

1 A bill to be entitled
 2 An act relating to cannabis; amending s. 893.03, F.S.;
 3 removing cannabis from the schedule of controlled
 4 substances; amending ss. 456.0635, 772.12, 856.015,
 5 893.02, 893.055, 893.0551, 893.13, 893.135, 893.1351,
 6 893.145, 893.147, 893.15, 921.0022, 944.47, 951.22,
 7 985.711, and 1003.57, F.S.; conforming provisions to
 8 changes made by the act; providing an effective date.
 9

10 Be It Enacted by the Legislature of the State of Florida:
 11

12 Section 1. Paragraph (c) of subsection (1) of section
 13 893.03, Florida Statutes, is amended to read:

14 893.03 Standards and schedules.—The substances enumerated
 15 in this section are controlled by this chapter. The controlled
 16 substances listed or to be listed in Schedules I, II, III, IV,
 17 and V are included by whatever official, common, usual,
 18 chemical, or trade name designated. The provisions of this
 19 section shall not be construed to include within any of the
 20 schedules contained in this section any excluded drugs listed
 21 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
 22 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
 23 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
 24 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
 25 Anabolic Steroid Products."

26 (1) SCHEDULE I.—A substance in Schedule I has a high

27 potential for abuse and has no currently accepted medical use in
 28 treatment in the United States and in its use under medical
 29 supervision does not meet accepted safety standards. The
 30 following substances are controlled in Schedule I:

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

- 39 1. Alpha-ethyltryptamine.
- 40 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-
- 41 methylaminorex).
- 42 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 43 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 44 5. 4-Bromo-2,5-dimethoxyphenethylamine.
- 45 6. Bufotenine.
- 46 ~~7. Cannabis.~~
- 47 ~~7.8.~~ Cathinone.
- 48 ~~8.9.~~ Diethyltryptamine.
- 49 ~~9.10.~~ 2,5-Dimethoxyamphetamine.
- 50 ~~10.11.~~ 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 51 ~~11.12.~~ Dimethyltryptamine.
- 52 ~~12.13.~~ N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine

53 analog of phencyclidine).

54 ~~13.14.~~ N-Ethyl-3-piperidyl benzilate.

55 ~~14.15.~~ N-ethylamphetamine.

56 ~~15.16.~~ Fenethylamine.

57 ~~16.17.~~ N-Hydroxy-3,4-methylenedioxyamphetamine.

58 ~~17.18.~~ Ibogaine.

59 ~~18.19.~~ Lysergic acid diethylamide (LSD).

60 ~~19.20.~~ Mescaline.

61 ~~20.21.~~ Methcathinone.

62 ~~21.22.~~ 5-Methoxy-3,4-methylenedioxyamphetamine.

63 ~~22.23.~~ 4-methoxyamphetamine.

64 ~~23.24.~~ 4-methoxymethamphetamine.

65 ~~24.25.~~ 4-Methyl-2,5-dimethoxyamphetamine.

66 ~~25.26.~~ 3,4-Methylenedioxy-N-ethylamphetamine.

67 ~~26.27.~~ 3,4-Methylenedioxyamphetamine.

68 ~~27.28.~~ N-Methyl-3-piperidyl benzilate.

69 ~~28.29.~~ N,N-dimethylamphetamine.

70 ~~29.30.~~ Parahexyl.

71 ~~30.31.~~ Peyote.

72 ~~31.32.~~ N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY)

73 (Pyrrolidine analog of phencyclidine).

74 ~~32.33.~~ Psilocybin.

75 ~~33.34.~~ Psilocyn.

76 ~~34.35.~~ Salvia divinorum, except for any drug product

77 approved by the United States Food and Drug Administration which

78 contains Salvia divinorum or its isomers, esters, ethers, salts,

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79 and salts of isomers, esters, and ethers, if the existence of
80 such isomers, esters, ethers, and salts is possible within the
81 specific chemical designation.

82 ~~35.36.~~ 35.36. Salvinorin A, except for any drug product approved
83 by the United States Food and Drug Administration which contains
84 Salvinorin A or its isomers, esters, ethers, salts, and salts of
85 isomers, esters, and ethers, if the existence of such isomers,
86 esters, ethers, and salts is possible within the specific
87 chemical designation.

88 ~~36.37.~~ 36.37. Tetrahydrocannabinols.

89 ~~37.38.~~ 37.38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)
90 (Thiophene analog of phencyclidine).

91 ~~38.39.~~ 38.39. 3,4,5-Trimethoxyamphetamine.

92 ~~39.40.~~ 39.40. 3,4-Methylenedioxymethcathinone.

93 ~~40.41.~~ 40.41. 3,4-Methylenedioxypyrovalerone (MDPV).

94 ~~41.42.~~ 41.42. Methylmethcathinone.

95 ~~42.43.~~ 42.43. Methoxymethcathinone.

96 ~~43.44.~~ 43.44. Fluoromethcathinone.

97 ~~44.45.~~ 44.45. Methylethcathinone.

98 ~~45.46.~~ 45.46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-
99 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)
100 homologue.

101 ~~46.47.~~ 46.47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
102 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,
103 also known as HU-210.

104 ~~47.48.~~ 47.48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-

- 105 | 018.
- 106 | ~~48.49.~~ 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-
- 107 | 073.
- 108 | ~~49.50.~~ 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole,
- 109 | also known as JWH-200.
- 110 | ~~50.51.~~ BZP (Benzylpiperazine).
- 111 | ~~51.52.~~ Fluorophenylpiperazine.
- 112 | ~~52.53.~~ Methylphenylpiperazine.
- 113 | ~~53.54.~~ Chlorophenylpiperazine.
- 114 | ~~54.55.~~ Methoxyphenylpiperazine.
- 115 | ~~55.56.~~ DBZP (1,4-dibenzylpiperazine).
- 116 | ~~56.57.~~ TFMPP (3-Trifluoromethylphenylpiperazine).
- 117 | ~~57.58.~~ MBDB (Methylbenzodioxolylbutanamine).
- 118 | ~~58.59.~~ 5-Hydroxy-alpha-methyltryptamine.
- 119 | ~~59.60.~~ 5-Hydroxy-N-methyltryptamine.
- 120 | ~~60.61.~~ 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 121 | ~~61.62.~~ 5-Methoxy-alpha-methyltryptamine.
- 122 | ~~62.63.~~ Methyltryptamine.
- 123 | ~~63.64.~~ 5-Methoxy-N,N-dimethyltryptamine.
- 124 | ~~64.65.~~ 5-Methyl-N,N-dimethyltryptamine.
- 125 | ~~65.66.~~ Tyramine (4-Hydroxyphenethylamine).
- 126 | ~~66.67.~~ 5-Methoxy-N,N-Diisopropyltryptamine.
- 127 | ~~67.68.~~ DiPT (N,N-Diisopropyltryptamine).
- 128 | ~~68.69.~~ DPT (N,N-Dipropyltryptamine).
- 129 | ~~69.70.~~ 4-Hydroxy-N,N-diisopropyltryptamine.
- 130 | ~~70.71.~~ N,N-Diallyl-5-Methoxytryptamine.

- 131 ~~71.72.~~ DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 132 ~~72.73.~~ DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 133 ~~73.74.~~ 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 134 ~~74.75.~~ 2C-T-4 (2,5-Dimethoxy-4-
- 135 isopropylthiophenethylamine).
- 136 ~~75.76.~~ 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 137 ~~76.77.~~ 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
- 138 ~~77.78.~~ 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
- 139 ~~78.79.~~ 2C-T-7 (2,5-Dimethoxy-4-(n)-
- 140 propylthiophenethylamine).
- 141 ~~79.80.~~ 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 142 ~~80.81.~~ Butylone (beta-keto-N-
- 143 methylbenzodioxolylpropylamine).
- 144 ~~81.82.~~ Ethcathinone.
- 145 ~~82.83.~~ Ethylone (3,4-methylenedioxy-N-ethylcathinone).
- 146 ~~83.84.~~ Naphyrone (naphthylpyrovalerone).
- 147 ~~84.85.~~ N-N-Dimethyl-3,4-methylenedioxycathinone.
- 148 ~~85.86.~~ N-N-Diethyl-3,4-methylenedioxycathinone.
- 149 ~~86.87.~~ 3,4-methylenedioxy-propiofenone.
- 150 ~~87.88.~~ 2-Bromo-3,4-Methylenedioxypropiofenone.
- 151 ~~88.89.~~ 3,4-methylenedioxy-propiofenone-2-oxime.
- 152 ~~89.90.~~ N-Acetyl-3,4-methylenedioxycathinone.
- 153 ~~90.91.~~ N-Acetyl-N-Methyl-3,4-Methylenedioxycathinone.
- 154 ~~91.92.~~ N-Acetyl-N-Ethyl-3,4-Methylenedioxycathinone.
- 155 ~~92.93.~~ Bromomethcathinone.
- 156 ~~93.94.~~ Buphedrone (alpha-methylamino-butyrophenone).

- 157 | ~~94.95.~~ Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 158 | ~~95.96.~~ Dimethylcathinone.
- 159 | ~~96.97.~~ Dimethylmethcathinone.
- 160 | ~~97.98.~~ Pentylone (beta-Keto-
- 161 | Methylbenzodioxolylpentanamine).
- 162 | ~~98.99.~~ (MDPPP) 3,4-Methylenedioxy-alpha-
- 163 | pyrrolidinopropiophenone.
- 164 | ~~99.100.~~ (MDPBP) 3,4-Methylenedioxy-alpha-
- 165 | pyrrolidinobutiophenone.
- 166 | ~~100.101.~~ Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).
- 167 | ~~101.102.~~ Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 168 | ~~102.103.~~ Benocyclidine (BCP) or
- 169 | benzothiophenylcyclohexylpiperidine (BTCP).
- 170 | ~~103.104.~~ Fluoromethylaminobutyrophenone (F-MABP).
- 171 | ~~104.105.~~ Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 172 | ~~105.106.~~ Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 173 | ~~106.107.~~ 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-
- 174 | MCAT).
- 175 | ~~107.108.~~ Methylethylaminobutyrophenone (Me-EABP).
- 176 | ~~108.109.~~ Methylamino-butyrophenone (MABP).
- 177 | ~~109.110.~~ Pyrrolidinopropiophenone (PPP).
- 178 | ~~110.111.~~ Pyrrolidinobutiophenone (PBP).
- 179 | ~~111.112.~~ Pyrrolidinovalerophenone (PVP).
- 180 | ~~112.113.~~ Methyl-alpha-pyrrolidinopropiophenone (MPPP).
- 181 | ~~113.114.~~ JWH-007 (1-pentyl-2-methyl-3-(1-
- 182 | naphthoyl) indole).

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- 183 114.115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
 184 naphthalenylmethanone) .
- 185 115.116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
 186 yl)methanone) .
- 187 116.117. JWH-020 (1-heptyl-3-(1-naphthoyl) indole) .
- 188 117.118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
 189 yl)methanone) .
- 190 118.119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-
 191 3-yl)methanone) .
- 192 119.120. JWH-122 (1-pentyl-3-(4-methyl-1-
 193 naphthoyl) indole) .
- 194 120.121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-
 195 6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)) .
- 196 121.122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
 197 indole) .
- 198 122.123. JWH-201 (1-pentyl-3-(4-
 199 methoxyphenylacetyl) indole) .
- 200 123.124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-
 201 yl)ethanone) .
- 202 124.125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-
 203 yl)methanone) .
- 204 125.126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-
 205 yl)ethanone) .
- 206 126.127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-
 207 3-yl)ethanone) .
- 208 127.128. JWH-302 (1-pentyl-3-(3-

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209 methoxyphenylacetyl) indole) .
210 ~~128.129.~~ JWH-398 (1-pentyl-3-(4-chloro-1-
211 naphthoyl) indole) .
212 ~~129.130.~~ HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-
213 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
214 tetrahydrobenzo[c]chromen-1-ol) .
215 ~~130.131.~~ HU-308 ([(1R,2R,5R)-2-[2,6-dimethoxy-4-(2-
216 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
217 enyl] methanol) .
218 ~~131.132.~~ HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
219 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
220 1,4-dione) .
221 ~~132.133.~~ CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-
222 yl)methanone) .
223 ~~133.134.~~ CB-25 (N-cyclopropyl-11-(3-hydroxy-5-
224 pentylphenoxy)-undecanamide) .
225 ~~134.135.~~ CB-52 (N-cyclopropyl-11-(2-hexyl-5-
226 hydroxyphenoxy)-undecanamide) .
227 ~~135.136.~~ CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-
228 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol) .
229 ~~136.137.~~ AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]- (2-
230 iodophenyl)methanone) .
231 ~~137.138.~~ AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-
232 (naphthalen-1-yl)methanone) .
233 ~~138.139.~~ RCS-4 ((4-methoxyphenyl) (1-pentyl-1H-indol-3-
234 yl)methanone) .

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235 ~~139.140.~~ RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-
236 (2-methoxyphenylethanone).
237 ~~140.141.~~ WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
238 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
239 naphthalenylmethanone).
240 ~~141.142.~~ WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
241 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
242 naphthalenylmethanone).
243 ~~142.143.~~ Pentedrone (2-(methylamino)-1-phenyl-1-
244 pentanone).
245 ~~143.144.~~ Fluoroamphetamine.
246 ~~144.145.~~ Fluoromethamphetamine.
247 ~~145.146.~~ Methoxetamine.
248 ~~146.147.~~ Methiopropamine.
249 ~~147.148.~~ 4-Methylbuphedrone (2-Methylamino-1-(4-
250 methylphenyl)butan-1-one).
251 ~~148.149.~~ APB ((2-aminopropyl)benzofuran).
252 ~~149.150.~~ APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).
253 ~~150.151.~~ UR-144 ((1-pentyl-1H-indol-3-yl)(2,2,3,3-
254 tetramethylcyclopropyl)methanone).
255 ~~151.152.~~ XLR11 ((1-(5-fluoropentyl)-1H-indol-3-
256 yl)(2,2,3,3-tetramethylcyclopropyl)methanone).
257 ~~152.153.~~ (1-(5-chloropentyl)-1H-indol-3-yl)(2,2,3,3-
258 tetramethylcyclopropyl)methanone.
259 ~~153.154.~~ AKB48 (1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-
260 1H-indazole-3-carboxamide).

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261 ~~154.155.~~ AM-2233 ((2-iodophenyl) [1-[(1-methyl-2-
262 piperidinyl)methyl]-1H-indol-3-yl]-methanone).
263 ~~155.156.~~ STS-135 (1-(5-fluoropentyl)-N-
264 tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indole-3-carboxamide).
265 ~~156.157.~~ URB-597 ((3'-(aminocarbonyl) [1,1'-biphenyl]-3-
266 yl)-cyclohexylcarbamate).
267 ~~157.158.~~ URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
268 cyclohexyl ester).
269 ~~158.159.~~ URB-754 (6-methyl-2-[(4-methylphenyl)amino]-1-
270 benzoxazin-4-one).
271 ~~159.160.~~ 2C-D (2-(2,5-Dimethoxy-4-
272 methylphenyl)ethanamine).
273 ~~160.161.~~ 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).
274 ~~161.162.~~ 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).
275 ~~162.163.~~ 2C-P (2-(2,5-Dimethoxy-4-(n)-
276 propylphenyl)ethanamine).
277 ~~163.164.~~ 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-
278 methoxyphenyl)methyl]-benzeneethanamine).
279 ~~164.165.~~ 3,4-Methylenedioxymethamphetamine (MDMA).
280 ~~165.166.~~ PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-
281 carboxylic acid).
282 ~~166.167.~~ 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-
283 fluoropentyl)-1H-indole-3-carboxylic acid).
284 ~~167.168.~~ BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-
285 1H-indole-3-carboxylic acid).
286 ~~168.169.~~ 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-

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287 (5-fluoropentyl)-1H-indazole-3-carboxamide).

288 ~~169.170.~~ AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
289 1-pentyl-1H-indazole-3-carboxamide).

290 ~~170.171.~~ AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
291 yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide).

292 ~~171.172.~~ ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
293 yl)-1-pentyl-1H-indazole-3-carboxamide).

294 ~~172.173.~~ Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-
295 oxobutan-2-yl)-1-(fluoropentyl)-1H-indole-3-carboxamide).

296 ~~173.174.~~ 25B-NBOMe (4-bromo-2,5-dimethoxy-N-[(2-
297 methoxyphenyl)methyl]-benzeneethanamine).

298 ~~174.175.~~ 2C-C-NBOMe (4-chloro-2,5-dimethoxy-N-[(2-
299 methoxyphenyl)methyl]-benzeneethanamine).

300 Section 2. Paragraph (a) of subsection (2) and paragraph
301 (a) of subsection (3) of section 456.0635, Florida Statutes, are
302 amended to read:

303 456.0635 Health care fraud; disqualification for license,
304 certificate, or registration.—

305 (2) Each board within the jurisdiction of the department,
306 or the department if there is no board, shall refuse to admit a
307 candidate to any examination and refuse to issue a license,
308 certificate, or registration to any applicant if the candidate
309 or applicant or any principal, officer, agent, managing
310 employee, or affiliated person of the applicant:

311 (a) Has been convicted of, or entered a plea of guilty or
312 nolo contendere to, regardless of adjudication, a felony under

313 chapter 409, chapter 817, or chapter 893, or a similar felony
 314 offense committed in another state or jurisdiction, unless the
 315 candidate or applicant has successfully completed a drug court
 316 program for that felony and provides proof that the plea has
 317 been withdrawn or the charges have been dismissed. Any such
 318 conviction or plea shall exclude the applicant or candidate from
 319 licensure, examination, certification, or registration unless
 320 the sentence and any subsequent period of probation for such
 321 conviction or plea ended:

322 1. For felonies of the first or second degree, more than
 323 15 years before the date of application.

324 2. For felonies of the third degree, more than 10 years
 325 before the date of application, except for felonies of the third
 326 degree under s. 893.13(5)(a) ~~893.13(6)(a)~~.

327 3. For felonies of the third degree under s. 893.13(5)(a)
 328 ~~893.13(6)(a)~~, more than 5 years before the date of application;

329

330 This subsection does not apply to candidates or applicants for
 331 initial licensure or certification who were enrolled in an
 332 educational or training program on or before July 1, 2009, which
 333 was recognized by a board or, if there is no board, recognized
 334 by the department, and who applied for licensure after July 1,
 335 2012.

336 (3) The department shall refuse to renew a license,
 337 certificate, or registration of any applicant if the applicant
 338 or any principal, officer, agent, managing employee, or

339 affiliated person of the applicant:

340 (a) Has been convicted of, or entered a plea of guilty or
341 nolo contendere to, regardless of adjudication, a felony under
342 chapter 409, chapter 817, or chapter 893, or a similar felony
343 offense committed in another state or jurisdiction, unless the
344 applicant is currently enrolled in a drug court program that
345 allows the withdrawal of the plea for that felony upon
346 successful completion of that program. Any such conviction or
347 plea excludes the applicant from licensure renewal unless the
348 sentence and any subsequent period of probation for such
349 conviction or plea ended:

350 1. For felonies of the first or second degree, more than
351 15 years before the date of application.

352 2. For felonies of the third degree, more than 10 years
353 before the date of application, except for felonies of the third
354 degree under s. 893.13(5)(a) ~~893.13(6)(a)~~.

355 3. For felonies of the third degree under s. 893.13(5)(a)
356 ~~893.13(6)(a)~~, more than 5 years before the date of application.

357 Section 3. Paragraph (a) of subsection (2) of section
358 772.12, Florida Statutes, is amended to read:

359 772.12 Drug Dealer Liability Act.—

360 (2) A person, including any governmental entity, has a
361 cause of action for threefold the actual damages sustained and
362 is entitled to minimum damages in the amount of \$1,000 and
363 reasonable attorney's fees and court costs in the trial and
364 appellate courts, if the person proves by the greater weight of

365 the evidence that:

366 (a) The person was injured because of the defendant's
367 actions that resulted in the defendant's conviction for:

368 1. A violation of s. 893.13, except for a violation of s.
369 893.13(2)(a) or (b), (3), (5), or (6) ~~(6)(a), (b), or (c), (7);~~
370 or

371 2. A violation of s. 893.135; and

372 Section 4. Paragraph (c) of subsection (1) of section
373 856.015, Florida Statutes, is amended to read:

374 856.015 Open house parties.—

375 (1) Definitions.—As used in this section:

376 (c) "Drug" means a controlled substance, as that term is
377 defined in ss. 893.02(3) ~~893.02(4)~~ and 893.03.

378 Section 5. Subsection (3) of section 893.02, Florida
379 Statutes, is amended to read:

380 893.02 Definitions.—The following words and phrases as
381 used in this chapter shall have the following meanings, unless
382 the context otherwise requires:

383 ~~(3) "Cannabis" means all parts of any plant of the genus~~
384 ~~Cannabis, whether growing or not; the seeds thereof; the resin~~
385 ~~extracted from any part of the plant; and every compound,~~
386 ~~manufacture, salt, derivative, mixture, or preparation of the~~
387 ~~plant or its seeds or resin. The term does not include "low-THC~~
388 ~~cannabis," as defined in s. 381.986, if manufactured, possessed,~~
389 ~~sold, purchased, delivered, distributed, or dispensed, in~~
390 ~~conformance with s. 381.986.~~

391 Section 6. Paragraph (a) of subsection (1), paragraph (b)
 392 of subsection (2), and paragraph (f) of subsection (7) of
 393 section 893.055, Florida Statutes, are amended to read:

394 893.055 Prescription drug monitoring program.—

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

396 (a) "Patient advisory report" or "advisory report" means
 397 information provided by the department in writing, or as
 398 determined by the department, to a prescriber, dispenser,
 399 pharmacy, or patient concerning the dispensing of controlled
 400 substances. All advisory reports are for informational purposes
 401 only and impose no obligations of any nature or any legal duty
 402 on a prescriber, dispenser, pharmacy, or patient. The patient
 403 advisory report shall be provided in accordance with s.

404 893.13(6)(a)8. ~~893.13(7)(a)8.~~ The advisory reports issued by the
 405 department are not subject to discovery or introduction into
 406 evidence in any civil or administrative action against a
 407 prescriber, dispenser, pharmacy, or patient arising out of
 408 matters that are the subject of the report; and a person who
 409 participates in preparing, reviewing, issuing, or any other
 410 activity related to an advisory report may not be permitted or
 411 required to testify in any such civil action as to any findings,
 412 recommendations, evaluations, opinions, or other actions taken
 413 in connection with preparing, reviewing, or issuing such a
 414 report.

415 (2)

416 (b) The department, when the direct support organization

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417 receives at least \$20,000 in nonstate moneys or the state
418 receives at least \$20,000 in federal grants for the prescription
419 drug monitoring program, shall adopt rules as necessary
420 concerning the reporting, accessing the database, evaluation,
421 management, development, implementation, operation, security,
422 and storage of information within the system, including rules
423 for when patient advisory reports are provided to pharmacies and
424 prescribers. The patient advisory report shall be provided in
425 accordance with s. 893.13(6)(a)8. ~~893.13(7)(a)8.~~ The department
426 shall work with the professional health care licensure boards,
427 such as the Board of Medicine, the Board of Osteopathic
428 Medicine, and the Board of Pharmacy; other appropriate
429 organizations, such as the Florida Pharmacy Association, the
430 Florida Medical Association, the Florida Retail Federation, and
431 the Florida Osteopathic Medical Association, including those
432 relating to pain management; and the Attorney General, the
433 Department of Law Enforcement, and the Agency for Health Care
434 Administration to develop rules appropriate for the prescription
435 drug monitoring program.

436 (7)

437 (f) The program manager, upon determining a pattern
438 consistent with the rules established under paragraph (2)(d) and
439 having cause to believe a violation of s. 893.13(6)(a)8.,
440 (7)(a), or (7)(b) ~~893.13(7)(a)8., (8)(a), or (8)(b)~~ has
441 occurred, may provide relevant information to the applicable law
442 enforcement agency.

443 Section 7. Subsection (4) of section 893.0551, Florida
 444 Statutes, is amended to read:

445 893.0551 Public records exemption for the prescription
 446 drug monitoring program.—

447 (4) If the department determines consistent with its rules
 448 that a pattern of controlled substance abuse exists, the
 449 department may disclose such confidential and exempt information
 450 to the applicable law enforcement agency in accordance with s.
 451 893.055. The law enforcement agency may disclose to a criminal
 452 justice agency, as defined in s. 119.011, only confidential and
 453 exempt information received from the department that is relevant
 454 to an identified active investigation that is specific to a
 455 violation of s. 893.13(6)(a)8. ~~893.13(7)(a)8.~~, s. 893.13(7)(a)
 456 ~~893.13(8)(a)~~, or s. 893.13(8)(a) ~~893.13(8)(b)~~.

457 Section 8. Subsections (3) and (6), paragraph (a) of
 458 subsection (8), and subsection (9) of section 893.13, Florida
 459 Statutes, are amended to read:

460 893.13 Prohibited acts; penalties.—

461 ~~(3) A person who delivers, without consideration, 20 grams~~
 462 ~~or less of cannabis, as defined in this chapter, commits a~~
 463 ~~misdemeanor of the first degree, punishable as provided in s.~~
 464 ~~775.082 or s. 775.083. As used in this paragraph, the term~~
 465 ~~"cannabis" does not include the resin extracted from the plants~~
 466 ~~of the genus Cannabis or any compound manufacture, salt,~~
 467 ~~derivative, mixture, or preparation of such resin.~~

468 (5)~~(6)~~(a) A person may not be in actual or constructive

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469 possession of a controlled substance unless such controlled
470 substance was lawfully obtained from a practitioner or pursuant
471 to a valid prescription or order of a practitioner while acting
472 in the course of his or her professional practice or to be in
473 actual or constructive possession of a controlled substance
474 except as otherwise authorized by this chapter. A person who
475 violates this provision commits a felony of the third degree,
476 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

477 ~~(b) If the offense is the possession of 20 grams or less
478 of cannabis, as defined in this chapter, or 3 grams or less of a
479 controlled substance described in s. 893.03(1)(c) 46.-50., 114.-
480 142., 151.-159., or 166.-173., the person commits a misdemeanor
481 of the first degree, punishable as provided in s. 775.082 or s.
482 775.083. As used in this subsection, the term "cannabis" does
483 not include the resin extracted from the plants of the genus
484 Cannabis, or any compound manufacture, salt, derivative,
485 mixture, or preparation of such resin, and a controlled
486 substance described in s. 893.03(1)(c) 46.-50., 114.-142., 151.-
487 159., or 166.-173. does not include the substance in a powdered
488 form.~~

489 (c) Except as provided in this chapter, a person may not
490 possess more than 10 grams of any substance named or described
491 in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any
492 mixture containing any such substance. A person who violates
493 this paragraph commits a felony of the first degree, punishable
494 as provided in s. 775.082, s. 775.083, or s. 775.084.

495 ~~(d) Notwithstanding any provision to the contrary of the~~
 496 ~~laws of this state relating to arrest, a law enforcement officer~~
 497 ~~may arrest without warrant any person who the officer has~~
 498 ~~probable cause to believe is violating the provisions of this~~
 499 ~~chapter relating to possession of cannabis.~~

500 (7)~~(8)~~(a) Notwithstanding subsection (8) ~~(9)~~, a
 501 prescribing practitioner may not:

502 1. Knowingly assist a patient, other person, or the owner
 503 of an animal in obtaining a controlled substance through
 504 deceptive, untrue, or fraudulent representations in or related
 505 to the practice of the prescribing practitioner's professional
 506 practice;

507 2. Employ a trick or scheme in the practice of the
 508 prescribing practitioner's professional practice to assist a
 509 patient, other person, or the owner of an animal in obtaining a
 510 controlled substance;

511 3. Knowingly write a prescription for a controlled
 512 substance for a fictitious person; or

513 4. Write a prescription for a controlled substance for a
 514 patient, other person, or an animal if the sole purpose of
 515 writing such prescription is to provide a monetary benefit to,
 516 or obtain a monetary benefit for, the prescribing practitioner.

517 (8)~~(9)~~ The provisions of subsections (1)~~(7)~~ ~~(1)~~~~(8)~~ are
 518 not applicable to the delivery to, or actual or constructive
 519 possession for medical or scientific use or purpose only of
 520 controlled substances by, persons included in any of the

521 following classes, or the agents or employees of such persons,
 522 for use in the usual course of their business or profession or
 523 in the performance of their official duties:

524 (a) Pharmacists.

525 (b) Practitioners.

526 (c) Persons who procure controlled substances in good
 527 faith and in the course of professional practice only, by or
 528 under the supervision of pharmacists or practitioners employed
 529 by them, or for the purpose of lawful research, teaching, or
 530 testing, and not for resale.

531 (d) Hospitals that procure controlled substances for
 532 lawful administration by practitioners, but only for use by or
 533 in the particular hospital.

534 (e) Officers or employees of state, federal, or local
 535 governments acting in their official capacity only, or informers
 536 acting under their jurisdiction.

537 (f) Common carriers.

538 (g) Manufacturers, wholesalers, and distributors.

539 (h) Law enforcement officers for bona fide law enforcement
 540 purposes in the course of an active criminal investigation.

541 Section 9. Paragraph (a) of subsection (1) of section
 542 893.135, Florida Statutes, is amended to read:

543 893.135 Trafficking; mandatory sentences; suspension or
 544 reduction of sentences; conspiracy to engage in trafficking.—

545 (1) Except as authorized in this chapter or in chapter 499
 546 and notwithstanding the provisions of s. 893.13:

547 ~~(a) Any person who knowingly sells, purchases,~~
548 ~~manufactures, delivers, or brings into this state, or who is~~
549 ~~knowingly in actual or constructive possession of, in excess of~~
550 ~~25 pounds of cannabis, or 300 or more cannabis plants, commits a~~
551 ~~felony of the first degree, which felony shall be known as~~
552 ~~"trafficking in cannabis," punishable as provided in s. 775.082,~~
553 ~~s. 775.083, or s. 775.084. If the quantity of cannabis involved:~~

554 ~~1. Is in excess of 25 pounds, but less than 2,000 pounds,~~
555 ~~or is 300 or more cannabis plants, but not more than 2,000~~
556 ~~cannabis plants, such person shall be sentenced to a mandatory~~
557 ~~minimum term of imprisonment of 3 years, and the defendant shall~~
558 ~~be ordered to pay a fine of \$25,000.~~

559 ~~2. Is 2,000 pounds or more, but less than 10,000 pounds,~~
560 ~~or is 2,000 or more cannabis plants, but not more than 10,000~~
561 ~~cannabis plants, such person shall be sentenced to a mandatory~~
562 ~~minimum term of imprisonment of 7 years, and the defendant shall~~
563 ~~be ordered to pay a fine of \$50,000.~~

564 ~~3. Is 10,000 pounds or more, or is 10,000 or more cannabis~~
565 ~~plants, such person shall be sentenced to a mandatory minimum~~
566 ~~term of imprisonment of 15 calendar years and pay a fine of~~
567 ~~\$200,000.~~

568
569 ~~For the purpose of this paragraph, a plant, including, but not~~
570 ~~limited to, a seedling or cutting, is a "cannabis plant" if it~~
571 ~~has some readily observable evidence of root formation, such as~~
572 ~~root hairs. To determine if a piece or part of a cannabis plant~~

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573 ~~severed from the cannabis plant is itself a cannabis plant, the~~
574 ~~severed piece or part must have some readily observable evidence~~
575 ~~of root formation, such as root hairs. Callous tissue is not~~
576 ~~readily observable evidence of root formation. The viability and~~
577 ~~sex of a plant and the fact that the plant may or may not be a~~
578 ~~dead harvested plant are not relevant in determining if the~~
579 ~~plant is a "cannabis plant" or in the charging of an offense~~
580 ~~under this paragraph. Upon conviction, the court shall impose~~
581 ~~the longest term of imprisonment provided for in this paragraph.~~

582 Section 10. Subsection (4) of section 893.1351, Florida
583 Statutes, is amended to read:

584 893.1351 Ownership, lease, rental, or possession for
585 trafficking in or manufacturing a controlled substance.—

586 ~~(4) For the purposes of this section, proof of the~~
587 ~~possession of 25 or more cannabis plants constitutes prima facie~~
588 ~~evidence that the cannabis is intended for sale or distribution.~~

589 Section 11. Subsections (7) and (12) of section 893.145,
590 Florida Statutes, are amended to read:

591 893.145 "Drug paraphernalia" defined.—The term "drug
592 paraphernalia" means all equipment, products, and materials of
593 any kind which are used, intended for use, or designed for use
594 in planting, propagating, cultivating, growing, harvesting,
595 manufacturing, compounding, converting, producing, processing,
596 preparing, testing, analyzing, packaging, repackaging, storing,
597 containing, concealing, transporting, injecting, ingesting,
598 inhaling, or otherwise introducing into the human body a

599 controlled substance in violation of this chapter or s. 877.111.
 600 Drug paraphernalia is deemed to be contraband which shall be
 601 subject to civil forfeiture. The term includes, but is not
 602 limited to:

603 ~~(7) Separation gins and sifters used, intended for use, or~~
 604 ~~designed for use in removing twigs and seeds from, or in~~
 605 ~~otherwise cleaning or refining, cannabis.~~

606 (11)~~(12)~~ Objects used, intended for use, or designed for
 607 use in ingesting, inhaling, or otherwise introducing ~~cannabis,~~
 608 cocaine, hashish, hashish oil, or nitrous oxide into the human
 609 body, such as:

610 (a) Metal, wooden, acrylic, glass, stone, plastic, or
 611 ceramic pipes, with or without screens, permanent screens,
 612 hashish heads, or punctured metal bowls.

613 (b) Water pipes.

614 (c) Carburetion tubes and devices.

615 (d) Smoking and carburetion masks.

616 (e) Roach clips: meaning objects used to hold burning
 617 material, ~~such as a cannabis cigarette,~~ that has become too
 618 small or too short to be held in the hand.

619 (f) Miniature cocaine spoons, and cocaine vials.

620 (g) Chamber pipes.

621 (h) Carburetor pipes.

622 (i) Electric pipes.

623 (j) Air-driven pipes.

624 (k) Chillums.

- 625 (l) Bongs.
- 626 (m) Ice pipes or chillers.
- 627 (n) A cartridge or canister, which means a small metal
- 628 device used to contain nitrous oxide.
- 629 (o) A charger, sometimes referred to as a "cracker," which
- 630 means a small metal or plastic device that contains an interior
- 631 pin that may be used to expel nitrous oxide from a cartridge or
- 632 container.
- 633 (p) A charging bottle, which means a device that may be
- 634 used to expel nitrous oxide from a cartridge or canister.
- 635 (q) A whip-it, which means a device that may be used to
- 636 expel nitrous oxide.
- 637 (r) A tank.
- 638 (s) A balloon.
- 639 (t) A hose or tube.
- 640 (u) A 2-liter-type soda bottle.
- 641 (v) Duct tape.

642 Section 12. Paragraph (a) of subsection (6) of section
 643 893.147, Florida Statutes, is amended to read:

644 893.147 Use, possession, manufacture, delivery,
 645 transportation, advertisement, or retail sale of drug
 646 paraphernalia.—

647 (6) RETAIL SALE OF DRUG PARAPHERNALIA.—

648 (a) It is unlawful for a person to knowingly and willfully
 649 sell or offer for sale at retail any drug paraphernalia
 650 described in s. 893.145(11)(a)-(c) or (g)-(m) ~~893.145(12)(a)-(c)~~

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651 ~~or (g) (m)~~, other than a pipe that is primarily made of briar,
 652 meerschaum, clay, or corn cob.

653 Section 13. Section 893.15, Florida Statutes, is amended
 654 to read:

655 893.15 Rehabilitation.—Any person who violates s.
 656 893.13(5) (a) or (b) ~~893.13(6) (a) or (b)~~ relating to possession
 657 may, in the discretion of the trial judge, be required to
 658 participate in a substance abuse services program approved or
 659 regulated by the Department of Children and Families pursuant to
 660 the provisions of chapter 397, provided the director of such
 661 program approves the placement of the defendant in such program.
 662 Such required participation shall be imposed in addition to any
 663 penalty or probation otherwise prescribed by law. However, the
 664 total time of such penalty, probation, and program participation
 665 shall not exceed the maximum length of sentence possible for the
 666 offense.

667 Section 14. Paragraphs (a), (b), (c), (e), (g), (h), and
 668 (i) of subsection (3) of section 921.0022, Florida Statutes, are
 669 amended to read:

670 921.0022 Criminal Punishment Code; offense severity
 671 ranking chart.—

672 (3) OFFENSE SEVERITY RANKING CHART

673 (a) LEVEL 1

674

Florida	Felony	
Statute	Degree	Description

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675	24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
676	212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
677	212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
678	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
679	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
680	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
681	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
682			

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683	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
684	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
685	322.212 (5) (a)	3rd	False application for driver license or identification card.
686	414.39 (2)	3rd	Unauthorized use, possession, forgery, or alteration of food assistance program, Medicaid ID, value greater than \$200.
687	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment

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assistance benefits.

688

509.151 (1) 3rd Defraud an innkeeper, food or lodging value greater than \$300.

689

517.302 (1) 3rd Violation of the Florida Securities and Investor Protection Act.

690

562.27 (1) 3rd Possess still or still apparatus.

691

713.69 3rd Tenant removes property upon which lien has accrued, value more than \$50.

692

812.014 (3) (c) 3rd Petit theft (3rd conviction); theft of any property not specified in subsection (2).

693

812.081 (2) 3rd Unlawfully makes or causes to be made a reproduction of a trade secret.

694

815.04 (5) (a) 3rd Offense against intellectual

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property (i.e., computer programs, data).

695

817.52 (2) 3rd Hiring with intent to defraud, motor vehicle services.

696

817.569 (2) 3rd Use of public record or public records information to facilitate commission of a felony.

697

826.01 3rd Bigamy.

698

828.122 (3) 3rd Fighting or baiting animals.

699

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

700

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

701

832.041 (1) 3rd Stopping payment with intent to

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defraud \$150 or more.

702

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

703

838.15 (2) 3rd Commercial bribe receiving.

704

838.16 3rd Commercial bribery.

705

843.18 3rd Fleeing by boat to elude a law
enforcement officer.

706

847.011 (1) (a) 3rd Sell, distribute, etc.,
obscene, lewd, etc., material
(2nd conviction).

707

849.01 3rd Keeping gambling house.

708

849.09 (1) (a) - (d) 3rd Lottery; set up, promote, etc.,
or assist therein, conduct or
advertise drawing for prizes,
or dispose of property or money
by means of lottery.

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709	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
710	849.25 (2)	3rd	Engaging in bookmaking.
711	860.08	3rd	Interfere with a railroad signal.
712	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
713	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
714	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
715	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
716			
717	(b) LEVEL 2		
718	Florida	Felony	
	Statute	Degree	Description

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719	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
720	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
721	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
722	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
723	590.28 (1)	3rd	Intentional burning of lands.
724	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

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725	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
726	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
727	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
728	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
729	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
730	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.

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731	812.015 (7)	3rd	Possession, use, or attempted use of an antishoplifting or inventory control device countermeasure.
732	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
733	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
734	817.52 (3)	3rd	Failure to redeliver hired vehicle.
735	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
736	817.60 (5)	3rd	Dealing in credit cards of another.
737	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.

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738	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
739	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
740	831.01	3rd	Forgery.
741	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
742	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
743	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
744	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
745			

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746	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
747	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
748	843.08	3rd	Falsely impersonating an officer.
749	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.
750	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
751	(c) LEVEL 3		
752	Florida	Felony	
753	Statute	Degree	Description
	119.10 (2) (b)	3rd	Unlawful use of confidential

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information from police reports.

754

316.066 3rd Unlawfully obtaining or using
(3) (b) - (d) confidential crash reports.

755

316.193 (2) (b) 3rd Felony DUI, 3rd conviction.

756

316.1935 (2) 3rd Fleeing or attempting to elude
law enforcement officer in
patrol vehicle with siren and
lights activated.

757

319.30 (4) 3rd Possession by junkyard of motor
vehicle with identification
number plate removed.

758

319.33 (1) (a) 3rd Alter or forge any certificate
of title to a motor vehicle or
mobile home.

759

319.33 (1) (c) 3rd Procure or pass title on stolen
vehicle.

760

319.33 (4) 3rd With intent to defraud,
possess, sell, etc., a blank,

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forged, or unlawfully obtained title or registration.

761

327.35 (2) (b) 3rd Felony BUI.

762

328.05 (2) 3rd Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

763

328.07 (4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

764

376.302 (5) 3rd Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

765

379.2431 (1) (e) 5. 3rd Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle

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Protection Act.

766

379.2431
(1) (e) 6.

3rd

Soliciting to commit or
conspiring to commit a
violation of the Marine Turtle
Protection Act.

767

400.9935 (4)

3rd

Operating a clinic without a
license or filing false license
application or other required
information.

768

440.1051 (3)

3rd

False report of workers'
compensation fraud or
retaliation for making such a
report.

769

501.001 (2) (b)

2nd

Tampers with a consumer product
or the container using
materially false/misleading
information.

770

624.401 (4) (a)

3rd

Transacting insurance without a
certificate of authority.

771

624.401 (4) (b) 1.

3rd

Transacting insurance without a

certificate of authority;
 premium collected less than
 \$20,000.

772

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

773

697.08 3rd Equity skimming.

774

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

775

806.10 (1) 3rd Maliciously injure, destroy, or
 interfere with vehicles or
 equipment used in firefighting.

776

806.10 (2) 3rd Interferes with or assaults
 firefighter in performance of
 duty.

777

810.09 (2) (c) 3rd Trespass on property other than
 structure or conveyance armed
 with firearm or dangerous
 weapon.

778

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779	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
780	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
781	815.04 (5) (b)	2nd	Computer offense devised to defraud or obtain property.
782	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
783	817.233	3rd	Burning to defraud insurer.
784	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
785	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
	817.236	3rd	Filing a false motor vehicle insurance application.

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786	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
787	817.413 (2)	3rd	Sale of used goods as new.
788	817.505 (4)	3rd	Patient brokering.
789	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
790	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
791	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
792	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.

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793	843.19	3rd	Injure, disable, or kill police dog or horse.
794	860.15 (3)	3rd	Overcharging for repairs and parts.
795	870.01 (2)	3rd	Riot; inciting or encouraging.
796	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.
797	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.
798	893.13 (1) (f) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1.,

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(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.

799

893.13(5)(a)

3rd

Possession of any controlled
 substance ~~other than felony~~
~~possession of cannabis.~~

~~893.13(6)(a)~~

800

893.13(6)(a)8.

3rd

Withhold information from
 practitioner regarding previous
 receipt of or prescription for
 a controlled substance.

~~893.13(7)(a)8.~~

801

893.13(6)(a)9.

3rd

Obtain or attempt to obtain
 controlled substance by fraud,
 forgery, misrepresentation,
 etc.

~~893.13(7)(a)9.~~

802

893.13(6)(a)10.

3rd

Affix false or forged label to
 package of controlled
 substance.

~~893.13(7)(a)10.~~

803

893.13(6)(a)11.

3rd

Furnish false or fraudulent
 material information on any

~~893.13(7)(a)11.~~

document or record required by
chapter 893.

804

893.13(7)(a)1.
~~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.

805

893.13(7)(a)2.
~~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.

806

893.13(7)(a)3.
~~893.13(8)(a)3.~~

3rd

Knowingly write a prescription
for a controlled substance for
a fictitious person.

807

893.13(7)(a)4.
~~893.13(8)(a)4.~~

3rd

Write a prescription for a
controlled substance for a
patient, other person, or an

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animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

808

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

809

944.47 3rd Introduce contraband to (1) (a) 1. & 2. correctional facility.

810

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

811

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

812

813 (e) LEVEL 5

814

Florida	Felony	
Statute	Degree	Description

815

316.027(2) (a) 3rd Accidents involving personal

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injuries other than serious
bodily injury, failure to stop;
leaving scene.

816

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

817

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

818

327.30 (5) 3rd Vessel accidents involving
personal injury; leaving scene.

819

379.367 (4) 3rd Willful molestation of a
commercial harvester's spiny
lobster trap, line, or buoy.

820

379.3671 3rd Willful molestation,
(2) (c) 3. possession, or removal of a
commercial harvester's trap
contents or trap gear by
another harvester.

821

381.0041 (11) (b) 3rd Donate blood, plasma, or organs
knowing HIV positive.

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822	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
823	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
824	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
825	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
826	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
827	790.01 (2)	3rd	Carrying a concealed firearm.
828	790.162	2nd	Threat to throw or discharge destructive device.

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829	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
830	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
831	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
832	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
833	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
834	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
835	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or

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property.

836

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

837

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

838

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

839

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

840

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

841

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

842

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

843

817.2341(1), 3rd Filing false financial

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844	(2) (a) & (3) (a)		statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
845	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more individuals.
846	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device or reencoder.
847	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
	827.071 (4)	2nd	Possess with intent to promote any photographic material,

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motion picture, etc., which includes sexual conduct by a child.

848

827.071 (5)

3rd

Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.

849

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.

850

843.01

3rd

Resist officer with violence to person; resist arrest with violence.

851

847.0135 (5) (b)

2nd

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

852

847.0137
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

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853	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
854	874.05(1)(b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
855	874.05(2)(a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
856	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).
857	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

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within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.

858

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.

859

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.

860

893.13(1)(f)1. 1st Sell, manufacture, or deliver

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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.

861

893.13(3)(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).

~~893.13(4)(b)~~

862

893.1351(1)

3rd

Ownership, lease, or rental for
 trafficking in or manufacturing
 of controlled substance.

863

864 (g) LEVEL 7

865

Florida

Felony

Statute

Degree

Description

866

316.027(2)(c)

1st

Accident involving death,
 failure to stop; leaving scene.

867

316.193(3)(c)2.

3rd

DUI resulting in serious bodily

injury.

868

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.

869

327.35 (3) (c) 2. 3rd Vessel BUI resulting in serious bodily injury.

870

402.319 (2) 2nd Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

871

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

872

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

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873	456.065 (2)	3rd	Practicing a health care profession without a license.
874	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
875	458.327 (1)	3rd	Practicing medicine without a license.
876	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
877	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
878	461.012 (1)	3rd	Practicing podiatric medicine without a license.
879	462.17	3rd	Practicing naturopathy without a license.
880	463.015 (1)	3rd	Practicing optometry without a license.

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881	464.016 (1)	3rd	Practicing nursing without a license.
882	465.015 (2)	3rd	Practicing pharmacy without a license.
883	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
884	467.201	3rd	Practicing midwifery without a license.
885	468.366	3rd	Delivering respiratory care services without a license.
886	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
887	483.901 (9)	3rd	Practicing medical physics without a license.
888	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
889			

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890	484.053	3rd	Dispensing hearing aids without a license.
891	494.0018(2)	1st	Conviction of any violation of ss. 494.001-494.0077 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
892	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.
893	560.125(5)(a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
894	655.50(10)(b)1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

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895	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
896	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
897	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
898	782.051 (3)	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
899	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
	782.071	2nd	Killing of a human being or

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907	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
908	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
909	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
910	784.081 (1)	1st	Aggravated battery on specified official or employee.
911	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
912	784.083 (1)	1st	Aggravated battery on code inspector.
913	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services

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

914

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

915

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

916

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

917

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

918

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

919

790.166(4) 2nd Possessing, displaying, or
 threatening to use a hoax

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weapon of mass destruction
while committing or attempting
to commit a felony.

920

790.23 1st,PBL Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

921

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.

922

796.05 (1) 1st Live on earnings of a
prostitute; 2nd offense.

923

796.05 (1) 1st Live on earnings of a
prostitute; 3rd and subsequent
offense.

924

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation;
victim younger than 12 years of
age; offender younger than 18
years of age.

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925	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.
926	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.
927	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
928	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
929	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
930	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault

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or battery.

931

810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.

932

812.014 (2) (a) 1. 1st Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

933

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

934

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

935

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

936

812.0145 (2) (a) 1st Theft from person 65 years of

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age or older; \$50,000 or more.

937

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

938

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

939

812.133 (2) (b) 1st Carjacking; no firearm, deadly weapon, or other weapon.

940

817.034 (4) (a) 1. 1st Communications fraud, value greater than \$50,000.

941

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

942

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

943

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

944

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	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.
945	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
946	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
947	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.
948	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
949	827.04 (3)	3rd	Impregnation of a child under

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16 years of age by person 21
years of age or older.

950
951
952
953
954
955
956
957
958

837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
838.015	2nd	Bribery.
838.016	2nd	Unlawful compensation or reward for official behavior.
838.021 (3) (a)	2nd	Unlawful harm to a public servant.
838.22	2nd	Bid tampering.
843.0855 (2)	3rd	Impersonation of a public officer or employee.
843.0855 (3)	3rd	Unlawful simulation of legal process.
843.0855 (4)	3rd	Intimidation of a public officer or employee.

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959	847.0135(3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
960	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
961	872.06	2nd	Abuse of a dead human body.
962	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
963	874.10	1st,PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
	893.13(1)(c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.) within 1,000 feet of a child care facility, school, or

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

964

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)4., within 1,000 feet of property used for religious services or a specified business site.

965

893.13(3)(a) 1st Deliver to minor cocaine (or
~~893.13(4)(a)~~ other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4. drugs).

966

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

967

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

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968	(1)(b)1.a. <u>893.135</u> <u>(1)(b)1.a.</u> 893.135	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
969	(1)(c)1.a. <u>893.135</u> <u>(1)(b)2.a.</u> 893.135	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
970	(1)(c)2.a. <u>893.135</u> <u>(1)(b)2.b.</u> 893.135	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
971	(1)(c)2.b. <u>893.135</u> <u>(1)(b)3.a.</u> 893.135	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
972	(1)(c)3.a. <u>893.135</u> <u>(1)(b)3.b.</u> 893.135	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
	(1)(c)3.b.		

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973	<u>893.135 (1) (c) 1.</u> 893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
974	<u>893.135 (1) (d) 1.</u> 893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
975	<u>893.135 (1) (e) 1.</u> 893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
976	<u>893.135</u> <u>(1) (f) 1.a.</u> 893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
977	<u>893.135</u> <u>(1) (g) 1.a.</u> 893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
978	<u>893.135</u> <u>(1) (i) 1.a.</u> 893.135	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

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979	(1)(j)1.a.		
	<u>893.135</u>	1st	Trafficking in Phenethylamines,
	<u>(1)(j)2.a.</u>		10 grams or more, less than 200
	893.135		grams.
980	(1)(k)2.a.		
	893.1351(2)	2nd	Possession of place for
			trafficking in or manufacturing
			of controlled substance.
981	896.101(5)(a)	3rd	Money laundering, financial
			transactions exceeding \$300 but
			less than \$20,000.
982	896.104(4)(a)1.	3rd	Structuring transactions to
			evade reporting or registration
			requirements, financial
			transactions exceeding \$300 but
			less than \$20,000.
983	943.0435(4)(c)	2nd	Sexual offender vacating
			permanent residence; failure to
			comply with reporting
			requirements.
984			

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985	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
986	943.0435(9)(a)	3rd	Sexual offender; failure to comply with reporting requirements.
987	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
988	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
989	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
	944.607(10)(a)	3rd	Sexual offender; failure to submit to the taking of a

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digitized photograph.

990

944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

991

944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

992

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

993

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

994

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

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registration information.

995

996 (h) LEVEL 8

997

Florida	Felony	
Statute	Degree	Description

998

316.193	2nd	DUI manslaughter.
(3) (c) 3.a.		

999

316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
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1000

327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
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1001

499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
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1002

499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug labels.
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1003

560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less
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1004	560.125 (5) (b)	2nd	<p>than \$100,000 by money transmitter.</p> <p>Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.</p>
1005	655.50 (10) (b) 2.	2nd	<p>Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.</p>
1006	777.03 (2) (a)	1st	<p>Accessory after the fact, capital felony.</p>
1007	782.04 (4)	2nd	<p>Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or</p>

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1008			unlawfully discharging bomb.
	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
1009			
	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
1010			
	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
1011			
	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
1012			
	787.06 (3) (b)	1st	Human trafficking using coercion for commercial sexual activity of an adult.
1013			
	787.06 (3) (c) 2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
1014			

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1015	787.06(3)(e)1.	1st	Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state.
1016	787.06(3)(f)2.	1st	Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state.
1017	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
1018	794.011(5)(a)	1st	Sexual battery; victim 12 years of age or older but younger than 18 years; offender 18 years or older; offender does not use physical force likely to cause serious injury.
	794.011(5)(b)	2nd	Sexual battery; victim and offender 18 years of age or

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1019			older; offender does not use physical force likely to cause serious injury.
	794.011 (5) (c)	2nd	Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.
1020			
	794.011 (5) (d)	1st	Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.
1021			
	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
1022			
	800.04 (4) (b)	2nd	Lewd or lascivious battery.
1023			
	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or

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			older; prior conviction for specified sex offense.
1024	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
1025	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
1026	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
1027	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.
1028	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
1029	812.13 (2) (b)	1st	Robbery with a weapon.
1030	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or

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1031			other weapon.
	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
1032			
	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
1033			
	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.
1034			
	817.535 (5) (a)	2nd	Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.
1035			
	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.

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1036	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
1037	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
1038	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.
1039	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
1040	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
1041	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
1042			

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1043	860.16	1st	Aircraft piracy.
1044	893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
1045	893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
1046	<u>893.13(5)(c)</u> 893.13(6)(e)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
1047	893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
1048	<u>893.135</u> <u>(1)(a)1.b.</u> 893.135 (1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
	<u>893.135</u> <u>(1)(b)1.b.</u>	1st	Trafficking in illegal drugs, more than 14 grams, less than

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1049	893.135 (1)(e)1.b.		28 grams.
1050	<u>893.135</u> <u>(1)(b)2.c.</u> 893.135 (1)(e)2.c.	1st	Trafficking in hydrocodone, 50 grams or more, less than 200 grams.
1051	<u>893.135</u> <u>(1)(b)3.c.</u> 893.135 (1)(e)3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.
1052	<u>893.135</u> <u>(1)(c)1.b.</u> 893.135 (1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
1053	<u>893.135</u> <u>(1)(d)1.b.</u> 893.135 (1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
	<u>893.135</u> <u>(1)(e)1.b.</u> 893.135	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.

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1054	(1)(f)1.b. <u>893.135</u> <u>(1)(f)1.b.</u> 893.135	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
1055	(1)(g)1.b. <u>893.135</u> <u>(1)(g)1.b.</u> 893.135	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
1056	(1)(h)1.b. <u>893.135</u> <u>(1)(i)1.b.</u> 893.135	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
1057	(1)(j)1.b. <u>893.135</u> <u>(1)(j)2.b.</u> 893.135	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
1058	(1)(k)2.b. 893.1351(3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.

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1059	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
1060	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
1061	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
1062	896.101 (5) (b)	2nd	Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.
1063	896.104 (4) (a) 2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$20,000 but less than \$100,000.
1064			

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1065	(i) LEVEL 9		
1066	Florida Statute	Felony Degree	Description
1067	316.193 (3) (c) 3.b.	1st	DUI manslaughter; failing to render aid or give information.
1068	327.35 (3) (c) 3.b.	1st	BUI manslaughter; failing to render aid or give information.
1069	409.920 (2) (b) 1.c.	1st	Medicaid provider fraud; \$50,000 or more.
1070	499.0051 (9)	1st	Knowing sale or purchase of contraband prescription drugs resulting in great bodily harm.
1071	560.123 (8) (b) 3.	1st	Failure to report currency or payment instruments totaling or exceeding \$100,000 by money transmitter.
1072	560.125 (5) (c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling

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1073			or exceeding \$100,000.
	655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding \$100,000 by financial institution.
1074			
	775.0844	1st	Aggravated white collar crime.
1075			
	782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
1076			
	782.04(3)	1st,PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, aggravated fleeing or eluding with serious bodily injury or death, and other specified felonies.
1077			
	782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
1078			
	782.07(2)	1st	Aggravated manslaughter of an

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1079	elderly person or disabled adult.		
1080	787.01 (1) (a) 1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
1081	787.01 (1) (a) 2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
1082	787.01 (1) (a) 4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
1083	787.02 (3) (a)	1st, PBL	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
1083	787.06 (3) (c) 1.	1st	Human trafficking for labor and services of an unauthorized

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1084			alien child.
	787.06(3)(d)	1st	Human trafficking using coercion for commercial sexual activity of an unauthorized adult alien.
1085			
	787.06(3)(f)1.	1st,PBL	Human trafficking for commercial sexual activity by the transfer or transport of any child from outside Florida to within the state.
1086			
	790.161	1st	Attempted capital destructive device offense.
1087			
	790.166(2)	1st,PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
1088			
	794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
1089			
	794.011(2)	Life	Sexual battery; offender younger than 18 years and

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1090	794.011 (4) (a)	1st, PBL	commits sexual battery on a person less than 12 years.
1091	794.011 (4) (b)	1st	Sexual battery, certain circumstances; victim 12 years of age or older but younger than 18 years; offender 18 years or older.
1092	794.011 (4) (c)	1st	Sexual battery, certain circumstances; victim and offender 18 years of age or older.
1093	794.011 (4) (d)	1st	Sexual battery, certain circumstances; victim 12 years of age or older; offender younger than 18 years.
1094	794.011 (8) (b)	1st, PBL	Sexual battery, certain circumstances; victim 12 years of age or older; prior conviction for specified sex offenses.
			Sexual battery; engage in

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			sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
1095	794.08 (2)	1st	Female genital mutilation; victim younger than 18 years of age.
1096	800.04 (5) (b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
1097	812.13 (2) (a)	1st, PBL	Robbery with firearm or other deadly weapon.
1098	812.133 (2) (a)	1st, PBL	Carjacking; firearm or other deadly weapon.
1099	812.135 (2) (b)	1st	Home-invasion robbery with weapon.
1100	817.535 (3) (b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; property owner is a public officer or employee.

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1101	817.535 (4) (a) 2.	1st	Filing false claim or other unauthorized document; defendant is incarcerated or under supervision.
1102	817.535 (5) (b)	1st	Filing false lien or other unauthorized document; second or subsequent offense; owner of the property incurs financial loss as a result of the false instrument.
1103	817.568 (7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
1104	827.03 (2) (a)	1st	Aggravated child abuse.
1105	847.0145 (1)	1st	Selling, or otherwise transferring custody or control, of a minor.
1106			

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1107	847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
1108	859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
1109	893.135	1st	Attempted capital trafficking offense.
1110	893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
1111	893.135 (1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
1112	893.135 (1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.

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1113	893.135 (1) (c) 2.d.	1st	Trafficking in hydrocodone, 200 grams or more, less than 30 kilograms.
1114	893.135 (1) (c) 3.d.	1st	Trafficking in oxycodone, 100 grams or more, less than 30 kilograms.
1115	893.135 (1) (d) 1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
1116	893.135 (1) (e) 1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
1117	893.135 (1) (f) 1.c.	1st	Trafficking in amphetamine, more than 200 grams.
1118	893.135 (1) (h) 1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
1119	893.135 (1) (j) 1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
	893.135 (1) (k) 2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.

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1120

896.101(5)(c) 1st Money laundering, financial instruments totaling or exceeding \$100,000.

1121

896.104(4)(a)3. 1st Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding \$100,000.

1122

1123 Section 15. Paragraph (a) of subsection (1) of section
1124 944.47, Florida Statutes, is amended to read:

1125 944.47 Introduction, removal, or possession of certain
1126 articles unlawful; penalty.-

1127 (1)(a) Except through regular channels as authorized by
1128 the officer in charge of the correctional institution, it is
1129 unlawful to introduce into or upon the grounds of any state
1130 correctional institution, or to take or attempt to take or send
1131 or attempt to send therefrom, any of the following articles
1132 which are hereby declared to be contraband for the purposes of
1133 this section, to wit:

1134 1. Any written or recorded communication or any currency
1135 or coin given or transmitted, or intended to be given or
1136 transmitted, to any inmate of any state correctional
1137 institution.

1138 2. Any article of food or clothing given or transmitted,
 1139 or intended to be given or transmitted, to any inmate of any
 1140 state correctional institution.

1141 3. Any intoxicating beverage or beverage which causes or
 1142 may cause an intoxicating effect.

1143 4. Any controlled substance as defined in s. 893.02(3)
 1144 ~~893.02(4)~~ or any prescription or nonprescription drug having a
 1145 hypnotic, stimulating, or depressing effect.

1146 5. Any firearm or weapon of any kind or any explosive
 1147 substance.

1148 6. Any cellular telephone or other portable communication
 1149 device intentionally and unlawfully introduced inside the secure
 1150 perimeter of any state correctional institution without prior
 1151 authorization or consent from the officer in charge of such
 1152 correctional institution. As used in this subparagraph, the term
 1153 "portable communication device" means any device carried, worn,
 1154 or stored which is designed or intended to receive or transmit
 1155 verbal or written messages, access or store data, or connect
 1156 electronically to the Internet or any other electronic device
 1157 and which allows communications in any form. Such devices
 1158 include, but are not limited to, portable two-way pagers, hand-
 1159 held radios, cellular telephones, Blackberry-type devices,
 1160 personal digital assistants or PDA's, laptop computers, or any
 1161 components of these devices which are intended to be used to
 1162 assemble such devices. The term also includes any new technology
 1163 that is developed for similar purposes. Excluded from this

1164 definition is any device having communication capabilities which
 1165 has been approved or issued by the department for investigative
 1166 or institutional security purposes or for conducting other state
 1167 business.

1168 Section 16. Subsection (1) of section 951.22, Florida
 1169 Statutes, is amended to read:

1170 951.22 County detention facilities; contraband articles.-

1171 (1) It is unlawful, except through regular channels as
 1172 duly authorized by the sheriff or officer in charge, to
 1173 introduce into or possess upon the grounds of any county
 1174 detention facility as defined in s. 951.23 or to give to or
 1175 receive from any inmate of any such facility wherever said
 1176 inmate is located at the time or to take or to attempt to take
 1177 or send therefrom any of the following articles which are hereby
 1178 declared to be contraband for the purposes of this act, to wit:
 1179 Any written or recorded communication; any currency or coin; any
 1180 article of food or clothing; any tobacco products as defined in
 1181 s. 210.25(11); any cigarette as defined in s. 210.01(1); any
 1182 cigar; any intoxicating beverage or beverage which causes or may
 1183 cause an intoxicating effect; any narcotic, hypnotic, or
 1184 excitative drug or drug of any kind or nature, including nasal
 1185 inhalators, sleeping pills, barbiturates, and controlled
 1186 substances as defined in s. 893.02(3) ~~893.02(4)~~; any firearm or
 1187 any instrumentality customarily used or which is intended to be
 1188 used as a dangerous weapon; and any instrumentality of any
 1189 nature that may be or is intended to be used as an aid in

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1190 effecting or attempting to effect an escape from a county
 1191 facility.

1192 Section 17. Paragraph (a) of subsection (1) of section
 1193 985.711, Florida Statutes, is amended to read:

1194 985.711 Introduction, removal, or possession of certain
 1195 articles unlawful; penalty.—

1196 (1) (a) Except as authorized through program policy or
 1197 operating procedure or as authorized by the facility
 1198 superintendent, program director, or manager, a person may not
 1199 introduce into or upon the grounds of a juvenile detention
 1200 facility or commitment program, or take or send, or attempt to
 1201 take or send, from a juvenile detention facility or commitment
 1202 program, any of the following articles, which are declared to be
 1203 contraband under this section:

- 1204 1. Any unauthorized article of food or clothing.
- 1205 2. Any intoxicating beverage or any beverage that causes
 1206 or may cause an intoxicating effect.
- 1207 3. Any controlled substance, as defined in s. 893.02(3)
 1208 ~~893.02(4)~~, or any prescription or nonprescription drug that has
 1209 a hypnotic, stimulating, or depressing effect.
- 1210 4. Any firearm or weapon of any kind or any explosive
 1211 substance.

1212 Section 18. Paragraph (i) of subsection (1) of section
 1213 1003.57, Florida Statutes, is amended to read:

1214 1003.57 Exceptional students instruction.—
 1215 (1)

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1216 (i) For purposes of paragraph (h), the term:

1217 1. "Controlled substance" means a drug or other substance
1218 identified under Schedule I, Schedule II, Schedule III, Schedule
1219 IV, or Schedule V of the Controlled Substances Act, 21 U.S.C. s.
1220 812(c) and s. 893.02(3) ~~893.02(4)~~.

1221 2. "Weapon" means a device, instrument, material, or
1222 substance, animate or inanimate, which is used for, or is
1223 readily capable of, causing death or serious bodily injury;
1224 however, this definition does not include a pocketknife having a
1225 blade that is less than 2 1/2 inches in length.

1226 Section 19. This act shall take effect July 1, 2015.