103 46. 47. Phenampromide.
104 47. 48. Phenomorphan.
105 48. 49. Phenoperidine.
106 49. 50. 1-(2-Phenylethyl)-4-Phenyl-4-Acetyloxypiperidine (PEPAP).
107 50. 51. Piritramide.
108 51. 52. Proheptazine.
109 52. 53. Properidine.
110 53. 54. Propiram.

CODING: Words **stricken** are deletions; words *underlined* are additions.
54.55. Racemoramide.
55.56. Thenylfentanyl.
56.57. Thiofentanyl.
57.58. Tilidine.
58.59. Trimeperidine.

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of their salts, isomers, including optical, positional, or geometric isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

1. Alpha-ethyltryptamine.
2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-methylinorex).
3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
4. 4-Bromo-2,5-dimethoxyamphetamine.
5. 4-Bromo-2,5-dimethoxyphenethylamine.
7. Cannabis.
8. Cathinone.
10. 2,5-Dimethoxyamphetamine.
11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
12. Dimethyltryptamine.
141. N-Ethyl-3-piperidyl benzilate.
142. N-ethylamphetamine.
143. Fenethylline.
144. N-Hydroxy-3,4-methylenedioxyamphetamine.
145. Ibogaine.
146. Lysergic acid diethylamide (LSD).
147. Mescaline.
148. Methcathinone.
149. 5-Methoxy-3,4-methylenedioxyamphetamine.
150. 4-methoxyamphetamine.
151. 4-methoxymethamphetamine.
152. 4-Methyl-2,5-dimethoxyamphetamine.
153. 3,4-Methylenedioxy-N-ethylamphetamine.
154. 3,4-Methylenedioxyamphetamine.
155. N-Methyl-3-piperidyl benzilate.
156. N,N-dimethylamphetamine.
157. Parahexyl.
158. Peyote.
159. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine analog of phencyclidine).
160. Psilocybin.
161. Psilocyn.
162. Salvia divinorum, except for any drug product approved by the United States Food and Drug Administration which contains Salvia divinorum or its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, if the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation.
36. Salvinorin A, except for any drug product approved by the United States Food and Drug Administration which contains Salvinorin A or its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, if the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation.

37. Tetrahydrocannabinols.

38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP) (Thiophene analog of phencyclidine).

39. 3,4,5-Trimethoxyamphetamine.

40. 3,4-Methylenedioxyamphetamine.

41. 3,4-Methylenedioxyxymetaphetamine (MDPV).

42. Methylenedioxymethcathinone.

43. Methoxymethcathinone.

44. Methylmethcathinone.

45. Methylethcathinone.

46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8) homologue.

47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol, also known as HU-210.

48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.

49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.

50. 1-[2-[(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole, also known as JWH-200.

51. BZP (Benzylpiperazine).

52. Fluorophenylpiperazine.
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<tr>
<td>197</td>
<td>53. Methylphenylpiperazine.</td>
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<td>198</td>
<td>54. Chlorophenylpiperazine.</td>
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<td>199</td>
<td>55. Methoxyphenylpiperazine.</td>
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<td>200</td>
<td>56. DBZP (1,4-dibenzylpiperazine).</td>
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<td>201</td>
<td>57. TFMPP (3-Trifluoromethylphenylpiperazine).</td>
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<tr>
<td>202</td>
<td>58. MBDB (Methylbenzodioxolylbutanamine).</td>
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<td>203</td>
<td>59. 5-Hydroxy-alpha-methyltryptamine.</td>
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<td>204</td>
<td>60. 5-Hydroxy-N-methyltryptamine.</td>
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<td>205</td>
<td>61. 5-Methoxy-N-methyl-N-isopropyltryptamine.</td>
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<td>206</td>
<td>62. 5-Methoxy-alpha-methyltryptamine.</td>
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<td>207</td>
<td>63. Methyltryptamine.</td>
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<td>208</td>
<td>64. 5-Methoxy-N,N-dimethyltryptamine.</td>
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<td>209</td>
<td>65. 5-Methyl-N,N-dimethyltryptamine.</td>
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<td>210</td>
<td>66. Tyramine (4-Hydroxyphenethylamine).</td>
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<td>211</td>
<td>67. 5-Methoxy-N,N-Diisopropyltryptamine.</td>
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<td>212</td>
<td>68. DiPT (N,N-Diisopropyltryptamine).</td>
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<td>213</td>
<td>69. DPT (N,N-Dipropyltryptamine).</td>
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<td>214</td>
<td>70. 4-Hydroxy-N,N-diisopropyltryptamine.</td>
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<td>215</td>
<td>71. N,N-Diallyl-5-Methoxytryptamine.</td>
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<td>216</td>
<td>72. DOI (4-Iodo-2,5-dimethoxyamphetamine).</td>
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<td>217</td>
<td>73. DOC (4-Chloro-2,5-dimethoxyamphetamine).</td>
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<td>218</td>
<td>74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).</td>
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<td>219</td>
<td>75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).</td>
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<tr>
<td>220</td>
<td>76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).</td>
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<td>221</td>
<td>77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).</td>
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<td>222</td>
<td>78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).</td>
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<td>223</td>
<td>79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).</td>
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<tr>
<td>224</td>
<td>80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).</td>
</tr>
</tbody>
</table>
226 82. Ethcathinone.
227 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
228 84. Naphyrone (naphthylpyrovalerone).
229 85. N-N-Dimethyl-3,4-methylenedioxycathinone.
230 86. N-N-Diethyl-3,4-methylenedioxycathinone.
231 87. 3,4-methylenedioxy-propiophenone.
232 88. 2-Bromo-3,4-Methylenedioxypropiophenone.
233 89. 3,4-methylenedioxy-propiophenone-2-oxime.
234 90. N-Acetyl-3,4-methylenedioxycathinone.
235 91. N-Acetyl-N-Methyl-3,4-Methylenedioxycathinone.
236 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxycathinone.
237 93. Bromomethcathinone.
238 94. Buphedrone (alpha-methylamino-butyrophenone).
239 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
240 96. Dimethylcathinone.
241 97. Dimethylmethcathinone.
243 99. (MDPPP) 3,4-Methylenedioxy-alpha-
244 pyrrolidinopropiophenone.
245 100. (MDPBP) 3,4-Methylenedioxy-alpha-
246 pyrrolidinobutiophenone.
248 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
249 103. Benocyclidine (BCP) or
c250 benzothiophenylcyclohexylpiperidine (BTCP).
251 104. Fluoromethylaminobutyrophenone (F-MABP).
252 105. Methoxypyrrrolidinobutyrophenone (MeO-PBP).
106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
108. Methylethylaminobutyrophenone (Me-EABP).
110. Pyrrolidinopropiophenone (PPP).
111. Pyrrolidinobutiophenone (PBP).
112. Pyrrolidinovalerophenone (PVP).
113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-naphthalenylmethanone).
116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-yl)methanone).
117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-yl)methanone).
119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-yl)methanone).
120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran).
122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-indole).
123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).
124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-yl)ethanone).
125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-yl)methanone).
126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentyllindol-3-yl)ethanone).
127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-yl)ethanone).
128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).
129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).
130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
131. HU-308 ((1R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl) methanol).
132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-methylene)2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-1,4-dione).
133. CB-13 (Naphthalen-1-yl-(4-pentyloxy)naphthalen-1-yl)methanone).
136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).
137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(2-iiodophenyl)methanone).
138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]- (naphthalen-1-yl)methanone).
139. RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-
140. RCS-8 (1-((2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-methoxyphenylethanone).

141. WIN55,212-2 ((R)-(+)-(2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone).

142. WIN55,212-3 (((3S)-2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone).

143. Pentedrone (2-(methylamino)-1-phenyl-1-pentanone).

144. Fluoroamphetamine.

145. Fluoromethamphetamine.

146. Methoxetamine.

147. Methiopropamine.

148. 4-Methylbuphedrone (2-Methylamino-1-(4-methylphenyl)butan-1-one).

149. APB ((2-aminopropyl)benzofuran).

150. APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).

151. UR-144 ((1-pentyl-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)methanone).

152. XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)methanone).

153. (1-(5-chloropentyl)-1H-indol-3-yl) (2,2,3,3-tetramethylcyclopropyl)methanone.

154. AKB48 (1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indazole-3-carboxamide).

155. AM-2233((2-iodophenyl)[1-[(1-methyl-2-piperidinyl)methyl]-1H-indol-3-yl]-methanone).
156. STS-135 (1-(5-fluoropentyl)-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-indole-3-carboxamide).

157. URB-597 ((3'-(aminocarbonyl)[1,1'-biphenyl]-3-yl)-cyclohexylcarbamate).

158. URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid, cyclohexyl ester).

159. URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-benzoaxazin-4-one).

160. 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).

161. 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).

162. 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).

163. 2C-P (2-(2,5-Dimethoxy-4-(n-propylphenyl)ethanamine).


165. 3,4-Methylenedioxymethamphetamine (MDMA).

166. PB-22 (1-pentyl-8-quinoliny1 ester-1H-indole-3-carboxylic acid).

167. 5-Fluoro PB-22 (8-quinoliny1 ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid).

168. BB-22 (1-(cyclohexylmethyl)-8-quinoliny1 ester-1H-indole-3-carboxylic acid).

169. 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide).

Section 2. Subsection (4) of section 893.0355, Florida Statutes, is amended to read:

893.0355 Control of scheduled substances; delegation of authority to Attorney General to reschedule substance, or delete
substance, by rule.—

(4) Rulemaking under this section shall be in accordance with the procedural requirements of chapter 120, including the emergency rule provisions found in s. 120.54, except that s. 120.54(7) does not apply. The Attorney General may initiate proceedings for adoption, amendment, or repeal of any rule on his or her own motion or upon the petition of any interested party.

Section 3. Paragraph (b) of subsection (6) of section 893.13, Florida Statutes, is amended to read:

893.13 Prohibited acts; penalties.—

(6) If the offense is the possession of not more than 20 grams of cannabis, as defined in this chapter, or 3 grams or less of a controlled substance described in s. 893.03(1)(c)46.-50., and 114.-142., 151.-159., or 166.-169., the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. For the purposes of this subsection, "cannabis" does not include the resin extracted from the plants of the genus Cannabis, or any compound manufacture, salt, derivative, mixture, or preparation of such resin, and a controlled substance described in s. 893.03(1)(c)46.-50., and 114.-142., 151.-159., or 166.-169., does not include the substance in a powdered form.

Section 4. Paragraph (k) of subsection (1) of section 893.135, Florida Statutes, is amended to read:

893.135 Trafficking; mandatory sentences; suspension or reduction of sentences; conspiracy to engage in trafficking.—
(1) Except as authorized in this chapter or in chapter 499 and notwithstanding the provisions of s. 893.13:

(k)1. Any person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, 10 grams or more of any of the following substances described in s. 893.03(1)(c) or (a) or (c):

a. 3,4-Methylenedioxymethamphetamine (MDMA);

b. 4-Bromo-2,5-dimethoxyamphetamine;

c. 4-Bromo-2,5-dimethoxyphenethylamine;

d. 2,5-Dimethoxyamphetamine;

e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);

f. N-ethylamphetamine;

g. N-Hydroxy-3,4-methylenedioxymphetamine;

h. 5-Methoxy-3,4-methylenedioxymphetamine;

i. 4-Methoxyamphetamine;

j. 4-Methoxymethamphetamine;

k. 4-Methyl-2,5-dimethoxyamphetamine;

l. 3,4-Methylenedioxy-N-ethylamphetamine;

m. 3,4-Methylenedioxymphetamine;

n. N,N-dimethylamphetamine; or

o. 3,4,5-Trimethoxyamphetamine,

individually or in any combination of or any mixture containing any substance listed in sub-subparagraphs a.-o., commits a felony of the first degree, which felony shall be known as "trafficking in Phenethylamines," punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
2. If the quantity involved:
   a. Is 10 grams or more but less than 200 grams, such person shall be sentenced to a mandatory minimum term of imprisonment of 3 years, and the defendant shall be ordered to pay a fine of $50,000.
   b. Is 200 grams or more, but less than 400 grams, such person shall be sentenced to a mandatory minimum term of imprisonment of 7 years, and the defendant shall be ordered to pay a fine of $100,000.
   c. Is 400 grams or more, such person shall be sentenced to a mandatory minimum term of imprisonment of 15 calendar years and pay a fine of $250,000.

3. Any person who knowingly manufactures or brings into this state 30 kilograms or more of any of the following substances described in s. 893.03(1)(c) or (a):
   a. 3,4-Methylenedioxymethamphetamine (MDMA);
   b. 4-Bromo-2,5-dimethoxyamphetamine;
   c. 4-Bromo-2,5-dimethoxyphenethylamine;
   d. 2,5-Dimethoxyamphetamine;
   e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
   f. N-ethylamphetamine;
   g. N-Hydroxy-3,4-methylenedioxymethamphetamine;
   h. 5-Methoxy-3,4-methylenedioxymethamphetamine;
   i. 4-methoxyamphetamine;
   j. 4-methoxymethamphetamine;
   k. 4-Methyl-2,5-dimethoxyamphetamine;
   l. 3,4-Methylenedioxy-N-ethylamphetamine;
   m. 3,4-Methylenedioxyamphetamine;
449  n. N,N-dimethylamphetamine; or
450  o. 3,4,5-Trimethoxyamphetamine,
451
452  individually or in any combination of or any mixture containing
453  any substance listed in sub-subparagraphs a.–o., and who knows
454  that the probable result of such manufacture or importation
455  would be the death of any person commits capital manufacture or
456  importation of Phenethylamines, a capital felony punishable as
457  provided in ss. 775.082 and 921.142. Any person sentenced for a
458  capital felony under this paragraph shall also be sentenced to
459  pay the maximum fine provided under subparagraph 1.
460
461  Section 5. For the purpose of incorporating the amendment
462  made by this act to section 893.03, Florida Statutes, in a
463  reference thereto, subsections (1) through (6) of section
464  893.13, Florida Statutes, are reenacted to read:
465
466  893.13  Prohibited acts; penalties.—
467  (1)(a) Except as authorized by this chapter and chapter
468  499, it is unlawful for any person to sell, manufacture, or
469  deliver, or possess with intent to sell, manufacture, or
470  deliver, a controlled substance. Any person who violates this
471  provision with respect to:
472
473  1. A controlled substance named or described in s.
474  893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
475  commits a felony of the second degree, punishable as provided in
476  s. 775.082, s. 775.083, or s. 775.084.
477
478  2. A controlled substance named or described in s.
479  893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
480  (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
the third degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.

3. A controlled substance named or described in s.
893.03(5) commits a misdemeanor of the first degree, punishable
as provided in s. 775.082 or s. 775.083.

(b) Except as provided in this chapter, it is unlawful to
sell or deliver in excess of 10 grams of any substance named or
described in s. 893.03(1)(a) or (1)(b), or any combination
thereof, or any mixture containing any such substance. Any
person who violates this paragraph commits a felony of the first
degree, punishable as provided in s. 775.082, s. 775.083, or s.
775.084.

(c) Except as authorized by this chapter, it is unlawful
for any person to sell, manufacture, or deliver, or possess with
intent to sell, manufacture, or deliver, a controlled substance
in, on, or within 1,000 feet of the real property comprising a
child care facility as defined in s. 402.302 or a public or
private elementary, middle, or secondary school between the
hours of 6 a.m. and 12 midnight, or at any time in, on, or
within 1,000 feet of real property comprising a state, county,
or municipal park, a community center, or a publicly owned
recreational facility. For the purposes of this paragraph, the
term "community center" means a facility operated by a nonprofit
community-based organization for the provision of recreational,
social, or educational services to the public. Any person who
violates this paragraph with respect to:

1. A controlled substance named or described in s.
893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c) 4.
commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The defendant must be sentenced to a minimum term of imprisonment of 3 calendar years unless the offense was committed within 1,000 feet of the real property comprising a child care facility as defined in s. 402.302.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a $500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

This paragraph does not apply to a child care facility unless the owner or operator of the facility posts a sign that is not less than 2 square feet in size with a word legend identifying the facility as a licensed child care facility and that is posted on the property of the child care facility in a conspicuous place where the sign is reasonably visible to the public.

(d) Except as authorized by this chapter, it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary
educational institution. Any person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a $500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(e) Except as authorized by this chapter, it is unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance not authorized by law in, on, or within 1,000 feet of a physical place for worship at which a church or religious organization regularly conducts religious services or within 1,000 feet of a convenience business as defined in s. 812.171. Any person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s.
3. Any other controlled substance, except as lawfully
sold, manufactured, or delivered, must be sentenced to pay a
$500 fine and to serve 100 hours of public service in addition
to any other penalty prescribed by law.

(f) Except as authorized by this chapter, it is unlawful
for any person to sell, manufacture, or deliver, or possess with
intent to sell, manufacture, or deliver, a controlled substance
in, on, or within 1,000 feet of the real property comprising a
public housing facility at any time. For purposes of this
section, the term "real property comprising a public housing
facility" means real property, as defined in s. 421.03(12), of a
public corporation created as a housing authority pursuant to
part I of chapter 421. Any person who violates this paragraph
with respect to:

1. A controlled substance named or described in s.
893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
commits a felony of the first degree, punishable as provided in
s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s.
893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
the second degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully
sold, manufactured, or delivered, must be sentenced to pay a
$500 fine and to serve 100 hours of public service in addition
to any other penalty prescribed by law.

(g) Except as authorized by this chapter, it is unlawful
for any person to manufacture methamphetamine or phencyclidine,
or possess any listed chemical as defined in s. 893.033 in
violation of s. 893.149 and with intent to manufacture
methamphetamine or phencyclidine. If any person violates this
paragraph and:

1. The commission or attempted commission of the crime
occurs in a structure or conveyance where any child under 16
years of age is present, the person commits a felony of the
first degree, punishable as provided in s. 775.082, s. 775.083,
or s. 775.084. In addition, the defendant must be sentenced to a
minimum term of imprisonment of 5 calendar years.

2. The commission of the crime causes any child under 16
years of age to suffer great bodily harm, the person commits a
felony of the first degree, punishable as provided in s.
775.082, s. 775.083, or s. 775.084. In addition, the defendant
must be sentenced to a minimum term of imprisonment of 10
calendar years.

(h) Except as authorized by this chapter, it is unlawful
for any person to sell, manufacture, or deliver, or possess with
intent to sell, manufacture, or deliver, a controlled substance
in, on, or within 1,000 feet of the real property comprising an
assisted living facility, as that term is used in chapter 429.
Any person who violates this paragraph with respect to:

1. A controlled substance named or described in s.
893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.
commits a felony of the first degree, punishable as provided in
s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s.
893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
the second degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.

(2)(a) Except as authorized by this chapter and chapter
499, it is unlawful for any person to purchase, or possess with
intent to purchase, a controlled substance. Any person who
violates this provision with respect to:

1. A controlled substance named or described in s.
893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
commits a felony of the second degree, punishable as provided in
s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s.
893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
the third degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.

3. A controlled substance named or described in s.
893.03(5) commits a misdemeanor of the first degree, punishable
as provided in s. 775.082 or s. 775.083.

(b) Except as provided in this chapter, it is unlawful to
purchase in excess of 10 grams of any substance named or
described in s. 893.03(1)(a) or (1)(b), or any combination
thereof, or any mixture containing any such substance. Any
person who violates this paragraph commits a felony of the first
degree, punishable as provided in s. 775.082, s. 775.083, or s.
775.084.

(3) Any person who delivers, without consideration, not
more than 20 grams of cannabis, as defined in this chapter,
commits a misdemeanor of the first degree, punishable as
provided in s. 775.082 or s. 775.083. For the purposes of this
paragraph, "cannabis" does not include the resin extracted from
the plants of the genus Cannabis or any compound manufacture,
salt, derivative, mixture, or preparation of such resin.

(4) Except as authorized by this chapter, it is unlawful
for any person 18 years of age or older to deliver any
controlled substance to a person under the age of 18 years, or
to use or hire a person under the age of 18 years as an agent or
employee in the sale or delivery of such a substance, or to use
such person to assist in avoiding detection or apprehension for
a violation of this chapter. Any person who violates this
provision with respect to:

(a) A controlled substance named or described in s.
893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
commits a felony of the first degree, punishable as provided in
s. 775.082, s. 775.083, or s. 775.084.

(b) A controlled substance named or described in s.
893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
the second degree, punishable as provided in s. 775.082, s.
775.083, or s. 775.084.
Imposition of sentence may not be suspended or deferred, nor shall the person so convicted be placed on probation.

(5) It is unlawful for any person to bring into this state any controlled substance unless the possession of such controlled substance is authorized by this chapter or unless such person is licensed to do so by the appropriate federal agency. Any person who violates this provision with respect to:

(a) A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4., commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6)(a) It is unlawful for any person to be in actual or constructive possession of a controlled substance unless such controlled substance was lawfully obtained from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of his or her professional practice or to be in actual or constructive possession of a controlled substance except as otherwise authorized by this chapter. Any person who violates this provision commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s.
701. 775.084.
702. (b) If the offense is the possession of not more than 20
703. grams of cannabis, as defined in this chapter, or 3 grams or
704. less of a controlled substance described in s. 893.03(1)(c)46.-
705. 50. and 114.-142., the person commits a misdemeanor of the first
706. degree, punishable as provided in s. 775.082 or s. 775.083. For
707. the purposes of this subsection, "cannabis" does not include the
708. resin extracted from the plants of the genus Cannabis, or any
709. compound manufacture, salt, derivative, mixture, or preparation
710. of such resin, and a controlled substance described in s.
711. 893.03(1)(c)46.-50. and 114.-142. does not include the substance
712. in a powdered form.
713. (c) Except as provided in this chapter, it is unlawful to
714. possess in excess of 10 grams of any substance named or
715. described in s. 893.03(1)(a) or (1)(b), or any combination
716. thereof, or any mixture containing any such substance. Any
717. person who violates this paragraph commits a felony of the first
718. degree, punishable as provided in s. 775.082, s. 775.083, or s.
719. 775.084.
720. (d) Notwithstanding any provision to the contrary of the
721. laws of this state relating to arrest, a law enforcement officer
722. may arrest without warrant any person who the officer has
723. probable cause to believe is violating the provisions of this
724. chapter relating to possession of cannabis.
725. Section 6. For the purpose of incorporating the amendment
726. made by this act to section 893.03, Florida Statutes, in a
727. reference thereto, paragraphs (b), (c), (d), and (e) of
728. subsection (3) of section 921.0022, Florida Statutes, are
reenacted to read:

21.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

<table>
<thead>
<tr>
<th>Florida Statute</th>
<th>Felony Degree</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>379.2431(1)(e)3.</td>
<td>3rd</td>
<td>Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.</td>
</tr>
<tr>
<td>379.2431(1)(e)4.</td>
<td>3rd</td>
<td>Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.</td>
</tr>
<tr>
<td>403.413(5)(c)</td>
<td>3rd</td>
<td>Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.</td>
</tr>
<tr>
<td>517.07(2)</td>
<td>3rd</td>
<td>Failure to furnish a prospectus meeting requirements.</td>
</tr>
<tr>
<td>590.28(1)</td>
<td>3rd</td>
<td>Intentional burning of lands.</td>
</tr>
</tbody>
</table>
| 784.05(3) | 3rd | Storing or leaving a loaded firearm within reach of minor who uses it to
injurious or death.

740 787.04(1) 3rd In violation of court order, take, entice, etc., minor beyond state limits.

741 806.13(1)(b)3. 3rd Criminal mischief; damage $1,000 or more to public communication or any other public service.

742 810.061(2) 3rd Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

743 810.09(2)(e) 3rd Trespassing on posted commercial horticulture property.

744 812.014(2)(c)1. 3rd Grand theft, 3rd degree; $300 or more but less than $5,000.

745 812.014(2)(d) 3rd Grand theft, 3rd degree; $100 or more but less than $300, taken from unenclosed curtilage of dwelling.

746 812.015(7) 3rd Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.

747 817.234(1)(a)2. 3rd False statement in support of insurance
817.481(3)(a)  3rd  Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over $300.

817.52(3)  3rd  Failure to redeliver hired vehicle.

817.54  3rd  With intent to defraud, obtain mortgage note, etc., by false representation.

817.60(5)  3rd  Dealing in credit cards of another.

817.60(6)(a)  3rd  Forgery; purchase goods, services with false card.

817.61  3rd  Fraudulent use of credit cards over $100 or more within 6 months.

826.04  3rd  Knowingly marries or has sexual intercourse with person to whom related.

831.01  3rd  Forgery.

831.02  3rd  Uttering forged instrument; utters or publishes alteration with intent to defraud.
831.07 3rd Forging bank bills, checks, drafts, or promissory notes.

831.08 3rd Possessing 10 or more forged notes, bills, checks, or drafts.

831.09 3rd Uttering forged notes, bills, checks, drafts, or promissory notes.

831.11 3rd Bringing into the state forged bank bills, checks, drafts, or notes.

832.05(3)(a) 3rd Cashing or depositing item with intent to defraud.

843.08 3rd Falsely impersonating an officer.

893.13(2)(a)2. 3rd Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs other than cannabis.

893.147(2) 3rd Manufacture or delivery of drug paraphernalia.

(c) LEVEL 3

Florida Felony Description
Statute Degree
<table>
<thead>
<tr>
<th>Section</th>
<th>Degree</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>119.10(2)(b)</td>
<td>3rd</td>
<td>Unlawful use of confidential information from police reports.</td>
</tr>
<tr>
<td>316.066 (3)(b)-(d)</td>
<td>3rd</td>
<td>Unlawfully obtaining or using confidential crash reports.</td>
</tr>
<tr>
<td>316.193(2)(b)</td>
<td>3rd</td>
<td>Felony DUI, 3rd conviction.</td>
</tr>
<tr>
<td>316.1935(2)</td>
<td>3rd</td>
<td>Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.</td>
</tr>
<tr>
<td>319.30(4)</td>
<td>3rd</td>
<td>Possession by junkyard of motor vehicle with identification number plate removed.</td>
</tr>
<tr>
<td>319.33(1)(a)</td>
<td>3rd</td>
<td>Alter or forge any certificate of title to a motor vehicle or mobile home.</td>
</tr>
<tr>
<td>319.33(1)(c)</td>
<td>3rd</td>
<td>Procure or pass title on stolen vehicle.</td>
</tr>
<tr>
<td>319.33(4)</td>
<td>3rd</td>
<td>With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.</td>
</tr>
<tr>
<td>327.35(2)(b)</td>
<td>3rd</td>
<td>Felony BUI.</td>
</tr>
<tr>
<td>Section</td>
<td>Degree</td>
<td>Description</td>
</tr>
<tr>
<td>---------------</td>
<td>--------</td>
<td>------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>328.05(2)</td>
<td>3rd</td>
<td>Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.</td>
</tr>
<tr>
<td>328.07(4)</td>
<td>3rd</td>
<td>Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.</td>
</tr>
<tr>
<td>376.302(5)</td>
<td>3rd</td>
<td>Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.</td>
</tr>
<tr>
<td>379.2431(1)(e)5</td>
<td>3rd</td>
<td>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.</td>
</tr>
<tr>
<td>379.2431(1)(e)6</td>
<td>3rd</td>
<td>Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.</td>
</tr>
<tr>
<td>400.9935(4)</td>
<td>3rd</td>
<td>Operating a clinic without a license or filing false license application or other required information.</td>
</tr>
<tr>
<td>440.1051(3)</td>
<td>3rd</td>
<td>False report of workers' compensation</td>
</tr>
</tbody>
</table>
fraud or retaliation for making such a report.

501.001(2)(b) 2nd Tampers with a consumer product or the container using materially false/misleading information.

624.401(4)(a) 3rd Transacting insurance without a certificate of authority.

624.401(4)(b) 1. 3rd Transacting insurance without a certificate of authority; premium collected less than $20,000.

626.902(1)(a) & (b) 3rd Representing an unauthorized insurer.

697.08 3rd Equity skimming.

790.15(3) 3rd Person directs another to discharge firearm from a vehicle.

796.05(1) 3rd Live on earnings of a prostitute.

806.10(1) 3rd Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
<table>
<thead>
<tr>
<th>Statute Number</th>
<th>Level of Offense</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>806.10(2)</td>
<td>3rd</td>
<td>Interferes with or assaults firefighter in performance of duty.</td>
</tr>
<tr>
<td>810.09(2)(c)</td>
<td>3rd</td>
<td>Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.</td>
</tr>
<tr>
<td>812.014(2)(c)</td>
<td>3rd</td>
<td>Grand theft; $5,000 or more but less than $10,000.</td>
</tr>
<tr>
<td>812.0145(2)(c)</td>
<td>3rd</td>
<td>Theft from person 65 years of age or older; $300 or more but less than $10,000.</td>
</tr>
<tr>
<td>815.04(4)(b)</td>
<td>2nd</td>
<td>Computer offense devised to defraud or obtain property.</td>
</tr>
<tr>
<td>817.034(4)(a)</td>
<td>3rd</td>
<td>Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than $20,000.</td>
</tr>
<tr>
<td>817.233</td>
<td>3rd</td>
<td>Burning to defraud insurer.</td>
</tr>
<tr>
<td>817.234</td>
<td>3rd</td>
<td>Unlawful solicitation of persons involved in motor vehicle accidents.</td>
</tr>
<tr>
<td>817.234(11)(a)</td>
<td>3rd</td>
<td>Insurance fraud; property value less than $20,000.</td>
</tr>
</tbody>
</table>
817.236  3rd  Filing a false motor vehicle insurance application.

817.2361  3rd  Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

817.413(2)  3rd  Sale of used goods as new.

817.505(4)  3rd  Patient brokering.

828.12(2)  3rd  Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

831.28(2)(a)  3rd  Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

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

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

843.19  3rd  Injure, disable, or kill police dog or
horse.

809 860.15(3) 3rd Overcharging for repairs and parts.

810 870.01(2) 3rd Riot; inciting or encouraging.

811 893.13(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)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

812 893.13(1)(d)2. 2nd Sell, manufacture, or deliver s.
893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs
within 1,000 feet of university.

813 893.13(1)(f)2. 2nd Sell, manufacture, or deliver s.
893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs
within 1,000 feet of public housing facility.

814 893.13(6)(a) 3rd Possession of any controlled substance
other than felony possession of cannabis.
893.13(7)(a)8. 3rd Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.

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

893.13(7)(a)10. 3rd Affix false or forged label to package of controlled substance.

893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

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.

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

893.13(8)(a)4.  3rd  Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

918.13(1)(a)  3rd  Alter, destroy, or conceal investigation evidence.

944.47  3rd  Introduce contraband to correctional facility.

944.47(1)(c)  2nd  Possess contraband while upon the grounds of a correctional institution.

985.721  3rd  Escapes from a juvenile facility (secure detention or residential commitment facility).

(d)  LEVEL 4

<table>
<thead>
<tr>
<th>Florida Statute</th>
<th>Felony Description</th>
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<tr>
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</table>

CODING: Words **stricken** are deletions; words *underlined* are additions.
<table>
<thead>
<tr>
<th>Law Code</th>
<th>Section</th>
<th>Degree</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>316.1935(3)(a)</td>
<td>902</td>
<td>2nd</td>
<td>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.</td>
</tr>
<tr>
<td>499.0051(1)</td>
<td>902</td>
<td>3rd</td>
<td>Failure to maintain or deliver pedigree papers.</td>
</tr>
<tr>
<td>499.0051(2)</td>
<td>902</td>
<td>3rd</td>
<td>Failure to authenticate pedigree papers.</td>
</tr>
<tr>
<td>499.0051(6)</td>
<td>902</td>
<td>2nd</td>
<td>Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.</td>
</tr>
<tr>
<td>517.07(1)</td>
<td>902</td>
<td>3rd</td>
<td>Failure to register securities.</td>
</tr>
<tr>
<td>517.12(1)</td>
<td>902</td>
<td>3rd</td>
<td>Failure of dealer, associated person, or issuer of securities to register.</td>
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<tr>
<td>784.07(2)(b)</td>
<td>902</td>
<td>3rd</td>
<td>Battery of law enforcement officer, firefighter, etc.</td>
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<tr>
<td>784.074(1)(c)</td>
<td>902</td>
<td>3rd</td>
<td>Battery of sexually violent predators facility staff.</td>
</tr>
<tr>
<td>784.075</td>
<td>902</td>
<td>3rd</td>
<td>Battery on detention or commitment facility staff.</td>
</tr>
<tr>
<td>Section</td>
<td>Type</td>
<td>Description</td>
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</tr>
<tr>
<td>784.078</td>
<td>3rd</td>
<td>Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.</td>
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<tr>
<td>784.08(2)(c)</td>
<td>3rd</td>
<td>Battery on a person 65 years of age or older.</td>
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<tr>
<td>784.081(3)</td>
<td>3rd</td>
<td>Battery on specified official or employee.</td>
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<tr>
<td>784.082(3)</td>
<td>3rd</td>
<td>Battery by detained person on visitor or other detainee.</td>
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<tr>
<td>784.083(3)</td>
<td>3rd</td>
<td>Battery on code inspector.</td>
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<tr>
<td>784.085</td>
<td>3rd</td>
<td>Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.</td>
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<tr>
<td>787.03(1)</td>
<td>3rd</td>
<td>Interference with custody; wrongly takes minor from appointed guardian.</td>
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<tr>
<td>787.04(2)</td>
<td>3rd</td>
<td>Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.</td>
<td></td>
</tr>
<tr>
<td>787.04(3)</td>
<td>3rd</td>
<td>Carrying child beyond state lines with</td>
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criminal intent to avoid producing child at custody hearing or delivering to designated person.

787.07  3rd  Human smuggling.

790.115(1)  3rd  Exhibiting firearm or weapon within 1,000 feet of a school.

790.115(2)(b)  3rd  Possessing electric weapon or device, destructive device, or other weapon on school property.

790.115(2)(c)  3rd  Possessing firearm on school property.

800.04(7)(c)  3rd  Lewd or lascivious exhibition; offender less than 18 years.

810.02(4)(a)  3rd  Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

810.02(4)(b)  3rd  Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

810.06  3rd  Burglary; possession of tools.
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<tr>
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<th>Description</th>
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<tbody>
<tr>
<td>810.08(2)(c)</td>
<td>3rd</td>
<td>Trespass on property, armed with firearm or dangerous weapon.</td>
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<tr>
<td>812.014(2)(c)</td>
<td>3rd</td>
<td>Grand theft, 3rd degree $10,000 or more but less than $20,000.</td>
</tr>
<tr>
<td>812.014</td>
<td>3rd</td>
<td>Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.</td>
</tr>
<tr>
<td>812.0195(2)</td>
<td>3rd</td>
<td>Dealing in stolen property by use of the Internet; property stolen $300 or more.</td>
</tr>
<tr>
<td>817.563(1)</td>
<td>3rd</td>
<td>Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.</td>
</tr>
<tr>
<td>817.568(2)(a)</td>
<td>3rd</td>
<td>Fraudulent use of personal identification information.</td>
</tr>
<tr>
<td>817.625(2)(a)</td>
<td>3rd</td>
<td>Fraudulent use of scanning device or reencoder.</td>
</tr>
<tr>
<td>828.125(1)</td>
<td>2nd</td>
<td>Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.</td>
</tr>
<tr>
<td>837.02(1)</td>
<td>3rd</td>
<td>Perjury in official proceedings.</td>
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<tr>
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<td>Code</td>
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</tr>
<tr>
<td>865</td>
<td>837.021(1)</td>
<td>3rd</td>
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<tr>
<td>866</td>
<td>838.022</td>
<td>3rd</td>
</tr>
<tr>
<td>867</td>
<td>839.13(2)(a)</td>
<td>3rd</td>
</tr>
<tr>
<td>868</td>
<td>839.13(2)(c)</td>
<td>3rd</td>
</tr>
<tr>
<td>869</td>
<td>843.021</td>
<td>3rd</td>
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<tr>
<td>870</td>
<td>843.025</td>
<td>3rd</td>
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<tr>
<td>871</td>
<td>843.15(1)(a)</td>
<td>3rd</td>
</tr>
<tr>
<td>872</td>
<td>847.0135(5)(c)</td>
<td>3rd</td>
</tr>
<tr>
<td>873</td>
<td>874.05(1)</td>
<td>3rd</td>
</tr>
</tbody>
</table>
893.13(2)(a)1.  2nd  Purchase of cocaine (or other s.
893.03(1)(a), (b), or (d), (2)(a),
(2)(b), or (2)(c)4. drugs).

914.14(2)  3rd  Witnesses accepting bribes.

914.22(1)  3rd  Force, threaten, etc., witness, victim,
or informant.

914.23(2)  3rd  Retaliation against a witness, victim,
or informant, no bodily injury.

918.12  3rd  Tampering with jurors.

934.215  3rd  Use of two-way communications device to
facilitate commission of a crime.

(e) LEVEL 5

Florida  Felony  Description
Statute  Degree

316.027(1)(a)  3rd  Accidents involving personal injuries,
failure to stop; leaving scene.

316.1935(4)(a)  2nd  Aggravated fleeing or eluding.

322.34(6)  3rd  Careless operation of motor vehicle
with suspended license, resulting in
death or serious bodily injury.

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<thead>
<tr>
<th>Section</th>
<th>Degree of Offense</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>327.30(5)</td>
<td>3rd</td>
<td>Vessel accidents involving personal injury; leaving scene.</td>
</tr>
<tr>
<td>379.367(4)</td>
<td>3rd</td>
<td>Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.</td>
</tr>
<tr>
<td>379.3671(2)(c)3.</td>
<td>3rd</td>
<td>Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.</td>
</tr>
<tr>
<td>381.0041(11)(b)</td>
<td>3rd</td>
<td>Donate blood, plasma, or organs knowing HIV positive.</td>
</tr>
<tr>
<td>440.10(1)(g)</td>
<td>2nd</td>
<td>Failure to obtain workers' compensation coverage.</td>
</tr>
<tr>
<td>440.105(5)</td>
<td>2nd</td>
<td>Unlawful solicitation for the purpose of making workers' compensation claims.</td>
</tr>
<tr>
<td>440.381(2)</td>
<td>2nd</td>
<td>Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.</td>
</tr>
</tbody>
</table>
624.401(4)(b)2.  2nd  Transacting insurance without a certificate or authority; premium collected $20,000 or more but less than $100,000.

626.902(1)(c)  2nd  Representing an unauthorized insurer; repeat offender.

790.01(2)  3rd  Carrying a concealed firearm.

790.162  2nd  Threat to throw or discharge destructive device.

790.163(1)  2nd  False report of deadly explosive or weapon of mass destruction.

790.221(1)  2nd  Possession of short-barreled shotgun or machine gun.

790.23  2nd  Felons in possession of firearms, ammunition, or electronic weapons or devices.

800.04(6)(c)  3rd  Lewd or lascivious conduct; offender less than 18 years.

800.04(7)(b)  2nd  Lewd or lascivious exhibition; offender 18 years or older.
806.111(1)  3rd  Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

812.0145(2)(b)  2nd  Theft from person 65 years of age or older; $10,000 or more but less than $50,000.

812.015(8)  3rd  Retail theft; property stolen is valued at $300 or more and one or more specified acts.

812.019(1)  2nd  Stolen property; dealing in or trafficking in.

812.131(2)(b)  3rd  Robbery by sudden snatching.

812.16(2)  3rd  Owning, operating, or conducting a chop shop.

817.034(4)(a)2.  2nd  Communications fraud, value $20,000 to $50,000.

817.234(11)(b)  2nd  Insurance fraud; property value $20,000 or more but less than $100,000.

817.2341(1),  3rd  Filing false financial statements,
<table>
<thead>
<tr>
<th>Section</th>
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</tr>
</thead>
<tbody>
<tr>
<td>817.568(2)(b)</td>
<td>2nd</td>
<td>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 individuals.</td>
</tr>
<tr>
<td>817.625(2)(b)</td>
<td>2nd</td>
<td>Second or subsequent fraudulent use of scanning device or reencoder.</td>
</tr>
<tr>
<td>825.1025(4)</td>
<td>3rd</td>
<td>Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.</td>
</tr>
<tr>
<td>827.071(4)</td>
<td>2nd</td>
<td>Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.</td>
</tr>
<tr>
<td>827.071(5)</td>
<td>3rd</td>
<td>Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.</td>
</tr>
</tbody>
</table>
conduct by a child.

839.13(2)(b)  2nd  Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

843.01  3rd  Resist officer with violence to person; resist arrest with violence.

847.0135(5)(b)  2nd  Lewd or lascivious exhibition using computer; offender 18 years or older.

847.0137  3rd  Transmission of pornography by electronic device or equipment.

847.0138  3rd  Transmission of material harmful to minors to a minor by electronic device or equipment.

874.05(2)  2nd  Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

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)4. drugs).
893.13(1)(c)2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (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.

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)4. drugs) within 1,000 feet of university.

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)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.

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)4. drugs) within 1,000 feet of public
housing facility.

893.13(4)(b)  2nd  Deliver to minor cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

893.1351(1)  3rd  Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.

Section 7. This act shall take effect upon becoming a law.