

1                   A bill to be entitled  
2           An act relating to controlled substances; amending s.  
3           893.03, F.S.; adding certain substances to the  
4           Schedule I list of controlled substances; reenacting  
5           s. 39.01(30)(a) and (g), F.S., relating to definitions  
6           used in chapter 39, F.S., s. 316.193(5), F.S.,  
7           relating to driving under the influence, s.  
8           322.2616(2)(c), F.S., relating to suspension of driver  
9           licenses, s. 327.35(5), F.S., relating to boating  
10          under the influence, s. 440.102(11)(b), F.S., relating  
11          to drug-free workplace programs, ss. 458.3265(1)(e)  
12          and 459.0137(1)(e), F.S., relating to pain-management  
13          clinics, s. 782.04(1)(a) and (4), F.S., relating to  
14          murder, s. 893.0356(2)(a) and (5), F.S., relating to  
15          controlled substance analogs, s. 893.05(1), F.S.,  
16          relating to practitioners and persons administering  
17          controlled substances in their absence, s.  
18          893.12(2)(b), (c), and (d), F.S., relating to  
19          contraband seizure and forfeiture, s. 893.13(1)(a),  
20          (c), (d), (e), (f), (h), (2)(a), (4)(b), (5)(b), and  
21          (7)(a), F.S., relating to controlled substance  
22          offenses, s. 893.135(1)(k) and (l), F.S., relating to  
23          offenses involving trafficking in controlled  
24          substances, and s.921.0022(3)(b), (c), and (e), F.S.,  
25          relating to the offense severity ranking chart of the  
26          Criminal Punishment Code, F.S., to incorporate the

27 amendment made by the act to s. 893.03, F.S., in  
 28 references thereto; providing an effective date.

29

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

31

32 Section 1. Paragraph (c) of subsection (1) of section  
 33 893.03, Florida Statutes, is amended to read:

34 893.03 Standards and schedules.—The substances enumerated  
 35 in this section are controlled by this chapter. The controlled  
 36 substances listed or to be listed in Schedules I, II, III, IV,  
 37 and V are included by whatever official, common, usual,  
 38 chemical, or trade name designated. The provisions of this  
 39 section shall not be construed to include within any of the  
 40 schedules contained in this section any excluded drugs listed  
 41 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
 42 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
 43 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted  
 44 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
 45 Anabolic Steroid Products."

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

51 (c) Unless specifically excepted or unless listed in  
 52 another schedule, any material, compound, mixture, or

53 preparation that contains any quantity of the following  
54 hallucinogenic substances or that contains any of their salts,  
55 isomers, including optical, positional, or geometric isomers,  
56 and salts of isomers, if the existence of such salts, isomers,  
57 and salts of isomers is possible within the specific chemical  
58 designation:

- 59 1. Alpha-ethyltryptamine.
- 60 2. 2-Amino-4-methyl-5-phenyl-2-oxazoline (4-  
61 methylaminorex).
- 62 3. 2-Amino-5-phenyl-2-oxazoline (Aminorex).
- 63 4. 4-Bromo-2,5-dimethoxyamphetamine.
- 64 5. 4-Bromo-2,5-dimethoxyphenethylamine.
- 65 6. Bufotenine.
- 66 7. Cannabis.
- 67 8. Cathinone.
- 68 9. Diethyltryptamine.
- 69 10. 2,5-Dimethoxyamphetamine.
- 70 11. 2,5-Dimethoxy-4-ethylamphetamine (DOET).
- 71 12. Dimethyltryptamine.
- 72 13. N-Ethyl-1-phenylcyclohexylamine (PCE) (Ethylamine  
73 analog of phencyclidine).
- 74 14. N-Ethyl-3-piperidyl benzilate.
- 75 15. N-ethylamphetamine.
- 76 16. Fenethylamine.
- 77 17. N-Hydroxy-3,4-methylenedioxyamphetamine.
- 78 18. Ibogaine.

- 79 |           19. Lysergic acid diethylamide (LSD).
- 80 |           20. Mescaline.
- 81 |           21. Methcathinone.
- 82 |           22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 83 |           23. 4-methoxyamphetamine.
- 84 |           24. 4-methoxymethamphetamine.
- 85 |           25. 4-Methyl-2,5-dimethoxyamphetamine.
- 86 |           26. 3,4-Methylenedioxy-N-ethylamphetamine.
- 87 |           27. 3,4-Methylenedioxyamphetamine.
- 88 |           28. N-Methyl-3-piperidyl benzilate.
- 89 |           29. N,N-dimethylamphetamine.
- 90 |           30. Parahexyl.
- 91 |           31. Peyote.
- 92 |           32. N-(1-Phenylcyclohexyl)-pyrrolidine (PCPY) (Pyrrolidine
- 93 | analog of phencyclidine).
- 94 |           33. Psilocybin.
- 95 |           34. Psilocyn.
- 96 |           35. *Salvia divinorum*, except for any drug product approved
- 97 | by the United States Food and Drug Administration which contains
- 98 | *Salvia divinorum* or its isomers, esters, ethers, salts, and
- 99 | salts of isomers, esters, and ethers, if the existence of such
- 100 | isomers, esters, ethers, and salts is possible within the
- 101 | specific chemical designation.
- 102 |           36. Salvinorin A, except for any drug product approved by
- 103 | the United States Food and Drug Administration which contains
- 104 | Salvinorin A or its isomers, esters, ethers, salts, and salts of

105 isomers, esters, and ethers, if the existence of such isomers,  
 106 esters, ethers, and salts is possible within the specific  
 107 chemical designation.

108 37. Tetrahydrocannabinols.

109 38. 1-[1-(2-Thienyl)-cyclohexyl]-piperidine (TCP)  
 110 (Thiophene analog of phencyclidine).

111 39. 3,4,5-Trimethoxyamphetamine.

112 40. 3,4-Methylenedioxy methcathinone.

113 41. 3,4-Methylenedioxy pyrovalerone (MDPV).

114 42. Methylmethcathinone.

115 43. Methoxymethcathinone.

116 44. Fluoromethcathinone.

117 45. Methylethcathinone.

118 46. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-  
 119 yl)phenol, also known as CP 47,497 and its dimethyloctyl (C8)  
 120 homologue.

121 47. (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-  
 122 methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo [c]chromen-1-ol,  
 123 also known as HU-210.

124 48. 1-Pentyl-3-(1-naphthoyl)indole, also known as JWH-018.

125 49. 1-Butyl-3-(1-naphthoyl)indole, also known as JWH-073.

126 50. 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole,  
 127 also known as JWH-200.

128 51. BZP (Benzylpiperazine).

129 52. Fluorophenylpiperazine.

130 53. Methylphenylpiperazine.

- 131 | 54. Chlorophenylpiperazine.
- 132 | 55. Methoxyphenylpiperazine.
- 133 | 56. DBZP (1,4-dibenzylpiperazine).
- 134 | 57. TFMPP (3-Trifluoromethylphenylpiperazine).
- 135 | 58. MBDB (Methylbenzodioxolylbutanamine).
- 136 | 59. 5-Hydroxy-alpha-methyltryptamine.
- 137 | 60. 5-Hydroxy-N-methyltryptamine.
- 138 | 61. 5-Methoxy-N-methyl-N-isopropyltryptamine.
- 139 | 62. 5-Methoxy-alpha-methyltryptamine.
- 140 | 63. Methyltryptamine.
- 141 | 64. 5-Methoxy-N,N-dimethyltryptamine.
- 142 | 65. 5-Methyl-N,N-dimethyltryptamine.
- 143 | 66. Tyramine (4-Hydroxyphenethylamine).
- 144 | 67. 5-Methoxy-N,N-Diisopropyltryptamine.
- 145 | 68. DiPT (N,N-Diisopropyltryptamine).
- 146 | 69. DPT (N,N-Dipropyltryptamine).
- 147 | 70. 4-Hydroxy-N,N-diisopropyltryptamine.
- 148 | 71. N,N-Diallyl-5-Methoxytryptamine.
- 149 | 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 150 | 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 151 | 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 152 | 75. 2C-T-4 (2,5-Dimethoxy-4-isopropylthiophenethylamine).
- 153 | 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 154 | 77. 2C-T (2,5-Dimethoxy-4-methylthiophenethylamine).
- 155 | 78. 2C-T-2 (2,5-Dimethoxy-4-ethylthiophenethylamine).
- 156 | 79. 2C-T-7 (2,5-Dimethoxy-4-(n)-propylthiophenethylamine).

- 157 | 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 158 | 81. Butylone (beta-keto-N-methylbenzodioxolylpropylamine).
- 159 | 82. Ethcathinone.
- 160 | 83. Ethylone (3,4-methylenedioxy-N-ethylcathinone).
- 161 | 84. Naphyrone (naphthylpyrovalerone).
- 162 | 85. N-N-Dimethyl-3,4-methylenedioxycathinone.
- 163 | 86. N-N-Diethyl-3,4-methylenedioxycathinone.
- 164 | 87. 3,4-methylenedioxy-propiofenone.
- 165 | 88. 2-Bromo-3,4-Methylenedioxypropiofenone.
- 166 | 89. 3,4-methylenedioxy-propiofenone-2-oxime.
- 167 | 90. N-Acetyl-3,4-methylenedioxycathinone.
- 168 | 91. N-Acetyl-N-Methyl-3,4-Methylenedioxycathinone.
- 169 | 92. N-Acetyl-N-Ethyl-3,4-Methylenedioxycathinone.
- 170 | 93. Bromomethcathinone.
- 171 | 94. Buphedrone (alpha-methylamino-butyrophenone).
- 172 | 95. Eutylone (beta-Keto-Ethylbenzodioxolylbutanamine).
- 173 | 96. Dimethylcathinone.
- 174 | 97. Dimethylmethcathinone.
- 175 | 98. Pentylone (beta-Keto-Methylbenzodioxolylpentanamine).
- 176 | 99. (MDPPP) 3,4-Methylenedioxy-alpha-
- 177 | pyrrolidinopropiofenone.
- 178 | 100. (MDPBP) 3,4-Methylenedioxy-alpha-
- 179 | pyrrolidinobutiophenone.
- 180 | 101. Methoxy-alpha-pyrrolidinopropiofenone (MOPPP).
- 181 | 102. Methyl-alpha-pyrrolidinohexiophenone (MPHP).
- 182 | 103. Benocyclidine (BCP) or

- 183 benzothiophenylcyclohexylpiperidine (BTCP).
- 184 104. Fluoromethylaminobutyrophenone (F-MABP).
- 185 105. Methoxypyrrolidinobutyrophenone (MeO-PBP).
- 186 106. Ethyl-pyrrolidinobutyrophenone (Et-PBP).
- 187 107. 3-Methyl-4-Methoxymethcathinone (3-Me-4-MeO-MCAT).
- 188 108. Methylethylaminobutyrophenone (Me-EABP).
- 189 109. Methylamino-butyrophenone (MABP).
- 190 110. Pyrrolidinopropiophenone (PPP).
- 191 111. Pyrrolidinobutiophenone (PBP).
- 192 112. Pyrrolidinovalerophenone (PVP).
- 193 113. Methyl-alpha-pyrrolidinopropiophenone (MPPP).
- 194 114. JWH-007 (1-pentyl-2-methyl-3-(1-naphthoyl)indole).
- 195 115. JWH-015 (2-Methyl-1-propyl-1H-indol-3-yl)-1-
- 196 naphthalenylmethanone).
- 197 116. JWH-019 (Naphthalen-1-yl-(1-hexylindol-3-
- 198 yl)methanone).
- 199 117. JWH-020 (1-heptyl-3-(1-naphthoyl)indole).
- 200 118. JWH-072 (Naphthalen-1-yl-(1-propyl-1H-indol-3-
- 201 yl)methanone).
- 202 119. JWH-081 (4-methoxynaphthalen-1-yl-(1-pentylindol-3-
- 203 yl)methanone).
- 204 120. JWH-122 (1-pentyl-3-(4-methyl-1-naphthoyl)indole).
- 205 121. JWH-133 ((6aR,10aR)-3-(1,1-Dimethylbutyl)-
- 206 6a,7,10,10a-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran)).
- 207 122. JWH-175 (3-(naphthalen-1-ylmethyl)-1-pentyl-1H-
- 208 indole).



- 209 | 123. JWH-201 (1-pentyl-3-(4-methoxyphenylacetyl)indole).  
 210 | 124. JWH-203 (2-(2-chlorophenyl)-1-(1-pentylindol-3-  
 211 | yl)ethanone).  
 212 | 125. JWH-210 (4-ethylnaphthalen-1-yl-(1-pentylindol-3-  
 213 | yl)methanone).  
 214 | 126. JWH-250 (2-(2-methoxyphenyl)-1-(1-pentylindol-3-  
 215 | yl)ethanone).  
 216 | 127. JWH-251 (2-(2-methylphenyl)-1-(1-pentyl-1H-indol-3-  
 217 | yl)ethanone).  
 218 | 128. JWH-302 (1-pentyl-3-(3-methoxyphenylacetyl)indole).  
 219 | 129. JWH-398 (1-pentyl-3-(4-chloro-1-naphthoyl)indole).  
 220 | 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
 221 | (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
 222 | ol).  
 223 | 131. HU-308 ([ (1R,2R,5R)-2-[2,6-dimethoxy-4-(2-  
 224 | methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-  
 225 | enyl] methanol).  
 226 | 132. HU-331 (3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-  
 227 | methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-  
 228 | 1,4-dione).  
 229 | 133. CB-13 (Naphthalen-1-yl-(4-pentyloxynaphthalen-1-  
 230 | yl)methanone).  
 231 | 134. CB-25 (N-cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-  
 232 | undecanamide).  
 233 | 135. CB-52 (N-cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-  
 234 | undecanamide).

- 235 136. CP 55,940 (2-[(1R,2R,5R)-5-hydroxy-2-(3-  
 236 hydroxypropyl)cyclohexyl]-5-(2-methyloctan-2-yl)phenol).
- 237 137. AM-694 (1-[(5-fluoropentyl)-1H-indol-3-yl]-2-  
 238 iodophenyl)methanone).
- 239 138. AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-  
 240 (naphthalen-1-yl)methanone).
- 241 139. RCS-4 ((4-methoxyphenyl)(1-pentyl-1H-indol-3-  
 242 yl)methanone).
- 243 140. RCS-8 (1-(1-(2-cyclohexylethyl)-1H-indol-3-yl)-2-(2-  
 244 methoxyphenylethyl)methanone).
- 245 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-  
 246 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
 247 naphthalenyl)methanone).
- 248 142. WIN55,212-3 ([3S]-2,3-Dihydro-5-methyl-3-(4-  
 249 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
 250 naphthalenyl)methanone).
- 251 143. Pentedrone (2-(methylamino)-1-phenyl-1-pentanone).
- 252 144. Fluoroamphetamine.
- 253 145. Fluoromethamphetamine.
- 254 146. Methoxetamine.
- 255 147. Methiopropamine.
- 256 148. 4-Methylbuphedrone (2-Methylamino-1-(4-  
 257 methylphenyl)butan-1-one).
- 258 149. APB ((2-aminopropyl)benzofuran).
- 259 150. APDB ((2-aminopropyl)-2,3-dihydrobenzofuran).
- 260 151. UR-144 ((1-pentyl-1H-indol-3-yl)(2,2,3,3-

- 261 tetramethylcyclopropyl)methanone).
- 262 152. XLR11 ((1-(5-fluoropentyl)-1H-indol-3-yl) (2,2,3,3-
- 263 tetramethylcyclopropyl)methanone).
- 264 153. (1-(5-chloropentyl)-1H-indol-3-yl) (2,2,3,3-
- 265 tetramethylcyclopropyl)methanone.
- 266 154. AKB48 (1-pentyl-N-tricyclo[3.3.1.13,7]dec-1-yl-1H-
- 267 indazole-3-carboxamide).
- 268 155. AM-2233((2-iodophenyl) [1-[(1-methyl-2-
- 269 piperidinyl)methyl]-1H-indol-3-yl]-methanone).
- 270 156. STS-135 (1-(5-fluoropentyl)-N-
- 271 tricyclo[3.3.1.13,7]dec-1-yl-1H-indole-3-carboxamide).
- 272 157. URB-597 ((3'-(aminocarbonyl) [1,1'-biphenyl]-3-yl)-
- 273 cyclohexylcarbamate).
- 274 158. URB-602 ([1,1'-biphenyl]-3-yl-carbamic acid,
- 275 cyclohexyl ester).
- 276 159. URB-754 (6-methyl-2-[(4-methylphenyl) amino]-1-
- 277 benzoxazin-4-one).
- 278 160. 2C-D (2-(2,5-Dimethoxy-4-methylphenyl)ethanamine).
- 279 161. 2C-H (2-(2,5-Dimethoxyphenyl)ethanamine).
- 280 162. 2C-N (2-(2,5-Dimethoxy-4-nitrophenyl)ethanamine).
- 281 163. 2C-P (2-(2,5-Dimethoxy-4-(n)-
- 282 propylphenyl)ethanamine).
- 283 164. 25I-NBOMe (4-iodo-2,5-dimethoxy-N-[(2-
- 284 methoxyphenyl)methyl]-benzeneethanamine).
- 285 165. 3,4-Methylenedioxymethamphetamine (MDMA).
- 286 166. PB-22 (1-pentyl-8-quinolinyl ester-1H-indole-3-

- 287 | carboxylic acid).
- 288 |       167. 5-Fluoro PB-22 (8-quinolinyl ester-1-(5-
- 289 | fluoropentyl)-1H-indole-3-carboxylic acid).
- 290 |       168. BB-22 (1-(cyclohexylmethyl)-8-quinolinyl ester-1H-
- 291 | indole-3-carboxylic acid).
- 292 |       169. 5-Fluoro AKB48 (N-((3s,5s,7s)-adamantan-1-yl)-1-(5-
- 293 | fluoropentyl)-1H-indazole-3-carboxamide).
- 294 |       170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
- 295 | pentyl-1H-indazole-3-carboxamide).
- 296 |       171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
- 297 | (4-fluorobenzyl)-1H-indazole-3-carboxamide).
- 298 |       172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
- 299 | 1-pentyl-1H-indazole-3-carboxamide).
- 300 |       173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
- 301 | yl)-1-(fluoropentyl)-1H-indole-3-carboxamide).
- 302 |       174. 25B-NBOMe (4-bromo-2,5-dimethoxy-N-[(2-methoxyphenyl)
- 303 | methyl]-benzeneethanamine).
- 304 |       175. 2C-C-NBOMe (4-chloro-2,5-dimethoxy-N-[(2-
- 305 | methoxyphenyl)methyl]-benzeneethanamine).
- 306 |       176. AB-CHMINACA: N-[1-(aminocarbonyl)-2-methylpropyl]-1-
- 307 | (cyclohexylmethyl)-1H-indazole-3-carboxamide.
- 308 |       177. FUB-PB-22: Quinolin-8-yl-1-(4-fluorobenzyl)-1H-
- 309 | indole-3-carboxylate.
- 310 |       178. Fluoro-NNEI: 1-(Fluoropentyl)-N-(naphthalen-1-yl)-1H-
- 311 | indole-3-carboxamide.
- 312 |       179. Fluoro-AMB: Methyl 2-(1-(fluoropentyl)-1H-indazole-3-

313 carboxamido)-3-methylbutanoate.

314 180. THJ-2201: [1-(5-Fluoropentyl)-1H-indazol-3-  
 315 yl](naphthalen-1-yl)methanone.

316 Section 2. For the purpose of incorporating the amendment  
 317 made by this act to section 893.03, Florida Statutes, in  
 318 references thereto, paragraphs (a) and (g) of subsection (30) of  
 319 section 39.01, Florida Statutes, are reenacted to read:

320 39.01 Definitions.—When used in this chapter, unless the  
 321 context otherwise requires:

322 (30) "Harm" to a child's health or welfare can occur when  
 323 any person:

324 (a) Inflicts or allows to be inflicted upon the child  
 325 physical, mental, or emotional injury. In determining whether  
 326 harm has occurred, the following factors must be considered in  
 327 evaluating any physical, mental, or emotional injury to a child:  
 328 the age of the child; any prior history of injuries to the  
 329 child; the location of the injury on the body of the child; the  
 330 multiplicity of the injury; and the type of trauma inflicted.  
 331 Such injury includes, but is not limited to:

332 1. Willful acts that produce the following specific  
 333 injuries:

- 334 a. Sprains, dislocations, or cartilage damage.
- 335 b. Bone or skull fractures.
- 336 c. Brain or spinal cord damage.
- 337 d. Intracranial hemorrhage or injury to other internal  
 338 organs.

- 339 e. Asphyxiation, suffocation, or drowning.
- 340 f. Injury resulting from the use of a deadly weapon.
- 341 g. Burns or scalding.
- 342 h. Cuts, lacerations, punctures, or bites.
- 343 i. Permanent or temporary disfigurement.
- 344 j. Permanent or temporary loss or impairment of a body
- 345 part or function.

346  
 347 As used in this subparagraph, the term "willful" refers to the  
 348 intent to perform an action, not to the intent to achieve a  
 349 result or to cause an injury.

350 2. Purposely giving a child poison, alcohol, drugs, or  
 351 other substances that substantially affect the child's behavior,  
 352 motor coordination, or judgment or that result in sickness or  
 353 internal injury. For the purposes of this subparagraph, the term  
 354 "drugs" means prescription drugs not prescribed for the child or  
 355 not administered as prescribed, and controlled substances as  
 356 outlined in Schedule I or Schedule II of s. 893.03.

357 3. Leaving a child without adult supervision or  
 358 arrangement appropriate for the child's age or mental or  
 359 physical condition, so that the child is unable to care for the  
 360 child's own needs or another's basic needs or is unable to  
 361 exercise good judgment in responding to any kind of physical or  
 362 emotional crisis.

363 4. Inappropriate or excessively harsh disciplinary action  
 364 that is likely to result in physical injury, mental injury as

365 defined in this section, or emotional injury. The significance  
366 of any injury must be evaluated in light of the following  
367 factors: the age of the child; any prior history of injuries to  
368 the child; the location of the injury on the body of the child;  
369 the multiplicity of the injury; and the type of trauma  
370 inflicted. Corporal discipline may be considered excessive or  
371 abusive when it results in any of the following or other similar  
372 injuries:

- 373 a. Sprains, dislocations, or cartilage damage.
- 374 b. Bone or skull fractures.
- 375 c. Brain or spinal cord damage.
- 376 d. Intracranial hemorrhage or injury to other internal  
377 organs.
- 378 e. Asphyxiation, suffocation, or drowning.
- 379 f. Injury resulting from the use of a deadly weapon.
- 380 g. Burns or scalding.
- 381 h. Cuts, lacerations, punctures, or bites.
- 382 i. Permanent or temporary disfigurement.
- 383 j. Permanent or temporary loss or impairment of a body  
384 part or function.
- 385 k. Significant bruises or welts.

386 (g) Exposes a child to a controlled substance or alcohol.  
387 Exposure to a controlled substance or alcohol is established by:  
388 1. A test, administered at birth, which indicated that the  
389 child's blood, urine, or meconium contained any amount of  
390 alcohol or a controlled substance or metabolites of such

391 substances, the presence of which was not the result of medical  
 392 treatment administered to the mother or the newborn infant; or

393 2. Evidence of extensive, abusive, and chronic use of a  
 394 controlled substance or alcohol by a parent when the child is  
 395 demonstrably adversely affected by such usage.

396  
 397 As used in this paragraph, the term "controlled substance" means  
 398 prescription drugs not prescribed for the parent or not  
 399 administered as prescribed and controlled substances as outlined  
 400 in Schedule I or Schedule II of s. 893.03.

401 Section 3. For the purpose of incorporating the amendment  
 402 made by this act to section 893.03, Florida Statutes, in a  
 403 reference thereto, subsection (5) of section 316.193, Florida  
 404 Statutes, is reenacted to read:

405 316.193 Driving under the influence; penalties.—

406 (5) The court shall place all offenders convicted of  
 407 violating this section on monthly reporting probation and shall  
 408 require completion of a substance abuse course conducted by a  
 409 DUI program licensed by the department under s. 322.292, which  
 410 must include a psychosocial evaluation of the offender. If the  
 411 DUI program refers the offender to an authorized substance abuse  
 412 treatment provider for substance abuse treatment, in addition to  
 413 any sentence or fine imposed under this section, completion of  
 414 all such education, evaluation, and treatment is a condition of  
 415 reporting probation. The offender shall assume reasonable costs  
 416 for such education, evaluation, and treatment. The referral to



417 treatment resulting from a psychosocial evaluation shall not be  
418 waived without a supporting independent psychosocial evaluation  
419 conducted by an authorized substance abuse treatment provider  
420 appointed by the court, which shall have access to the DUI  
421 program's psychosocial evaluation before the independent  
422 psychosocial evaluation is conducted. The court shall review the  
423 results and recommendations of both evaluations before  
424 determining the request for waiver. The offender shall bear the  
425 full cost of this procedure. The term "substance abuse" means  
426 the abuse of alcohol or any substance named or described in  
427 Schedules I through V of s. 893.03. If an offender referred to  
428 treatment under this subsection fails to report for or complete  
429 such treatment or fails to complete the DUI program substance  
430 abuse education course and evaluation, the DUI program shall  
431 notify the court and the department of the failure. Upon receipt  
432 of the notice, the department shall cancel the offender's  
433 driving privilege, notwithstanding the terms of the court order  
434 or any suspension or revocation of the driving privilege. The  
435 department may temporarily reinstate the driving privilege on a  
436 restricted basis upon verification from the DUI program that the  
437 offender is currently participating in treatment and the DUI  
438 education course and evaluation requirement has been completed.  
439 If the DUI program notifies the department of the second failure  
440 to complete treatment, the department shall reinstate the  
441 driving privilege only after notice of completion of treatment  
442 from the DUI program. The organization that conducts the

443 substance abuse education and evaluation may not provide  
444 required substance abuse treatment unless a waiver has been  
445 granted to that organization by the department. A waiver may be  
446 granted only if the department determines, in accordance with  
447 its rules, that the service provider that conducts the substance  
448 abuse education and evaluation is the most appropriate service  
449 provider and is licensed under chapter 397 or is exempt from  
450 such licensure. A statistical referral report shall be submitted  
451 quarterly to the department by each organization authorized to  
452 provide services under this section.

453 Section 4. For the purpose of incorporating the amendment  
454 made by this act to section 893.03, Florida Statutes, in a  
455 reference thereto, paragraph (c) of subsection (2) of section  
456 322.2616, Florida Statutes, is reenacted to read:

457 322.2616 Suspension of license; persons under 21 years of  
458 age; right to review.—

459 (2)

460 (c) When a driver subject to this section has a blood-  
461 alcohol or breath-alcohol level of 0.05 or higher, the  
462 suspension shall remain in effect until such time as the driver  
463 has completed a substance abuse course offered by a DUI program  
464 licensed by the department. The driver shall assume the  
465 reasonable costs for the substance abuse course. As part of the  
466 substance abuse course, the program shall conduct a substance  
467 abuse evaluation of the driver, and notify the parents or legal  
468 guardians of drivers under the age of 19 years of the results of

469 the evaluation. The term "substance abuse" means the abuse of  
 470 alcohol or any substance named or described in Schedules I  
 471 through V of s. 893.03. If a driver fails to complete the  
 472 substance abuse education course and evaluation, the driver  
 473 license shall not be reinstated by the department.

474 Section 5. For the purpose of incorporating the amendment  
 475 made by this act to section 893.03, Florida Statutes, in a  
 476 reference thereto, subsection (5) of section 327.35, Florida  
 477 Statutes, is reenacted to read:

478 327.35 Boating under the influence; penalties; "designated  
 479 drivers."—

480 (5) In addition to any sentence or fine, the court shall  
 481 place any offender convicted of violating this section on  
 482 monthly reporting probation and shall require attendance at a  
 483 substance abuse course specified by the court; and the agency  
 484 conducting the course may refer the offender to an authorized  
 485 service provider for substance abuse evaluation and treatment,  
 486 in addition to any sentence or fine imposed under this section.  
 487 The offender shall assume reasonable costs for such education,  
 488 evaluation, and treatment, with completion of all such  
 489 education, evaluation, and treatment being a condition of  
 490 reporting probation. Treatment resulting from a psychosocial  
 491 evaluation may not be waived without a supporting psychosocial  
 492 evaluation conducted by an agency appointed by the court and  
 493 with access to the original evaluation. The offender shall bear  
 494 the cost of this procedure. The term "substance abuse" means the

495 abuse of alcohol or any substance named or described in  
496 Schedules I-V of s. 893.03.

497 Section 6. For the purpose of incorporating the amendment  
498 made by this act to section 893.03, Florida Statutes, in a  
499 reference thereto, paragraph (b) of subsection (11) of section  
500 440.102, Florida Statutes, is reenacted to read:

501 440.102 Drug-free workplace program requirements.—The  
502 following provisions apply to a drug-free workplace program  
503 implemented pursuant to law or to rules adopted by the Agency  
504 for Health Care Administration:

505 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK  
506 POSITIONS.—

507 (b) An employee who is employed by a public employer in a  
508 special-risk position may be discharged or disciplined by a  
509 public employer for the first positive confirmed test result if  
510 the drug confirmed is an illicit drug under s. 893.03. A  
511 special-risk employee who is participating in an employee  
512 assistance program or drug rehabilitation program may not be  
513 allowed to continue to work in any special-risk or mandatory-  
514 testing position of the public employer, but may be assigned to  
515 a position other than a mandatory-testing position or placed on  
516 leave while the employee is participating in the program.  
517 However, the employee shall be permitted to use any accumulated  
518 annual leave credits before leave may be ordered without pay.

519 Section 7. For the purpose of incorporating the amendment  
520 made by this act to section 893.03, Florida Statutes, in a

521 reference thereto, paragraph (e) of subsection (1) of section  
 522 458.3265, Florida Statutes, is reenacted to read:

523 458.3265 Pain-management clinics.—

524 (1) REGISTRATION.—

525 (e) The department shall deny registration to any pain-  
 526 management clinic owned by or with any contractual or employment  
 527 relationship with a physician:

528 1. Whose Drug Enforcement Administration number has ever  
 529 been revoked.

530 2. Whose application for a license to prescribe, dispense,  
 531 or administer a controlled substance has been denied by any  
 532 jurisdiction.

533 3. Who has been convicted of or pleaded guilty or nolo  
 534 contendere to, regardless of adjudication, an offense that  
 535 constitutes a felony for receipt of illicit and diverted drugs,  
 536 including a controlled substance listed in Schedule I, Schedule  
 537 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in  
 538 this state, any other state, or the United States.

539 Section 8. For the purpose of incorporating the amendment  
 540 made by this act to section 893.03, Florida Statutes, in a  
 541 reference thereto, paragraph (e) of subsection (1) of section  
 542 459.0137, Florida Statutes, is reenacted to read:

543 459.0137 Pain-management clinics.—

544 (1) REGISTRATION.—

545 (e) The department shall deny registration to any pain-  
 546 management clinic owned by or with any contractual or employment

547 relationship with a physician:

548 1. Whose Drug Enforcement Administration number has ever  
549 been revoked.

550 2. Whose application for a license to prescribe, dispense,  
551 or administer a controlled substance has been denied by any  
552 jurisdiction.

553 3. Who has been convicted of or pleaded guilty or nolo  
554 contendere to, regardless of adjudication, an offense that  
555 constitutes a felony for receipt of illicit and diverted drugs,  
556 including a controlled substance listed in Schedule I, Schedule  
557 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in  
558 this state, any other state, or the United States.

559 Section 9. For the purpose of incorporating the amendment  
560 made by this act to section 893.03, Florida Statutes, in  
561 references thereto, paragraph (a) of subsection (1) and  
562 subsection (4) of section 782.04, Florida Statutes, are  
563 reenacted to read:

564 782.04 Murder.—

565 (1)(a) The unlawful killing of a human being:

566 1. When perpetrated from a premeditated design to effect  
567 the death of the person killed or any human being;

568 2. When committed by a person engaged in the perpetration  
569 of, or in the attempt to perpetrate, any:

570 a. Trafficking offense prohibited by s. 893.135(1),

571 b. Arson,

572 c. Sexual battery,

- 573 d. Robbery,
- 574 e. Burglary,
- 575 f. Kidnapping,
- 576 g. Escape,
- 577 h. Aggravated child abuse,
- 578 i. Aggravated abuse of an elderly person or disabled
- 579 adult,
- 580 j. Aircraft piracy,
- 581 k. Unlawful throwing, placing, or discharging of a
- 582 destructive device or bomb,
- 583 l. Carjacking,
- 584 m. Home-invasion robbery,
- 585 n. Aggravated stalking,
- 586 o. Murder of another human being,
- 587 p. Resisting an officer with violence to his or her
- 588 person,
- 589 q. Aggravated fleeing or eluding with serious bodily
- 590 injury or death,
- 591 r. Felony that is an act of terrorism or is in furtherance
- 592 of an act of terrorism; or
- 593 3. Which resulted from the unlawful distribution of any
- 594 substance controlled under s. 893.03(1), cocaine as described in
- 595 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
- 596 compound, derivative, or preparation of opium, or methadone by a
- 597 person 18 years of age or older, when such drug is proven to be
- 598 the proximate cause of the death of the user,

599  
 600 is murder in the first degree and constitutes a capital felony,  
 601 punishable as provided in s. 775.082.  
 602 (4) The unlawful killing of a human being, when  
 603 perpetrated without any design to effect death, by a person  
 604 engaged in the perpetration of, or in the attempt to perpetrate,  
 605 any felony other than any:  
 606 (a) Trafficking offense prohibited by s. 893.135(1),  
 607 (b) Arson,  
 608 (c) Sexual battery,  
 609 (d) Robbery,  
 610 (e) Burglary,  
 611 (f) Kidnapping,  
 612 (g) Escape,  
 613 (h) Aggravated child abuse,  
 614 (i) Aggravated abuse of an elderly person or disabled  
 615 adult,  
 616 (j) Aircraft piracy,  
 617 (k) Unlawful throwing, placing, or discharging of a  
 618 destructive device or bomb,  
 619 (l) Unlawful distribution of any substance controlled  
 620 under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4.,  
 621 or opium or any synthetic or natural salt, compound, derivative,  
 622 or preparation of opium by a person 18 years of age or older,  
 623 when such drug is proven to be the proximate cause of the death  
 624 of the user,



625 (m) Carjacking,  
 626 (n) Home-invasion robbery,  
 627 (o) Aggravated stalking,  
 628 (p) Murder of another human being,  
 629 (q) Aggravated fleeing or eluding with serious bodily  
 630 injury or death,  
 631 (r) Resisting an officer with violence to his or her  
 632 person, or  
 633 (s) Felony that is an act of terrorism or is in  
 634 furtherance of an act of terrorism,  
 635  
 636 is murder in the third degree and constitutes a felony of the  
 637 second degree, punishable as provided in s. 775.082, s. 775.083,  
 638 or s. 775.084.

639 Section 10. For the purpose of incorporating the amendment  
 640 made by this act to section 893.03, Florida Statutes, in  
 641 references thereto, paragraph (a) of subsection (2) and  
 642 subsection (5) of section 893.0356, Florida Statutes, are  
 643 reenacted to read:

644 893.0356 Control of new substances; findings of fact;  
 645 "controlled substance analog" defined.—

646 (2) (a) As used in this section, "controlled substance  
 647 analog" means a substance which, due to its chemical structure  
 648 and potential for abuse, meets the following criteria:

649 1. Is substantially similar to that of a controlled  
 650 substance listed in Schedule I or Schedule II of s. 893.03; and

651           2. Has a stimulant, depressant, or hallucinogenic effect  
652 on the central nervous system or is represented or intended to  
653 have a stimulant, depressant, or hallucinogenic effect on the  
654 central nervous system substantially similar to or greater than  
655 that of a controlled substance listed in Schedule I or Schedule  
656 II of s. 893.03.

657           (5) A controlled substance analog shall, for purposes of  
658 drug abuse prevention and control, be treated as a controlled  
659 substance in Schedule I of s. 893.03.

660           Section 11. For the purpose of incorporating the amendment  
661 made by this act to section 893.03, Florida Statutes, in a  
662 reference thereto, subsection (1) of section 893.05, Florida  
663 Statutes, is reenacted to read:

664           893.05 Practitioners and persons administering controlled  
665 substances in their absence.—

666           (1) A practitioner, in good faith and in the course of his  
667 or her professional practice only, may prescribe, administer,  
668 dispense, mix, or otherwise prepare a controlled substance, or  
669 the practitioner may cause the same to be administered by a  
670 licensed nurse or an intern practitioner under his or her  
671 direction and supervision only. A veterinarian may so prescribe,  
672 administer, dispense, mix, or prepare a controlled substance for  
673 use on animals only, and may cause it to be administered by an  
674 assistant or orderly under the veterinarian's direction and  
675 supervision only. A certified optometrist licensed under chapter  
676 463 may not administer or prescribe a controlled substance

677 listed in Schedule I or Schedule II of s. 893.03.

678 Section 12. For the purpose of incorporating the amendment  
679 made by this act to section 893.03, Florida Statutes, in  
680 references thereto, paragraphs (b), (c), and (d) of subsection  
681 (2) of section 893.12, Florida Statutes, are reenacted to read:

682 893.12 Contraband; seizure, forfeiture, sale.—

683 (2)

684 (b) All real property, including any right, title,  
685 leasehold interest, and other interest in the whole of any lot  
686 or tract of land and any appurtenances or improvements, which  
687 real property is used, or intended to be used, in any manner or  
688 part, to commit or to facilitate the commission of, or which  
689 real property is acquired with proceeds obtained as a result of,  
690 a violation of any provision of this chapter related to a  
691 controlled substance described in s. 893.03(1) or (2) may be  
692 seized and forfeited as provided by the Florida Contraband  
693 Forfeiture Act except that no property shall be forfeited under  
694 this paragraph to the extent of an interest of an owner or  
695 lienholder by reason of any act or omission established by that  
696 owner or lienholder to have been committed or omitted without  
697 the knowledge or consent of that owner or lienholder.

698 (c) All moneys, negotiable instruments, securities, and  
699 other things of value furnished or intended to be furnished by  
700 any person in exchange for a controlled substance described in  
701 s. 893.03(1) or (2) or a listed chemical in violation of any  
702 provision of this chapter, all proceeds traceable to such an

703 exchange, and all moneys, negotiable instruments, and securities  
704 used or intended to be used to facilitate any violation of any  
705 provision of this chapter or which are acquired with proceeds  
706 obtained in violation of any provision of this chapter may be  
707 seized and forfeited as provided by the Florida Contraband  
708 Forfeiture Act, except that no property shall be forfeited under  
709 this paragraph to the extent of an interest of an owner or  
710 lienholder by reason of any act or omission established by that  
711 owner or lienholder to have been committed or omitted without  
712 the knowledge or consent of that owner or lienholder.

713 (d) All books, records, and research, including formulas,  
714 microfilm, tapes, and data which are used, or intended for use,  
715 or which are acquired with proceeds obtained, in violation of  
716 any provision of this chapter related to a controlled substance  
717 described in s. 893.03(1) or (2) or a listed chemical may be  
718 seized and forfeited as provided by the Florida Contraband  
719 Forfeiture Act.

720 Section 13. For the purpose of incorporating the amendment  
721 made by this act to section 893.03, Florida Statutes, in  
722 references thereto, paragraphs (a), (c), (d), (e), (f), and (h)  
723 of subsection (1), paragraph (a) of subsection (2), paragraph  
724 (b) of subsection (4), paragraph (b) of subsection (5), and  
725 paragraph (a) of subsection (7) of section 893.13, Florida  
726 Statutes, are reenacted to read:

727 893.13 Prohibited acts; penalties.—

728 (1) (a) Except as authorized by this chapter and chapter

729 499, a person may not sell, manufacture, or deliver, or possess  
 730 with intent to sell, manufacture, or deliver, a controlled  
 731 substance. A person who violates this provision with respect to:

732 1. A controlled substance named or described in s.  
 733 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 734 commits a felony of the second degree, punishable as provided in  
 735 s. 775.082, s. 775.083, or s. 775.084.

736 2. A controlled substance named or described in s.  
 737 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 738 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 739 the third degree, punishable as provided in s. 775.082, s.  
 740 775.083, or s. 775.084.

741 3. A controlled substance named or described in s.  
 742 893.03(5) commits a misdemeanor of the first degree, punishable  
 743 as provided in s. 775.082 or s. 775.083.

744 (c) Except as authorized by this chapter, a person may not  
 745 sell, manufacture, or deliver, or possess with intent to sell,  
 746 manufacture, or deliver, a controlled substance in, on, or  
 747 within 1,000 feet of the real property comprising a child care  
 748 facility as defined in s. 402.302 or a public or private  
 749 elementary, middle, or secondary school between the hours of 6  
 750 a.m. and 12 midnight, or at any time in, on, or within 1,000  
 751 feet of real property comprising a state, county, or municipal  
 752 park, a community center, or a publicly owned recreational  
 753 facility. As used in this paragraph, the term "community center"  
 754 means a facility operated by a nonprofit community-based

755 organization for the provision of recreational, social, or  
756 educational services to the public. A person who violates this  
757 paragraph with respect to:

758 1. A controlled substance named or described in s.  
759 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
760 commits a felony of the first degree, punishable as provided in  
761 s. 775.082, s. 775.083, or s. 775.084. The defendant must be  
762 sentenced to a minimum term of imprisonment of 3 calendar years  
763 unless the offense was committed within 1,000 feet of the real  
764 property comprising a child care facility as defined in s.  
765 402.302.

766 2. A controlled substance named or described in s.  
767 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
768 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
769 the second degree, punishable as provided in s. 775.082, s.  
770 775.083, or s. 775.084.

771 3. Any other controlled substance, except as lawfully  
772 sold, manufactured, or delivered, must be sentenced to pay a  
773 \$500 fine and to serve 100 hours of public service in addition  
774 to any other penalty prescribed by law.

775  
776 This paragraph does not apply to a child care facility unless  
777 the owner or operator of the facility posts a sign that is not  
778 less than 2 square feet in size with a word legend identifying  
779 the facility as a licensed child care facility and that is  
780 posted on the property of the child care facility in a

781 conspicuous place where the sign is reasonably visible to the  
782 public.

783 (d) Except as authorized by this chapter, a person may not  
784 sell, manufacture, or deliver, or possess with intent to sell,  
785 manufacture, or deliver, a controlled substance in, on, or  
786 within 1,000 feet of the real property comprising a public or  
787 private college, university, or other postsecondary educational  
788 institution. A person who violates this paragraph with respect  
789 to:

790 1. A controlled substance named or described in s.  
791 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
792 commits a felony of the first degree, punishable as provided in  
793 s. 775.082, s. 775.083, or s. 775.084.

794 2. A controlled substance named or described in s.  
795 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
796 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
797 the second degree, punishable as provided in s. 775.082, s.  
798 775.083, or s. 775.084.

799 3. Any other controlled substance, except as lawfully  
800 sold, manufactured, or delivered, must be sentenced to pay a  
801 \$500 fine and to serve 100 hours of public service in addition  
802 to any other penalty prescribed by law.

803 (e) Except as authorized by this chapter, a person may not  
804 sell, manufacture, or deliver, or possess with intent to sell,  
805 manufacture, or deliver, a controlled substance not authorized  
806 by law in, on, or within 1,000 feet of a physical place for

807 | worship at which a church or religious organization regularly  
808 | conducts religious services or within 1,000 feet of a  
809 | convenience business as defined in s. 812.171. A person who  
810 | violates this paragraph with respect to:

811 |       1. A controlled substance named or described in s.  
812 | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
813 | commits a felony of the first degree, punishable as provided in  
814 | s. 775.082, s. 775.083, or s. 775.084.

815 |       2. A controlled substance named or described in s.  
816 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
817 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
818 | the second degree, punishable as provided in s. 775.082, s.  
819 | 775.083, or s. 775.084.

820 |       3. Any other controlled substance, except as lawfully  
821 | sold, manufactured, or delivered, must be sentenced to pay a  
822 | \$500 fine and to serve 100 hours of public service in addition  
823 | to any other penalty prescribed by law.

824 |       (f) Except as authorized by this chapter, a person may not  
825 | sell, manufacture, or deliver, or possess with intent to sell,  
826 | manufacture, or deliver, a controlled substance in, on, or  
827 | within 1,000 feet of the real property comprising a public  
828 | housing facility at any time. As used in this section, the term  
829 | "real property comprising a public housing facility" means real  
830 | property, as defined in s. 421.03(12), of a public corporation  
831 | created as a housing authority pursuant to part I of chapter  
832 | 421. A person who violates this paragraph with respect to:



833           1. A controlled substance named or described in s.  
 834 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 835 commits a felony of the first degree, punishable as provided in  
 836 s. 775.082, s. 775.083, or s. 775.084.

837           2. A controlled substance named or described in s.  
 838 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 839 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 840 the second degree, punishable as provided in s. 775.082, s.  
 841 775.083, or s. 775.084.

842           3. Any other controlled substance, except as lawfully  
 843 sold, manufactured, or delivered, must be sentenced to pay a  
 844 \$500 fine and to serve 100 hours of public service in addition  
 845 to any other penalty prescribed by law.

846           (h) Except as authorized by this chapter, a person may not  
 847 sell, manufacture, or deliver, or possess with intent to sell,  
 848 manufacture, or deliver, a controlled substance in, on, or  
 849 within 1,000 feet of the real property comprising an assisted  
 850 living facility, as that term is used in chapter 429. A person  
 851 who violates this paragraph with respect to:

852           1. A controlled substance named or described in s.  
 853 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 854 commits a felony of the first degree, punishable as provided in  
 855 s. 775.082, s. 775.083, or s. 775.084.

856           2. A controlled substance named or described in s.  
 857 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 858 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of

859 the second degree, punishable as provided in s. 775.082, s.  
860 775.083, or s. 775.084.

861 (2) (a) Except as authorized by this chapter and chapter  
862 499, a person may not purchase, or possess with intent to  
863 purchase, a controlled substance. A person who violates this  
864 provision with respect to:

865 1. A controlled substance named or described in s.  
866 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.  
867 commits a felony of the second degree, punishable as provided in  
868 s. 775.082, s. 775.083, or s. 775.084.

869 2. A controlled substance named or described in s.  
870 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,  
871 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of  
872 the third degree, punishable as provided in s. 775.082, s.  
873 775.083, or s. 775.084.

874 3. A controlled substance named or described in s.  
875 893.03(5) commits a misdemeanor of the first degree, punishable  
876 as provided in s. 775.082 or s. 775.083.

877 (4) Except as authorized by this chapter, a person 18  
878 years of age or older may not deliver any controlled substance  
879 to a person younger than 18 years of age, use or hire a person  
880 younger than 18 years of age as an agent or employee in the sale  
881 or delivery of such a substance, or use such person to assist in  
882 avoiding detection or apprehension for a violation of this  
883 chapter. A person who violates this provision with respect to:

884 (b) A controlled substance named or described in s.

885 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 886 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 887 the second degree, punishable as provided in s. 775.082, s.  
 888 775.083, or s. 775.084.

889  
 890 Imposition of sentence may not be suspended or deferred, and the  
 891 person so convicted may not be placed on probation.

892 (5) A person may not bring into this state any controlled  
 893 substance unless the possession of such controlled substance is  
 894 authorized by this chapter or unless such person is licensed to  
 895 do so by the appropriate federal agency. A person who violates  
 896 this provision with respect to:

897 (b) A controlled substance named or described in s.  
 898 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 899 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 900 the third degree, punishable as provided in s. 775.082, s.  
 901 775.083, or s. 775.084.

902 (7)(a) A person may not:

903 1. Distribute or dispense a controlled substance in  
 904 violation of this chapter.

905 2. Refuse or fail to make, keep, or furnish any record,  
 906 notification, order form, statement, invoice, or information  
 907 required under this chapter.

908 3. Refuse entry into any premises for any inspection or  
 909 refuse to allow any inspection authorized by this chapter.

910 4. Distribute a controlled substance named or described in

911 s. 893.03(1) or (2) except pursuant to an order form as required  
 912 by s. 893.06.

913 5. Keep or maintain any store, shop, warehouse, dwelling,  
 914 building, vehicle, boat, aircraft, or other structure or place  
 915 which is resorted to by persons using controlled substances in  
 916 violation of this chapter for the purpose of using these  
 917 substances, or which is used for keeping or selling them in  
 918 violation of this chapter.

919 6. Use to his or her own personal advantage, or reveal,  
 920 any information obtained in enforcement of this chapter except  
 921 in a prosecution or administrative hearing for a violation of  
 922 this chapter.

923 7. Possess a prescription form unless it has been signed  
 924 by the practitioner whose name appears printed thereon and  
 925 completed. This subparagraph does not apply if the person in  
 926 possession of the form is the practitioner whose name appears  
 927 printed thereon, an agent or employee of that practitioner, a  
 928 pharmacist, or a supplier of prescription forms who is  
 929 authorized by that practitioner to possess those forms.

930 8. Withhold information from a practitioner from whom the  
 931 person seeks to obtain a controlled substance or a prescription  
 932 for a controlled substance that the person making the request  
 933 has received a controlled substance or a prescription for a  
 934 controlled substance of like therapeutic use from another  
 935 practitioner within the previous 30 days.

936 9. Acquire or obtain, or attempt to acquire or obtain,

937 possession of a controlled substance by misrepresentation,  
938 fraud, forgery, deception, or subterfuge.

939 10. Affix any false or forged label to a package or  
940 receptacle containing a controlled substance.

941 11. Furnish false or fraudulent material information in,  
942 or omit any material information from, any report or other  
943 document required to be kept or filed under this chapter or any  
944 record required to be kept by this chapter.

945 12. Store anhydrous ammonia in a container that is not  
946 approved by the United States Department of Transportation to  
947 hold anhydrous ammonia or is not constructed in accordance with  
948 sound engineering, agricultural, or commercial practices.

949 13. With the intent to obtain a controlled substance or  
950 combination of controlled substances that are not medically  
951 necessary for the person or an amount of a controlled substance  
952 or substances that is not medically necessary for the person,  
953 obtain or attempt to obtain from a practitioner a controlled  
954 substance or a prescription for a controlled substance by  
955 misrepresentation, fraud, forgery, deception, subterfuge, or  
956 concealment of a material fact. For purposes of this  
957 subparagraph, a material fact includes whether the person has an  
958 existing prescription for a controlled substance issued for the  
959 same period of time by another practitioner or as described in  
960 subparagraph 8.

961 Section 14. For the purpose of incorporating the amendment  
962 made by this act to section 893.03, Florida Statutes, in

963 references thereto, paragraphs (k) and (l) of subsection (1) of  
 964 section 893.135, Florida Statutes, are reenacted to read:

965 893.135 Trafficking; mandatory sentences; suspension or  
 966 reduction of sentences; conspiracy to engage in trafficking.—

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

969 (k)1. A person who knowingly sells, purchases,  
 970 manufactures, delivers, or brings into this state, or who is  
 971 knowingly in actual or constructive possession of, 10 grams or  
 972 more of any of the following substances described in s.

973 893.03(1) (c):

- 974 a. 3,4-Methylenedioxyamphetamine (MDMA);
- 975 b. 4-Bromo-2,5-dimethoxyamphetamine;
- 976 c. 4-Bromo-2,5-dimethoxyphenethylamine;
- 977 d. 2,5-Dimethoxyamphetamine;
- 978 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 979 f. N-ethylamphetamine;
- 980 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 981 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 982 i. 4-methoxyamphetamine;
- 983 j. 4-methoxymethamphetamine;
- 984 k. 4-Methyl-2,5-dimethoxyamphetamine;
- 985 l. 3,4-Methylenedioxy-N-ethylamphetamine;
- 986 m. 3,4-Methylenedioxyamphetamine;
- 987 n. N,N-dimethylamphetamine;
- 988 o. 3,4,5-Trimethoxyamphetamine;

989 p. 3,4-Methylenedioxymethcathinone;  
 990 q. 3,4-Methylenedioxypropylamphetamine (MDPV); or  
 991 r. Methylenedioxymethamphetamine,  
 992  
 993 individually or analogs thereto or isomers thereto or in any  
 994 combination of or any mixture containing any substance listed in  
 995 sub-subparagraphs a.-r., commits a felony of the first degree,  
 996 which felony shall be known as "trafficking in Phenethylamines,"  
 997 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
 998 2. If the quantity involved:  
 999 a. Is 10 grams or more, but less than 200 grams, such  
 1000 person shall be sentenced to a mandatory minimum term of  
 1001 imprisonment of 3 years and shall be ordered to pay a fine of  
 1002 \$50,000.  
 1003 b. Is 200 grams or more, but less than 400 grams, such  
 1004 person shall be sentenced to a mandatory minimum term of  
 1005 imprisonment of 7 years and shall be ordered to pay a fine of  
 1006 \$100,000.  
 1007 c. Is 400 grams or more, such person shall be sentenced to  
 1008 a mandatory minimum term of imprisonment of 15 years and shall  
 1009 be ordered to pay a fine of \$250,000.  
 1010 3. A person who knowingly manufactures or brings into this  
 1011 state 30 kilograms or more of any of the following substances  
 1012 described in s. 893.03(1)(c):  
 1013 a. 3,4-Methylenedioxymethamphetamine (MDMA);  
 1014 b. 4-Bromo-2,5-dimethoxyamphetamine;

- 1015 c. 4-Bromo-2,5-dimethoxyphenethylamine;
- 1016 d. 2,5-Dimethoxyamphetamine;
- 1017 e. 2,5-Dimethoxy-4-ethylamphetamine (DOET);
- 1018 f. N-ethylamphetamine;
- 1019 g. N-Hydroxy-3,4-methylenedioxyamphetamine;
- 1020 h. 5-Methoxy-3,4-methylenedioxyamphetamine;
- 1021 i. 4-methoxyamphetamine;
- 1022 j. 4-methoxymethamphetamine;
- 1023 k. 4-Methyl-2,5-dimethoxyamphetamine;
- 1024 l. 3,4-Methylenedioxy-N-ethylamphetamine;
- 1025 m. 3,4-Methylenedioxyamphetamine;
- 1026 n. N,N-dimethylamphetamine;
- 1027 o. 3,4,5-Trimethoxyamphetamine;
- 1028 p. 3,4-Methylenedioxymethcathinone;
- 1029 q. 3,4-Methylenedioxypyrovalerone (MDPV); or
- 1030 r. Methylmethcathinone,

1031  
 1032 individually or analogs thereto or isomers thereto or in any  
 1033 combination of or any mixture containing any substance listed in  
 1034 sub-subparagraphs a.-r., and who knows that the probable result  
 1035 of such manufacture or importation would be the death of any  
 1036 person commits capital manufacture or importation of  
 1037 Phenethylamines, a capital felony punishable as provided in ss.  
 1038 775.082 and 921.142. A person sentenced for a capital felony  
 1039 under this paragraph shall also be sentenced to pay the maximum  
 1040 fine provided under subparagraph 1.



1041 (1)1. Any person who knowingly sells, purchases,  
 1042 manufactures, delivers, or brings into this state, or who is  
 1043 knowingly in actual or constructive possession of, 1 gram or  
 1044 more of lysergic acid diethylamide (LSD) as described in s.  
 1045 893.03(1)(c), or of any mixture containing lysergic acid  
 1046 diethylamide (LSD), commits a felony of the first degree, which  
 1047 felony shall be known as "trafficking in lysergic acid  
 1048 diethylamide (LSD)," punishable as provided in s. 775.082, s.  
 1049 775.083, or s. 775.084. If the quantity involved:

1050 a. Is 1 gram or more, but less than 5 grams, such person  
 1051 shall be sentenced to a mandatory minimum term of imprisonment  
 1052 of 3 years, and the defendant shall be ordered to pay a fine of  
 1053 \$50,000.

1054 b. Is 5 grams or more, but less than 7 grams, such person  
 1055 shall be sentenced to a mandatory minimum term of imprisonment  
 1056 of 7 years, and the defendant shall be ordered to pay a fine of  
 1057 \$100,000.

1058 c. Is 7 grams or more, such person shall be sentenced to a  
 1059 mandatory minimum term of imprisonment of 15 calendar years and  
 1060 pay a fine of \$500,000.

1061 2. Any person who knowingly manufactures or brings into  
 1062 this state 7 grams or more of lysergic acid diethylamide (LSD)  
 1063 as described in s. 893.03(1)(c), or any mixture containing  
 1064 lysergic acid diethylamide (LSD), and who knows that the  
 1065 probable result of such manufacture or importation would be the  
 1066 death of any person commits capital manufacture or importation

1067 of lysergic acid diethylamide (LSD), a capital felony punishable  
 1068 as provided in ss. 775.082 and 921.142. Any person sentenced for  
 1069 a capital felony under this paragraph shall also be sentenced to  
 1070 pay the maximum fine provided under subparagraph 1.

1071 Section 15. For the purpose of incorporating the amendment  
 1072 made by this act to section 893.03, Florida Statutes, in  
 1073 references thereto, paragraphs (b), (c), and (e) of subsection  
 1074 (3) of section 921.0022, Florida Statutes, are reenacted to  
 1075 read:

1076 921.0022 Criminal Punishment Code; offense severity  
 1077 ranking chart.—

1078 (3) OFFENSE SEVERITY RANKING CHART

1079 (b) LEVEL 2

1080

Florida Statute	Felony Degree	Description
379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.

1081

1082

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1083	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.
1084	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
1085	590.28 (1)	3rd	Intentional burning of lands.
1086	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
1087	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
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1089	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
1090	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
1091	810.09 (2) (e)	3rd	Trespassing on posted commercial horticulture property.
1092	812.014 (2) (c) 1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
1093	812.014 (2) (d)	3rd	Grand theft, 3rd degree; \$100 or more but less than \$300, taken from unenclosed curtilage of dwelling.
	812.015 (7)	3rd	Possession, use, or attempted

1094	817.234 (1) (a) 2.	3rd	use of an antishoplifting or inventory control device countermeasure. False statement in support of insurance claim.
1095	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
1096	817.52 (3)	3rd	Failure to redeliver hired vehicle.
1097	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
1098	817.60 (5)	3rd	Dealing in credit cards of another.
1099	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.

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1100	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.
1101	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
1102	831.01	3rd	Forgery.
1103	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
1104	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
1105	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
1106	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
1107			

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1108	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
1109	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
1110	843.08	3rd	Falsely impersonating an officer.
1111	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.
1112	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
1113	(c) LEVEL 3		
1114	Florida	Felony	
1115	Statute	Degree	Description

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1116	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
1117	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
1118	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
1119	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
1120	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
1121	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
	319.33 (1) (c)	3rd	Procure or pass title



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1122			on stolen vehicle.
1123	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
1124	327.35(2)(b)	3rd	Felony BUI.
1125	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
1126	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
1127	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring,

1128	379.2431 (1) (e) 6.	3rd	selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
1129	400.9935 (4)	3rd	Operating a clinic without a license or filing false license application or other required information.
1130	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
1131	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.

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1132	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
1133	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1134	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
1135	697.08	3rd	Equity skimming.
1136	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
1137	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1138	806.10 (2)	3rd	Interferes with or assaults firefighter in performance

			of duty.
1139	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
1140	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
1141	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1142	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
1143	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less

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1144			than \$20,000.
1144	817.233	3rd	Burning to defraud insurer.
1145	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
1146	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
1147	817.236	3rd	Filing a false motor vehicle insurance application.
1148	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
1149	817.413 (2)	3rd	Sale of used goods as new.
1150	817.505 (4)	3rd	Patient brokering.
1151			

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1152	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
1153	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
1154	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
1155	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
1156	843.19	3rd	Injure, disable, or kill police dog or horse.
1157	860.15 (3)	3rd	Overcharging for repairs and parts.

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1158	870.01 (2)	3rd	Riot; inciting or encouraging.
1159	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).
1160	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.
1160	893.13 (1) (f) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7.,

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1161	893.13 (6) (a)	3rd	(2) (c) 8., (2) (c) 9., (3), or (4) drugs within 1,000 feet of public housing facility.
1162	893.13 (7) (a) 8.	3rd	Possession of any controlled substance other than felony possession of cannabis.
1163	893.13 (7) (a) 9.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
1164	893.13 (7) (a) 10.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
1165	893.13 (7) (a) 11.	3rd	Affix false or forged label to package of controlled substance.
			Furnish false or



1166	893.13(8)(a)1.	3rd	<p>fraudulent material information on any document or record required by chapter 893.</p> <p>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.</p>
1167	893.13(8)(a)2.	3rd	<p>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.</p>
1168	893.13(8)(a)3.	3rd	<p>Knowingly write a prescription for a controlled substance for a fictitious person.</p>

1169	893.13 (8) (a) 4.	3rd	Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.
1170	918.13 (1) (a)	3rd	Alter, destroy, or conceal investigation evidence.
1171	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
1172	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
1173	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
1174			
1175	(e) LEVEL 5		

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1176	Florida Statute	Felony Degree	Description
1177	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
1178	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
1179	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1180	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
1181	379.367 (4)	3rd	Willful molestation of a commercial harvester's

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1182	379.3671 (2) (c) 3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.
1183	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
1184	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
1185	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
1186	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing

1187			workers' compensation premiums.
	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
1188			
	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
1189			
	790.01 (2)	3rd	Carrying a concealed firearm.
1190			
	790.162	2nd	Threat to throw or discharge destructive device.
1191			
	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
1192			
	790.221 (1)	2nd	Possession of short-barreled shotgun or

1193			machine gun.
1193	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
1194	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
1195	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1196	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1197	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1198	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than

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1199			\$50,000.
1200	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
1201	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1202	812.131 (2) (b)	3rd	Robbery by sudden snatching.
1203	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
1204	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
1205	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false

1206	817.568 (2) (b)	2nd	<p>entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.</p> <p>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.</p>
1207	817.625 (2) (b)	2nd	<p>Second or subsequent fraudulent use of scanning device or reencoder.</p>
1208	825.1025 (4)	3rd	<p>Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.</p>
1209			



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1210	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
1211	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
1212	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.
1213	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
1213	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.

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1214	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
1215	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
1216	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
1217	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
1218	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).
1219	893.13 (1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other

			<p>s. 893.03(1)(c), (2)(c)1.,                  (2)(c)2., (2)(c)3.,                  (2)(c)5., (2)(c)6.,                  (2)(c)7., (2)(c)8.,                  (2)(c)9., (3), or (4)                  drugs) within 1,000 feet                  of a child care facility,                  school, or state, county,                  or municipal park or                  publicly owned                  recreational facility or                  community center.</p>
1220	893.13(1)(d)1.	1st	<p>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.</p>
1221	893.13(1)(e)2.	2nd	<p>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.,</p>

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1222	893.13 (1) (f) 1.	1st	(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.
1223	893.13 (4) (b)	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1) (a), (1) (b), (1) (d), or (2) (a), (2) (b), or (2) (c) 4. drugs) within 1,000 feet of public housing facility.
1224	893.1351 (1)	3rd	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).
			Ownership, lease, or rental for trafficking in or manufacturing of controlled

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substance.

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Section 16. This act shall take effect upon becoming a  
law.