

1 A bill to be entitled  
2 An act relating to controlled substances; amending s.  
3 782.07, F.S.; providing that distribution of a product  
4 containing heroin or fentanyl that results in a death  
5 is manslaughter; providing criminal penalties;  
6 amending s. 893.03, F.S.; adding certain synthetic  
7 opioid substitute compounds to the list of Schedule I  
8 controlled substances; amending s. 893.13, F.S.;  
9 prohibiting possession of more than 10 grams of  
10 specified substances; providing criminal penalties;  
11 amending s. 893.135, F.S.; creating the offense of  
12 trafficking in fentanyl; providing specified minimum  
13 terms of imprisonment and fines based on the quantity  
14 involved in the offense; creating the offense of  
15 trafficking in synthetic drugs; providing specified  
16 minimum terms of imprisonment and fines based on the  
17 quantity involved in the offense; amending s.  
18 921.0022, F.S.; ranking offenses on the offense  
19 severity ranking chart of the Criminal Punishment  
20 Code; reenacting ss. 39.01(30)(a) and (g), 316.193(5),  
21 322.2616(2)(c), 327.35(5), 440.102(11)(b),  
22 458.3265(1)(e), 459.0137(1)(e), 775.087(2)(a) and  
23 (3)(a), 782.04(1)(a) and (4), 787.06(2)(a), 817.563,  
24 831.31(1)(a) and (2), 856.015(1)(c), 893.02(4),  
25 893.035(2), (7)(a), and (8)(a), 893.0356(2)(a) and

26 (5), 893.05(1), 893.12(2)(b), (c), and (d),  
 27 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a),  
 28 (4)(b), (5)(b), and (7)(a), and 921.0022(3)(b), (c),  
 29 and (e), F.S., relating to definitions used in chapter  
 30 39, F.S., driving under the influence, suspension of  
 31 driver licenses, boating under the influence, drug-  
 32 free workplace programs, pain-management clinics,  
 33 felony reclassification, murder, human trafficking,  
 34 sale of substance in lieu of a controlled substance,  
 35 counterfeit controlled substance, open house parties,  
 36 definitions, control of new substances, practitioners  
 37 and persons administering controlled substances in  
 38 their absence, contraband, seizure, forfeiture, and  
 39 sale, prohibited acts and penalties, the offense  
 40 severity ranking chart of the Criminal Punishment  
 41 Code, respectively, to incorporate the amendments made  
 42 by the act in cross-references to amended provisions;  
 43 providing an effective date.

44  
 45 Be It Enacted by the Legislature of the State of Florida:  
 46

47 Section 1. Subsection (5) is added to section 782.07,  
 48 Florida Statutes, to read:

49 782.07 Manslaughter; aggravated manslaughter of an elderly  
 50 person or disabled adult; aggravated manslaughter of a child;

HB 477

2017

51 aggravated manslaughter of an officer, a firefighter, an  
52 emergency medical technician, or a paramedic; substances  
53 containing heroin or fentanyl.—

54 (5) A person who by act, procurement, or culpable  
55 negligence, knowingly and intentionally sells or delivers a  
56 quantity of a substance containing detectable amounts of heroin  
57 as described in s. 893.03(1)(b)11., fentanyl as described in s.  
58 893.03(2)(b)9., or an analog thereto as described in s.  
59 893.0356, or any combination thereof, and the drug or drug  
60 combination results in the death of a person, commits  
61 manslaughter, a felony of the third degree, punishable as  
62 provided in s. 775.082, s. 775.083, or s. 775.084.

63 Section 2. Paragraphs (a) and (c) of subsection (1) of  
64 section 893.03, Florida Statutes, are amended to read:

65 893.03 Standards and schedules.—The substances enumerated  
66 in this section are controlled by this chapter. The controlled  
67 substances listed or to be listed in Schedules I, II, III, IV,  
68 and V are included by whatever official, common, usual,  
69 chemical, trade name, or class designated. The provisions of  
70 this section shall not be construed to include within any of the  
71 schedules contained in this section any excluded drugs listed  
72 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
73 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
74 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted  
75 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt

76 | Anabolic Steroid Products."

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

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

- 88 |       1. Acetyl-alpha-methylfentanyl.
- 89 |       2. Acetylmethadol.
- 90 |       3. Allylprodine.
- 91 |       4. Alphacetylmethadol (except levo-alphacetylmethadol,  
92 | also known as levo-alpha-acetylmethadol, levomethadyl acetate,  
93 | or LAAM).
- 94 |       5. Alphamethadol.
- 95 |       6. Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)  
96 | ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-  
97 | (N-propanilido) piperidine).
- 98 |       7. Alpha-methylthiofentanyl.
- 99 |       8. Alphameprodine.
- 100 |       9. Benzethidine.

- 101 | 10. Benzylfentanyl.
- 102 | 11. Betacetylmethadol.
- 103 | 12. Beta-hydroxyfentanyl.
- 104 | 13. Beta-hydroxy-3-methylfentanyl.
- 105 | 14. Betameprodine.
- 106 | 15. Betamethadol.
- 107 | 16. Betaprodine.
- 108 | 17. Clonitazene.
- 109 | 18. Dextromoramide.
- 110 | 19. Diampromide.
- 111 | 20. Diethylthiambutene.
- 112 | 21. Difeno~~xin~~.
- 113 | 22. Dimenoxadol.
- 114 | 23. Dimepheptanol.
- 115 | 24. Dimethylthiambutene.
- 116 | 25. Dioxaphetyl butyrate.
- 117 | 26. Dipipanone.
- 118 | 27. Ethylmethylthiambutene.
- 119 | 28. Etonitazene.
- 120 | 29. Eto~~xeridine~~.
- 121 | 30. Flunitrazepam.
- 122 | 31. Furethidine.
- 123 | 32. Hydroxypethidine.
- 124 | 33. Ketobemidone.
- 125 | 34. Levomoramide.

- 126 |           35. Levophenacylmorphan.
- 127 |           36. Desmethyprodine (1-Methyl-4-Phenyl-4-
- 128 | Propionoxypiperidine).
- 129 |           37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
- 130 | piperidyl]-N-phenylpropanamide).
- 131 |           38. 3-Methylthiofentanyl.
- 132 |           39. Morpheridine.
- 133 |           40. Noracymethadol.
- 134 |           41. Norlevorphanol.
- 135 |           42. Normethadone.
- 136 |           43. Norpipanone.
- 137 |           44. Para-Fluorofentanyl.
- 138 |           45. Phenadoxone.
- 139 |           46. Phenampromide.
- 140 |           47. Phenomorphan.
- 141 |           48. Phenoperidine.
- 142 |           49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
- 143 | Acetyloxypiperidine).
- 144 |           50. Piritramide.
- 145 |           51. Proheptazine.
- 146 |           52. Properidine.
- 147 |           53. Propiram.
- 148 |           54. Racemoramide.
- 149 |           55. Thenylfentanyl.
- 150 |           56. Thiofentanyl.

- 151           57. Tilidine.
- 152           58. Trimeperidine.
- 153           59. Acetylfentanyl.
- 154           60. Butyrylfentanyl.
- 155           61. Beta-Hydroxythiofentanyl.
- 156           62. Fentanyl Derivatives. Unless specifically excepted,  
157 listed in another schedule, or contained within a pharmaceutical  
158 product approved by the United States Food and Drug  
159 Administration, any material, compound, mixture, or preparation,  
160 including its salts, isomers, esters, or ethers, and salts of  
161 isomers, esters, or ethers, whenever the existence of such salts  
162 is possible within any of the following specific chemical  
163 designations, any compound containing a 4-anilidopiperidine  
164 structure:
- 165           a. With or without substitution at the carbonyl of the  
166 aniline moiety with alkyl, alkenyl, carboalkoxy, cycloalkyl,  
167 methoxyalkyl, cyanoalkyl, or aryl groups, or furanyl,  
168 dihydrofuranyl, benzyl moiety, or rings containing heteroatoms  
169 sulfur, oxygen, or nitrogen;
- 170           b. With or without substitution at the piperidine amino  
171 moiety with a phenethyl, benzyl, alkylaryl, (including  
172 heteroaromatics), alkyltetrazolyl ring, or an alkyl or  
173 carbomethoxy group, whether or not further substituted in the  
174 ring or group;
- 175           c. With or without substitution or addition to the

HB 477

2017

176 | piperidine ring to any extent with one or more methyl,  
177 | carbomethoxy, methoxy, methoxymethyl, aryl, allyl, or ester  
178 | groups;

179 | d. With or without substitution of one or more hydrogen  
180 | atoms for halogens, or methyl, alkyl, or methoxy groups, in the  
181 | aromatic ring of the anilide moiety;

182 | e. With or without substitution at the alpha or beta  
183 | position of the piperidine ring with alkyl, hydroxyl, or methoxy  
184 | groups;

185 | f. With or without substitution of the benzene ring of the  
186 | anilide moiety for an aromatic heterocycle; and

187 | g. With or without substitution of the piperidine ring for  
188 | a pyrrolidine ring, perhydroazepine ring, or azepine ring;

189 | excluding, Alfentanil, Carfentanil, Fentanyl, and Sufentanil;  
190 | including, but not limited to:

192 | (I) Acetyl-alpha-methylfentanyl.

193 | (II) Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)  
194 | ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-  
195 | (N-propanilido) piperidine).

196 | (III) Alpha-methylthiofentanyl.

197 | (IV) Benzylfentanyl.

198 | (V) Beta-hydroxyfentanyl.

199 | (VI) Beta-hydroxy-3-methylfentanyl.

200 | (VII) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-



201 | piperidyl]-N-phenylpropanamide).  
 202 |       (VIII) 3-Methylthiofentanyl.  
 203 |       (IX) Para-Fluorofentanyl.  
 204 |       (X) Thenylfentanyl or Thienyl fentanyl.  
 205 |       (XI) Thiofentanyl.  
 206 |       (XII) Acetylfentanyl.  
 207 |       (XIII) Butyrylfentanyl.  
 208 |       (XIV) Beta-Hydroxythiofentanyl.  
 209 |       (XV) Lofentanil.  
 210 |       (XVI) Ocfentanil.  
 211 |       (XVII) Ohmfentanyl.  
 212 |       (XVIII) Benzodioxolefentanyl.  
 213 |       (XIX) Furanyl fentanyl.  
 214 |       (XX) Pentanoyl fentanyl.  
 215 |       (XXI) Cyclopentyl fentanyl.  
 216 |       (XXII) Isobutyryl fentanyl.  
 217 |       (XXIII) Remifentanil.  
 218 |       (c) Unless specifically excepted or unless listed in  
 219 | another schedule, any material, compound, mixture, or  
 220 | preparation that contains any quantity of the following  
 221 | hallucinogenic substances or that contains any of their salts,  
 222 | isomers, including optical, positional, or geometric isomers,  
 223 | homologues, nitrogen-heterocyclic analogs, esters, ethers, and  
 224 | salts of isomers, homologues, nitrogen-heterocyclic analogs,  
 225 | esters, or ethers, if the existence of such salts, isomers, and

- 226 salts of isomers is possible within the specific chemical  
 227 designation or class description:
- 228 1. Alpha-Ethyltryptamine.
  - 229 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-  
 230 oxazoline).
  - 231 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).
  - 232 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
  - 233 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
  - 234 6. Bufotenine.
  - 235 7. Cannabis.
  - 236 8. Cathinone.
  - 237 9. DET (Diethyltryptamine).
  - 238 10. 2,5-Dimethoxyamphetamine.
  - 239 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
  - 240 12. DMT (Dimethyltryptamine).
  - 241 13. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine  
 242 analog of phencyclidine).
  - 243 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
  - 244 15. N-Ethylamphetamine.
  - 245 16. Fenethylamine.
  - 246 17. 3,4-Methylenedioxy-N-hydroxyamphetamine.
  - 247 18. Ibogaine.
  - 248 19. LSD (Lysergic acid diethylamide).
  - 249 20. Mescaline.
  - 250 21. Methcathinone.

- 251 |           22. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 252 |           23. PMA (4-Methoxyamphetamine).
- 253 |           24. PMMA (4-Methoxymethamphetamine).
- 254 |           25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 255 |           26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 256 |           27. MDA (3,4-Methylenedioxyamphetamine).
- 257 |           28. JB-336 (N-Methyl-3-piperidyl benzilate).
- 258 |           29. N,N-Dimethylamphetamine.
- 259 |           30. Parahexyl.
- 260 |           31. Peyote.
- 261 |           32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
- 262 | analog of phencyclidine).
- 263 |           33. Psilocybin.
- 264 |           34. Psilocyn.
- 265 |           35. Salvia divinorum, except for any drug product approved
- 266 | by the United States Food and Drug Administration which contains
- 267 | Salvia divinorum or its isomers, esters, ethers, salts, and
- 268 | salts of isomers, esters, and ethers, if the existence of such
- 269 | isomers, esters, ethers, and salts is possible within the
- 270 | specific chemical designation.
- 271 |           36. Salvinorin A, except for any drug product approved by
- 272 | the United States Food and Drug Administration which contains
- 273 | Salvinorin A or its isomers, esters, ethers, salts, and salts of
- 274 | isomers, esters, and ethers, if the existence of such isomers,
- 275 | esters, ethers, and salts is possible within the specific

HB 477

2017

- 276 | chemical designation.
- 277 |       37. Xylazine.
- 278 |       38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)
- 279 | (Thiophene analog of phencyclidine).
- 280 |       39. 3,4,5-Trimethoxyamphetamine.
- 281 |       40. Methydone (3,4-Methylenedioxyamphetaminone).
- 282 |       41. MDPV (3,4-Methylenedioxypropionylphenone).
- 283 |       42. Methylenedioxyamphetamine.
- 284 |       43. Methoxyamphetamine.
- 285 |       44. Fluoromethamphetamine.
- 286 |       45. Methylethamphetamine.
- 287 |       46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
- 288 | yl)phenol) and its dimethyloctyl (C8) homologue.
- 289 |       47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 290 | (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 291 | ol].
- 292 |       48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
- 293 |       49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
- 294 |       50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
- 295 | naphthoyl)indole).
- 296 |       51. BZP (Benzylpiperazine).
- 297 |       52. Fluorophenylpiperazine.
- 298 |       53. Methylphenylpiperazine.
- 299 |       54. Chlorophenylpiperazine.
- 300 |       55. Methoxyphenylpiperazine.

- 301 56. DBZP (1,4-Dibenzylpiperazine).
- 302 57. TFMPP (Trifluoromethylphenylpiperazine).
- 303 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 304 Methylenedioxy-N-methylbutanamine).
- 305 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 306 60. 5-Hydroxy-N-methyltryptamine.
- 307 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 308 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 309 63. Methyltryptamine.
- 310 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 311 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 312 66. Tyramine (4-Hydroxyphenethylamine).
- 313 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 314 68. DiPT (N,N-Diisopropyltryptamine).
- 315 69. DPT (N,N-Dipropyltryptamine).
- 316 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 317 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 318 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 319 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 320 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 321 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 322 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 323 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 324 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 325 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).

- 326 |           80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 327 |           81. Butylone (3,4-Methylenedioxy-alpha-
- 328 | methylaminobutyrophenone).
- 329 |           82. Ethcathinone.
- 330 |           83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 331 |           84. Naphyrone (Naphthylpyrovalerone).
- 332 |           85. Dimethylone (3,4-Methylenedioxy-N,N-
- 333 | dimethylcathinone).
- 334 |           86. 3,4-Methylenedioxy-N,N-diethylcathinone.
- 335 |           87. 3,4-Methylenedioxy-propiofenone.
- 336 |           88. 3,4-Methylenedioxy-alpha-bromopropiofenone.
- 337 |           89. 3,4-Methylenedioxy-propiofenone-2-oxime.
- 338 |           90. 3,4-Methylenedioxy-N-acetylcathinone.
- 339 |           91. 3,4-Methylenedioxy-N-acetylmethcathinone.
- 340 |           92. 3,4-Methylenedioxy-N-acetylcathinone.
- 341 |           93. Bromomethcathinone.
- 342 |           94. Buphedrone (alpha-Methylamino-butyrophenone).
- 343 |           95. Eutylone (3,4-Methylenedioxy-alpha-
- 344 | ethylaminobutyrophenone).
- 345 |           96. Dimethylcathinone.
- 346 |           97. Dimethylmethcathinone.
- 347 |           98. Pentylone (3,4-Methylenedioxy-alpha-
- 348 | methylaminovalerophenone).
- 349 |           99. MDPPP (3,4-Methylenedioxy-alpha-
- 350 | pyrrolidinopropiofenone).

HB 477

2017

- 351 100. MDPBP (3,4-Methylenedioxy-alpha-  
 352 pyrrolidinobutyrophenone).  
 353 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).  
 354 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone).  
 355 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP  
 356 (Benocyclidine).  
 357 104. F-MABP (Fluoromethylaminobutyrophenone).  
 358 105. MeO-PBP (Methoxypyrrolidinobutyrophenone).  
 359 106. Et-PBP (Ethylpyrrolidinobutyrophenone).  
 360 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).  
 361 108. Me-EABP (Methylethylaminobutyrophenone).  
 362 109. Etizolam.  
 363 110. PPP (Pyrrolidinopropiophenone).  
 364 111. PBP (Pyrrolidinobutyrophenone).  
 365 112. PVP (Pyrrolidinovalerophenone) or  
 366 (Pyrrolidinopentiophenone).  
 367 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone).  
 368 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).  
 369 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).  
 370 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).  
 371 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).  
 372 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole).  
 373 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).  
 374 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).  
 375 121. JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-

- 376 methylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
- 377 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
- 378 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
- 379 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
- 380 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
- 381 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
- 382 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
- 383 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
- 384 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
- 385 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
- 386 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 387 ol).
- 388 131. HU-308 ([ (1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-
- 389 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
- 390 enyl] methanol).
- 391 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
- 392 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
- 393 1,4-dione).
- 394 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene).
- 395 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
- 396 undecanamide).
- 397 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
- 398 undecanamide).
- 399 136. CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-(2-
- 400 methyloctan-2-yl)phenol).



HB 477

2017

- 401 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).  
 402 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole).  
 403 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).  
 404 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-  
 405 methoxyphenylacetyl)indole).  
 406 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-  
 407 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
 408 naphthalenylmethanone).  
 409 142. WIN55,212-3 ([ (3S)-2,3-Dihydro-5-methyl-3-(4-  
 410 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-  
 411 naphthalenylmethanone).  
 412 143. Pentedrone (alpha-Methylaminovalerophenone).  
 413 144. Fluoroamphetamine.  
 414 145. Fluoromethamphetamine.  
 415 146. Methoxetamine.  
 416 147. Methiopropamine.  
 417 148. Methylbuphedrone (Methyl-alpha-  
 418 methylaminobutyrophenone).  
 419 149. APB ((2-Aminopropyl)benzofuran).  
 420 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).  
 421 151. UR-144 (1-Pentyl-3-(2,2,3,3-  
 422 tetramethylcyclopropanoyl)indole).  
 423 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
 424 tetramethylcyclopropanoyl)indole).  
 425 153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-

HB 477

2017

- 426 tetramethylcyclopropanoyl) indole) .
- 427 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-
- 428 carboxamide) .
- 429 155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
- 430 iodobenzoyl) indole) .
- 431 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl) indole-3-
- 432 carboxamide) .
- 433 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-
- 434 cyclohexylcarbamate) .
- 435 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
- 436 cyclohexyl ester) .
- 437 159. URB-754 (6-Methyl-2-[(4-methylphenyl) amino]-1-
- 438 benzoxazin-4-one) .
- 439 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) .
- 440 161. 2C-H (2,5-Dimethoxyphenethylamine) .
- 441 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) .
- 442 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) .
- 443 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
- 444 methoxybenzyl)]phenethylamine) .
- 445 165. MDMA (3,4-Methylenedioxyamphetamine) .
- 446 166. PB-22 (8-Quinolinyll 1-pentylindole-3-carboxylate) .
- 447 167. Fluoro PB-22 (8-Quinolinyll 1-(fluoropentyl) indole-3-
- 448 carboxylate) .
- 449 168. BB-22 (8-Quinolinyll 1-(cyclohexylmethyl) indole-3-
- 450 carboxylate) .

HB 477

2017

- 451 169. Fluoro AKB48 (N-Adamant-1-yl 1-  
452 (fluoropentyl)indazole-3-carboxamide).
- 453 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
454 pentylindazole-3-carboxamide).
- 455 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
456 (4-fluorobenzyl)indazole-3-carboxamide).
- 457 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-  
458 1-pentylindazole-3-carboxamide).
- 459 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-  
460 yl)-1-(fluoropentyl)indole-3-carboxamide).
- 461 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-  
462 methoxybenzyl)]phenethylamine).
- 463 175. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-  
464 methoxybenzyl)]phenethylamine).
- 465 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-  
466 (cyclohexylmethyl)indazole-3-carboxamide).
- 467 177. FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-  
468 carboxylate).
- 469 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-  
470 (fluoropentyl)indole-3-carboxamide).
- 471 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-  
472 (fluoropentyl)indazole-3-carboxamide).
- 473 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-  
474 naphthoyl)indazole).
- 475 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-

HB 477

2017

476 | 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).

477 |       182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-

478 | (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-

479 | hexahydrobenzo[c]chromen-1-ol).

480 |       183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-

481 | (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-

482 | hexahydrobenzo[c]chromen-1-ol).

483 |       184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-

484 | 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9

485 | diol).

486 |       185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-

487 | dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-

488 | tetrahydro-6aH-benzo[c]chromen-1-ol).

489 |       186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-

490 | 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).

491 |       187. MAPB ((2-Methylaminopropyl)benzofuran).

492 |       188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).

493 |       189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).

494 |       190. Synthetic Cannabinoids.—Unless specifically excepted

495 | or unless listed in another schedule or contained within a

496 | pharmaceutical product approved by the United States Food and

497 | Drug Administration, any material, compound, mixture, or

498 | preparation that contains any quantity of a synthetic

499 | cannabinoid found to be in any of the following chemical class

500 | descriptions, or homologues, nitrogen-heterocyclic analogs,

501 isomers (including optical, positional, or geometric), esters,  
502 ethers, salts, and salts of homologues, nitrogen-heterocyclic  
503 analogs, isomers, esters, or ethers, whenever the existence of  
504 such homologues, nitrogen-heterocyclic analogs, isomers, esters,  
505 ethers, salts, and salts of isomers, esters, or ethers is  
506 possible within the specific chemical class or designation.

507 Since nomenclature of these synthetically produced cannabinoids  
508 is not internationally standardized and may continually evolve,  
509 these structures or the compounds of these structures shall be  
510 included under this subparagraph, regardless of their specific  
511 numerical designation of atomic positions covered, if it can be  
512 determined through a recognized method of scientific testing or  
513 analysis that the substance contains properties that fit within  
514 one or more of the following categories:

515       a. Tetrahydrocannabinols.—Any tetrahydrocannabinols  
516 naturally contained in a plant of the genus Cannabis, the  
517 synthetic equivalents of the substances contained in the plant  
518 or in the resinous extracts of the genus Cannabis, or synthetic  
519 substances, derivatives, and their isomers with similar chemical  
520 structure and pharmacological activity, including, but not  
521 limited to, Delta 9 tetrahydrocannabinols and their optical  
522 isomers, Delta 8 tetrahydrocannabinols and their optical  
523 isomers, Delta 6a,10a tetrahydrocannabinols and their optical  
524 isomers, or any compound containing a tetrahydrobenzo[c]chromene  
525 structure with substitution at either or both the 3-position or

526 9-position, with or without substitution at the 1-position with  
 527 hydroxyl or alkoxy groups, including, but not limited to:

528 (I) Tetrahydrocannabinol.

529 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
 530 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
 531 ol).

532 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
 533 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-  
 534 ol).

535 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-  
 536 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

537 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-  
 538 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

539 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-  
 540 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

541 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-  
 542 (2,3-dimethylpentan-2-yl)-6a,7,10,10a-  
 543 tetrahydrobenzo[c]chromene).

544 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-  
 545 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

546 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-  
 547 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

548 (X) Parahexyl.

549 b. Naphthoylindoles, Naphthoylindazoles,  
 550 Naphthoylcarbazoles, Naphthylmethylindoles,

551 Naphthylmethylindazoles, and Naphthylmethylcarbazoles.—Any  
552 compound containing a naphthoylindole, naphthoylindazole,  
553 naphthoylcarbazole, naphthylmethylindole,  
554 naphthylmethylindazole, or naphthylmethylcarbazole structure,  
555 with or without substitution on the indole, indazole, or  
556 carbazole ring to any extent, whether or not substituted on the  
557 naphthyl ring to any extent, including, but not limited to:

- 558 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
- 559 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-  
560 naphthoyl)indole).
- 561 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
- 562 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
- 563 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
- 564 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
- 565 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
- 566 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
- 567 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
- 568 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
- 569 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
- 570 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
- 571 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
- 572 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-  
573 naphthoyl)indole).
- 574 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
- 575 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).

HB 477

2017

576 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-  
 577 naphthoyl) indole).  
 578 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-  
 579 naphthoyl) indole).  
 580 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl) indole).  
 581 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl) indole).  
 582 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl) indole).  
 583 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-  
 584 naphthylmethyl] indole).  
 585 (XXIII) JWH-193 (1-[2-(4-Morpholinyl) ethyl]-3-(4-methyl-1-  
 586 naphthoyl) indole).  
 587 (XXIV) JWH-198 (1-[2-(4-Morpholinyl) ethyl]-3-(4-methoxy-1-  
 588 naphthoyl) indole).  
 589 (XXV) JWH-200 (1-[2-(4-Morpholinyl) ethyl]-3-(1-  
 590 naphthoyl) indole).  
 591 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl) indole).  
 592 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl) indole).  
 593 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-  
 594 naphthoyl) indole).  
 595 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl) indole).  
 596 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl) indole).  
 597 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl) methyl]-3-(1-  
 598 naphthoyl) indole).  
 599 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-  
 600 naphthoyl) indole).



HB 477

2017

- 601 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-  
 602 naphthoyl)indole).
- 603 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-  
 604 naphthoyl)indole).
- 605 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-  
 606 naphthoyl)indole).
- 607 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
- 608 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-  
 609 naphthoyl)indazole).
- 610 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-  
 611 naphthoyl)indole).
- 612 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-  
 613 naphthoyl)indole).
- 614 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).
- 615 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-  
 616 naphthoyl)carbazole).
- 617 c. Naphthoylpyrroles.—Any compound containing a  
 618 naphthoylpyrrole structure, with or without substitution on the  
 619 pyrrole ring to any extent, whether or not substituted on the  
 620 naphthyl ring to any extent, including, but not limited to:
- 621 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).
- 622 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl)pyrrole).
- 623 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl)pyrrole).
- 624 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl)pyrrole).
- 625 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl)pyrrole).

HB 477

2017

626 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-  
627 naphthoyl)pyrrole).

628 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-  
629 naphthoyl)pyrrole).

630 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-  
631 naphthoyl)pyrrole).

632 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-  
633 naphthoyl)pyrrole).

634 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-  
635 naphthoyl)pyrrole).

636 d. Naphthylmethylenindenes.—Any compound containing a  
637 naphthylmethylenindene structure, with or without substitution  
638 at the 3-position of the indene ring to any extent, whether or  
639 not substituted on the naphthyl ring to any extent, including,  
640 but not limited to, JWH-176 (3-Pentyl-1-  
641 (naphthylmethylene)indene).

642 e. Phenylacetylindoles and Phenylacetylindazoles.—Any  
643 compound containing a phenylacetylindole or phenylacetylindazole  
644 structure, with or without substitution on the indole or  
645 indazole ring to any extent, whether or not substituted on the  
646 phenyl ring to any extent, including, but not limited to:

647 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).

648 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).

649 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).

650 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).

651 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).

652 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).

653 (VII) Cannabipiperidiethanone.

654 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-  
655 methoxyphenylacetyl)indole).

656 f. Cyclohexylphenols.—Any compound containing a  
657 cyclohexylphenol structure, with or without substitution at the  
658 5-position of the phenolic ring to any extent, whether or not  
659 substituted on the cyclohexyl ring to any extent, including, but  
660 not limited to:

661 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-  
662 yl)phenol).

663 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)  
664 homologue).

665 (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-  
666 methyloctan-2-yl)phenol).

667 g. Benzoylindoles and Benzoylindazoles.—Any compound  
668 containing a benzoylindole or benzoylindazole structure, with or  
669 without substitution on the indole or indazole ring to any  
670 extent, whether or not substituted on the phenyl ring to any  
671 extent, including, but not limited to:

672 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).

673 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).

674 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
675 iodo-5-nitrobenzoyl)indole).

HB 477

2017

676 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-  
677 (4-methoxybenzoyl)indole).

678 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-  
679 iodobenzoyl)indole).

680 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).

681 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-  
682 methoxybenzoyl)indole).

683 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-  
684 3-(4-methoxybenzoyl)indole).

685 h. Tetramethylcyclopropanoylindoles and  
686 Tetramethylcyclopropanoylindazoles.—Any compound containing a  
687 tetramethylcyclopropanoylindole or  
688 tetramethylcyclopropanoylindazole structure, with or without  
689 substitution on the indole or indazole ring to any extent,  
690 whether or not substituted on the tetramethylcyclopropyl group  
691 to any extent, including, but not limited to:

692 (I) UR-144 (1-Pentyl-3-(2,2,3,3-  
693 tetramethylcyclopropanoyl)indole).

694 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-  
695 tetramethylcyclopropanoyl)indole).

696 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-  
697 tetramethylcyclopropanoyl)indole).

698 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-  
699 tetramethylcyclopropanoyl)indole).

700 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-

HB 477

2017

701 tetramethylcyclopropanoyl)indole).

702 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-

703 tetramethylcyclopropanoyl)indole).

704 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-

705 tetramethylcyclopropanoyl)indole).

706 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-

707 tetramethylcyclopropanoyl)indazole).

708 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-

709 tetramethylcyclopropanoyl)indole).

710 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-

711 tetramethylcyclopropanoyl)indole).

712 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole

713 carboxamides, and Adamantylindazole carboxamides.—Any compound

714 containing an adamantoyl indole, adamantoyl indazole, adamantyl

715 indole carboxamide, or adamantyl indazole carboxamide structure,

716 with or without substitution on the indole or indazole ring to

717 any extent, whether or not substituted on the adamantyl ring to

718 any extent, including, but not limited to:

719 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).

720 (II) Fluoro AKB48 (N-Adamant-1-yl 1-

721 (fluoropentyl)indazole-3-carboxamide).

722 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-

723 carboxamide).

724 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-

725 adamantoyl)indole).

HB 477

2017

- 726 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).
- 727 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).
- 728 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-
- 729 adamantoyl)indole).
- 730 j. Quinolinyndolecarboxylates,
- 731 Quinolinyndazolecarboxylates, Quinolinyndolecarboxamides,
- 732 and Quinolinyndazolecarboxamides.—Any compound containing a
- 733 quinolinyndole carboxylate, quinolinyndazole carboxylate,
- 734 isoquinolinyndole carboxylate, isoquinolinyndazole
- 735 carboxylate, quinolinyndole carboxamide, quinolinyndazole
- 736 carboxamide, isoquinolinyndole carboxamide, or
- 737 isoquinolinyndazole carboxamide structure, with or without
- 738 substitution on the indole or indazole ring to any extent,
- 739 whether or not substituted on the quinoline or isoquinoline ring
- 740 to any extent, including, but not limited to:
- 741 (I) PB-22 (8-Quinolinyndyl 1-pentylindole-3-carboxylate).
- 742 (II) Fluoro PB-22 (8-Quinolinyndyl 1-(fluoropentyl)indole-3-
- 743 carboxylate).
- 744 (III) BB-22 (8-Quinolinyndyl 1-(cyclohexylmethyl)indole-3-
- 745 carboxylate).
- 746 (IV) FUB-PB-22 (8-Quinolinyndyl 1-(4-fluorobenzyl)indole-3-
- 747 carboxylate).
- 748 (V) NPB-22 (8-Quinolinyndyl 1-pentylindazole-3-carboxylate).
- 749 (VI) Fluoro NPB-22 (8-Quinolinyndyl 1-(fluoropentyl)indazole-
- 750 3-carboxylate).

HB 477

2017

751 (VII) FUB-NPB-22 (8-Quinoliny1 1-(4-fluorobenzyl)indazole-  
752 3-carboxylate).

753 (VIII) THJ (8-Quinoliny1 1-pentylindazole-3-carboxamide).

754 (IX) Fluoro THJ (8-Quinoliny1 1-(fluoropentyl)indazole-3-  
755 carboxamide).

756 k. Naphthylindolecarboxylates and  
757 Naphthylindazolecarboxylates.—Any compound containing a  
758 naphthylindole carboxylate or naphthylindazole carboxylate  
759 structure, with or without substitution on the indole or  
760 indazole ring to any extent, whether or not substituted on the  
761 naphthyl ring to any extent, including, but not limited to:

762 (I) NM-2201 (1-Naphthaleny1 1-(5-fluoropentyl)indole-3-  
763 carboxylate).

764 (II) SDB-005 (1-Naphthaleny1 1-pentylindazole-3-  
765 carboxylate).

766 (III) Fluoro SDB-005 (1-Naphthaleny1 1-  
767 (fluoropentyl)indazole-3-carboxylate).

768 (IV) FDU-PB-22 (1-Naphthaleny1 1-(4-fluorobenzyl)indole-3-  
769 carboxylate).

770 (V) 3-CAF (2-Naphthaleny1 1-(2-fluorophenyl)indazole-3-  
771 carboxylate).

772 l. Naphthylindole carboxamides and Naphthylindazole  
773 carboxamides.—Any compound containing a naphthylindole  
774 carboxamide or naphthylindazole carboxamide structure, with or  
775 without substitution on the indole or indazole ring to any

HB 477

2017

776 extent, whether or not substituted on the naphthyl ring to any  
777 extent, including, but not limited to:

778 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

779 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-  
780 (fluoropentyl)indole-3-carboxamide).

781 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-  
782 (chloropentyl)indole-3-carboxamide).

783 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-  
784 carboxamide).

785 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-  
786 (fluoropentyl)indazole-3-carboxamide).

787 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl  
788 indazole carboxamides, Alkylcarbonyl indole carboxylates, and  
789 Alkylcarbonyl indazole carboxylates.—Any compound containing an  
790 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,  
791 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-  
792 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an  
793 indole carboxamide, indazole carboxamide, indole carboxylate, or  
794 indazole carboxylate, with or without substitution on the indole  
795 or indazole ring to any extent, whether or not substituted on  
796 the alkylcarbonyl group to any extent, including, but not  
797 limited to:

798 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-  
799 pentylindole-3-carboxamide).

800 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-



801 yl)-1-(fluoropentyl)indole-3-carboxamide).

802 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-

803 1-(fluoropentyl)indole-3-carboxamide).

804 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

805 pentylindazole-3-carboxamide).

806 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-

807 yl)-1-(fluoropentyl)indazole-3-carboxamide).

808 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-

809 1-pentylindazole-3-carboxamide).

810 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-

811 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

812 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-

813 1-(4-fluorobenzyl)indazole-3-carboxamide).

814 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

815 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

816 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-

817 (cyclohexylmethyl)indazole-3-carboxamide).

818 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-

819 1-(cyclohexylmethyl)indazole-3-carboxamide).

820 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

821 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

822 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-

823 pentylindazole-3-carboxamide).

824 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-

825 1-(fluoropentyl)indazole-3-carboxamide).

HB 477

2017

826 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-  
827 fluorobenzyl)indazole-3-carboxamide).

828 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
829 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

830 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-  
831 oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

832 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
833 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).

834 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-  
835 fluoropentyl)indole-3-carboxamide).

836 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-  
837 fluoropentyl)indazole-3-carboxamide).

838 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-  
839 (cyclohexylmethyl)indazole-3-carboxamide).

840 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-  
841 fluorobenzyl)indazole-3-carboxamide).

842 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-  
843 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).

844 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.—  
845 Any compound containing a N-(2-phenylpropan-2-yl) indole  
846 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide  
847 structure, with or without substitution on the indole or  
848 indazole ring to any extent, whether or not substituted on the  
849 phenyl ring of the cumyl group to any extent, including, but not  
850 limited to:

851 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-  
 852 carboxamide).

853 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-  
 854 (fluoropentyl)indole-3-carboxamide).

855 o. Other Synthetic Cannabinoids.—Any material, compound,  
 856 mixture, or preparation that contains any quantity of a  
 857 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

858 (I) With or without modification or replacement of a  
 859 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage  
 860 between either two core rings, or linkage between a core ring  
 861 and group structure, with or without the addition of a carbon or  
 862 replacement of a carbon;

863 (II) With or without replacement of a core ring or group  
 864 structure, whether or not substituted on the ring or group  
 865 structures to any extent; and

866 (III) Is a cannabinoid receptor agonist, unless  
 867 specifically excepted or unless listed in another schedule or  
 868 contained within a pharmaceutical product approved by the United  
 869 States Food and Drug Administration.

870 191. Substituted Cathinones.—Unless specifically excepted,  
 871 listed in another schedule, or contained within a pharmaceutical  
 872 product approved by the United States Food and Drug  
 873 Administration, any material, compound, mixture, or preparation,  
 874 including its salts, isomers, esters, or ethers, and salts of  
 875 isomers, esters, or ethers, whenever the existence of such salts

876 is possible within any of the following specific chemical  
877 designations:

878 a. Any compound containing a 2-amino-1-phenyl-1-propanone  
879 structure;

880 b. Any compound containing a 2-amino-1-naphthyl-1-  
881 propanone structure; or

882 c. Any compound containing a 2-amino-1-thiophenyl-1-  
883 propanone structure,

884 whether or not the compound is further modified:

885 (I) With or without substitution on the ring system to any  
886 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,  
887 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused  
888 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide  
889 substituents;

890 (II) With or without substitution at the 3-propanone  
891 position with an alkyl substituent or removal of the methyl  
892 group at the 3-propanone position;

893 (III) With or without substitution at the 2-amino nitrogen  
894 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or  
895 not further substituted in the ring system; or

896 (IV) With or without inclusion of the 2-amino nitrogen  
897 atom in a cyclic structure, including, but not limited to:

898 (A) Methcathinone.

899 (B) Ethcathinone.

900 (C) Methydone (3,4-Methylenedioxy-methcathinone).

HB 477

2017

- 901 (D) 2,3-Methylenedioxy-methcathinone.
- 902 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).
- 903 (F) Methylenedioxy-methcathinone.
- 904 (G) Methoxy-methcathinone.
- 905 (H) Fluoro-methcathinone.
- 906 (I) Methylethcathinone.
- 907 (J) Butylone (3,4-Methylenedioxy-alpha-
- 908 methylenedioxy-methylamino-butyrophenone).
- 909 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 910 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 911 (M) Naphyrone (Naphthylpyrovalerone).
- 912 (N) Bromo-methcathinone.
- 913 (O) Buphedrone (alpha-Methylamino-butyrophenone).
- 914 (P) Eutylone (3,4-Methylenedioxy-alpha-
- 915 ethylamino-butyrophenone).
- 916 (Q) Dimethylcathinone.
- 917 (R) Dimethylmethcathinone.
- 918 (S) Pentylone (3,4-Methylenedioxy-alpha-
- 919 methylamino-valerophenone).
- 920 (T) Pentedrone (alpha-Methylamino-valerophenone).
- 921 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 922 pyrrolidino-propylphenone).
- 923 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 924 pyrrolidino-butyrophenone).
- 925 (W) MPPP (Methyl-alpha-pyrrolidino-propylphenone).

- 926 (X) PPP (Pyrrolidinopropiophenone).
- 927 (Y) PVP (Pyrrolidinovalerophenone) or
- 928 (Pyrrolidinopentiophenone).
- 929 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 930 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 931 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 932 (CC) Me-EABP (Methylethylaminobutyrophenone).
- 933 (DD) PBP (Pyrrolidinobutyrophenone).
- 934 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 935 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 936 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
- 937 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
- 938 dimethylcathinone).
- 939 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
- 940 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
- 941 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
- 942 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
- 943 (MM) Methylbuphedrone (Methyl-alpha-
- 944 methylaminobutyrophenone).
- 945 (NN) Methyl-alpha-methylaminohexanophenone.
- 946 (OO) N-Ethyl-N-methylcathinone.
- 947 (PP) PHP (Pyrrolidinohexanophenone).
- 948 (QQ) PV8 (Pyrrolidinoheptanophenone).
- 949 (RR) Chloromethcathinone.
- 950 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.

951           192. Substituted Phenethylamines.—Unless specifically  
952           excepted or unless listed in another schedule, or contained  
953           within a pharmaceutical product approved by the United States  
954           Food and Drug Administration, any material, compound, mixture,  
955           or preparation, including its salts, isomers, esters, or ethers,  
956           and salts of isomers, esters, or ethers, whenever the existence  
957           of such salts is possible within any of the following specific  
958           chemical designations, any compound containing a phenethylamine  
959           structure, without a beta-keto group, and without a benzyl group  
960           attached to the amine group, whether or not the compound is  
961           further modified with or without substitution on the phenyl ring  
962           to any extent with alkyl, alkylthio, nitro, alkoxy, thio,  
963           halide, fused alkylenedioxy, fused furan, fused benzofuran,  
964           fused dihydrofuran, or fused tetrahydropyran substituents,  
965           whether or not further substituted on a ring to any extent, with  
966           or without substitution at the alpha or beta position by any  
967           alkyl substituent, with or without substitution at the nitrogen  
968           atom, and with or without inclusion of the 2-amino nitrogen atom  
969           in a cyclic structure, including, but not limited to:  
970           a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).  
971           b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).  
972           c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).  
973           d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).  
974           e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).  
975           f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).

- 976 | g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 977 | h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 978 | i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 979 | j. 2C-H (2,5-Dimethoxyphenethylamine).
- 980 | k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 981 | l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 982 | m. MDMA (3,4-Methylenedioxyamphetamine).
- 983 | n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 984 | Methylenedioxy-N-methylbutanamine).
- 985 | o. MDA (3,4-Methylenedioxyamphetamine).
- 986 | p. 2,5-Dimethoxyamphetamine.
- 987 | q. Fluoroamphetamine.
- 988 | r. Fluoromethamphetamine.
- 989 | s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 990 | t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 991 | u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 992 | v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 993 | w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 994 | x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 995 | y. PMA (4-Methoxyamphetamine).
- 996 | z. N-Ethylamphetamine.
- 997 | aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 998 | bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 999 | cc. PMMA (4-Methoxymethamphetamine).
- 1000 | dd. N,N-Dimethylamphetamine.



- 1001 ee. 3,4,5-Trimethoxyamphetamine.
- 1002 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1003 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1004 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1005 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1006 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1007 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1008 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1009 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1010 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1011 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1012 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1013 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1014 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1015 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1016 dihydrobenzofuran),

1017  
 1018 which does not include phenethylamine, mescaline as described in  
 1019 subparagraph 20., substituted cathinones as described in  
 1020 subparagraph 191., N-Benzyl phenethylamine compounds as  
 1021 described in subparagraph 193., or methamphetamine as described  
 1022 in subparagraph (2)(c)4.

1023 193. N-Benzyl Phenethylamine Compounds.—Unless  
 1024 specifically excepted or unless listed in another schedule, or  
 1025 contained within a pharmaceutical product approved by the United

1026 States Food and Drug Administration, any material, compound,  
 1027 mixture, or preparation, including its salts, isomers, esters,  
 1028 or ethers, and salts of isomers, esters, or ethers, whenever the  
 1029 existence of such salts is possible within any of the following  
 1030 specific chemical designations, any compound containing a  
 1031 phenethylamine structure without a beta-keto group, with  
 1032 substitution on the nitrogen atom of the amino group with a  
 1033 benzyl substituent, with or without substitution on the phenyl  
 1034 or benzyl ring to any extent with alkyl, alkoxy, thio,  
 1035 alkylthio, halide, fused alkylenedioxy, fused furan, fused  
 1036 benzofuran, or fused tetrahydropyran substituents, whether or  
 1037 not further substituted on a ring to any extent, with or without  
 1038 substitution at the alpha position by any alkyl substituent,  
 1039 including, but not limited to:

- 1040 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-  
 1041 methoxybenzyl)]phenethylamine).
- 1042 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-  
 1043 hydroxybenzyl)]phenethylamine).
- 1044 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-  
 1045 fluorobenzyl)]phenethylamine).
- 1046 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-  
 1047 methylenedioxybenzyl)]phenethylamine).
- 1048 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-  
 1049 methoxybenzyl)]phenethylamine).
- 1050 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-

HB 477

2017

- 1051 hydroxybenzyl) ]phenethylamine) .
- 1052 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
- 1053 fluorobenzyl) ]phenethylamine) .
- 1054 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
- 1055 methylenedioxybenzyl) ]phenethylamine) .
- 1056 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
- 1057 methoxybenzyl) ]phenethylamine) .
- 1058 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
- 1059 methoxybenzyl) ]phenethylamine) .
- 1060 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
- 1061 methoxybenzyl) ]phenethylamine) .
- 1062 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
- 1063 methoxybenzyl) ]phenethylamine) .
- 1064 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
- 1065 hydroxybenzyl) ]phenethylamine) .
- 1066 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
- 1067 fluorobenzyl) ]phenethylamine) .
- 1068 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
- 1069 methylenedioxybenzyl) ]phenethylamine) .
- 1070 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
- 1071 methoxybenzyl) ]phenethylamine) .
- 1072 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
- 1073 hydroxybenzyl) ]phenethylamine) .
- 1074 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
- 1075 fluorobenzyl) ]phenethylamine) .

1076 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-  
 1077 methoxybenzyl)]phenethylamine),  
 1078  
 1079 which does not include substituted cathinones as described in  
 1080 subparagraph 191.

1081 194. Substituted Tryptamines.—Unless specifically excepted  
 1082 or unless listed in another schedule, or contained within a  
 1083 pharmaceutical product approved by the United States Food and  
 1084 Drug Administration, any material, compound, mixture, or  
 1085 preparation containing a 2-(1H-indol-3-yl)ethanamine, for  
 1086 example tryptamine, structure with or without mono- or di-  
 1087 substitution of the amine nitrogen with alkyl or alkenyl groups,  
 1088 or by inclusion of the amino nitrogen atom in a cyclic  
 1089 structure, whether or not substituted at the alpha position with  
 1090 an alkyl group, whether or not substituted on the indole ring to  
 1091 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy  
 1092 groups, including, but not limited to:

- 1093 a. Alpha-Ethyltryptamine.
- 1094 b. Bufotenine.
- 1095 c. DET (Diethyltryptamine).
- 1096 d. DMT (Dimethyltryptamine).
- 1097 e. MET (N-Methyl-N-ethyltryptamine).
- 1098 f. DALT (N,N-Diallyltryptamine).
- 1099 g. EiPT (N-Ethyl-N-isopropyltryptamine).
- 1100 h. MiPT (N-Methyl-N-isopropyltryptamine).

- 1101 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 1102 j. 5-Hydroxy-N-methyltryptamine.
- 1103 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 1104 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 1105 m. Methyltryptamine.
- 1106 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 1107 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1108 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 1109 q. DiPT (N,N-Diisopropyltryptamine).
- 1110 r. DPT (N,N-Dipropyltryptamine).
- 1111 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1112 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1113 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1114 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1115 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1116 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1117 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1118 isopropyltryptamine).
- 1119 z. Methyl-alpha-ethyltryptamine.
- 1120 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),
- 1121
- 1122 which does not include tryptamine, psilocyn as described in
- 1123 subparagraph 34., or psilocybin as described in subparagraph 33.
- 1124 195. Substituted Phenylcyclohexylamines.—Unless
- 1125 specifically excepted or unless listed in another schedule, or

1126 contained within a pharmaceutical product approved by the United  
 1127 States Food and Drug Administration, any material, compound,  
 1128 mixture, or preparation containing a phenylcyclohexylamine  
 1129 structure, with or without any substitution on the phenyl ring,  
 1130 any substitution on the cyclohexyl ring, any replacement of the  
 1131 phenyl ring with a thiophenyl or benzothiophenyl ring, with or  
 1132 without substitution on the amine with alkyl, dialkyl, or alkoxy  
 1133 substituents, inclusion of the nitrogen in a cyclic structure,  
 1134 or any combination of the above, including, but not limited to:

- 1135 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP  
 1136 (Benocyclidine).
- 1137 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog  
 1138 of phencyclidine).
- 1139 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine  
 1140 analog of phencyclidine).
- 1141 d. PCPr (Phenylcyclohexylpropylamine).
- 1142 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene  
 1143 analog of phencyclidine).
- 1144 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
- 1145 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
- 1146 h. Methoxetamine.
- 1147 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1148 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1149 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1150 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).

- 1151 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
  - 1152 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
  - 1153 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
  - 1154 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
  - 1155 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
  - 1156 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
  - 1157 196. W-15, 4-chloro-N-[1-(2-phenylethyl)-2-
  - 1158 piperidinylidene]-benzenesulfonamide.
  - 1159 197. W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-
  - 1160 piperidinylidene]-benzenesulfonamide.
  - 1161 198. AH-7921, 3,4-dichloro-N-[[1-
  - 1162 (dimethylamino)cyclohexyl]methyl]-benzamide.
  - 1163 199. U47700, trans-3,4-dichloro-N-[2-
  - 1164 (dimethylamino)cyclohexyl]-N-methyl-benzamide.
  - 1165 200. MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-piperazine,
  - 1166 dihydrochloride.
- 1167 Section 3. Paragraph (c) of subsection (6) of section
- 1168 893.13, Florida Statutes, is amended to read:
- 1169 893.13 Prohibited acts; penalties.—
- 1170 (6)
- 1171 (c) Except as provided in this chapter, a person may not
- 1172 possess more than 10 grams of any substance named or described
- 1173 in s. 893.03(1)(a), ~~or~~ (1)(b), or (2)(b), or any combination
- 1174 thereof, or any mixture containing any such substance. A person
- 1175 who violates this paragraph commits a felony of the first

HB 477

2017

1176 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 1177 775.084.

1178 Section 4. Paragraph (c) of subsection (1) of section  
 1179 893.135, Florida Statutes, is amended, and paragraph (m) is  
 1180 added to that subsection, to read:

1181 893.135 Trafficking; mandatory sentences; suspension or  
 1182 reduction of sentences; conspiracy to engage in trafficking.—

1183 (1) Except as authorized in this chapter or in chapter 499  
 1184 and notwithstanding the provisions of s. 893.13:

1185 (c)1. A person who knowingly sells, purchases,  
 1186 manufactures, delivers, or brings into this state, or who is  
 1187 knowingly in actual or constructive possession of, 4 grams or  
 1188 more of any morphine, opium, hydromorphone, or any salt,  
 1189 derivative, isomer, or salt of an isomer thereof, including  
 1190 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or  
 1191 (3)(c)4., or 4 grams or more of any mixture containing any such  
 1192 substance, but less than 30 kilograms of such substance or  
 1193 mixture, commits a felony of the first degree, which felony  
 1194 shall be known as "trafficking in illegal drugs," punishable as  
 1195 provided in s. 775.082, s. 775.083, or s. 775.084. If the  
 1196 quantity involved:

1197 a. Is 4 grams or more, but less than 14 grams, such person  
 1198 shall be sentenced to a mandatory minimum term of imprisonment  
 1199 of 3 years and shall be ordered to pay a fine of \$50,000.

1200 b. Is 14 grams or more, but less than 28 grams, such



HB 477

2017

1201 person shall be sentenced to a mandatory minimum term of  
1202 imprisonment of 15 years and shall be ordered to pay a fine of  
1203 \$100,000.

1204 c. Is 28 grams or more, but less than 30 kilograms, such  
1205 person shall be sentenced to a mandatory minimum term of  
1206 imprisonment of 25 years and shall be ordered to pay a fine of  
1207 \$500,000.

1208 2. A person who knowingly sells, purchases, manufactures,  
1209 delivers, or brings into this state, or who is knowingly in  
1210 actual or constructive possession of, 14 grams or more of  
1211 hydrocodone, or any salt, derivative, isomer, or salt of an  
1212 isomer thereof, or 14 grams or more of any mixture containing  
1213 any such substance, commits a felony of the first degree, which  
1214 felony shall be known as "trafficking in hydrocodone,"  
1215 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
1216 If the quantity involved:

1217 a. Is 14 grams or more, but less than 28 grams, such  
1218 person shall be sentenced to a mandatory minimum term of  
1219 imprisonment of 3 years and shall be ordered to pay a fine of  
1220 \$50,000.

1221 b. Is 28 grams or more, but less than 50 grams, such  
1222 person shall be sentenced to a mandatory minimum term of  
1223 imprisonment of 7 years and shall be ordered to pay a fine of  
1224 \$100,000.

1225 c. Is 50 grams or more, but less than 200 grams, such

1226 person shall be sentenced to a mandatory minimum term of  
1227 imprisonment of 15 years and shall be ordered to pay a fine of  
1228 \$500,000.

1229 d. Is 200 grams or more, but less than 30 kilograms, such  
1230 person shall be sentenced to a mandatory minimum term of  
1231 imprisonment of 25 years and shall be ordered to pay a fine of  
1232 \$750,000.

1233 3. A person who knowingly sells, purchases, manufactures,  
1234 delivers, or brings into this state, or who is knowingly in  
1235 actual or constructive possession of, 7 grams or more of  
1236 oxycodone, or any salt, derivative, isomer, or salt of an isomer  
1237 thereof, or 7 grams or more of any mixture containing any such  
1238 substance, commits a felony of the first degree, which felony  
1239 shall be known as "trafficking in oxycodone," punishable as  
1240 provided in s. 775.082, s. 775.083, or s. 775.084. If the  
1241 quantity involved:

1242 a. Is 7 grams or more, but less than 14 grams, such person  
1243 shall be sentenced to a mandatory minimum term of imprisonment  
1244 of 3 years and shall be ordered to pay a fine of \$50,000.

1245 b. Is 14 grams or more, but less than 25 grams, such  
1246 person shall be sentenced to a mandatory minimum term of  
1247 imprisonment of 7 years and shall be ordered to pay a fine of  
1248 \$100,000.

1249 c. Is 25 grams or more, but less than 100 grams, such  
1250 person shall be sentenced to a mandatory minimum term of

HB 477

2017

1251 imprisonment of 15 years and shall be ordered to pay a fine of  
1252 \$500,000.

1253 d. Is 100 grams or more, but less than 30 kilograms, such  
1254 person shall be sentenced to a mandatory minimum term of  
1255 imprisonment of 25 years and shall be ordered to pay a fine of  
1256 \$750,000.

1257 4. A person who knowingly sells, purchases, manufactures,  
1258 delivers, or brings into this state, or who is knowingly in  
1259 actual or constructive possession of, 4 grams or more of  
1260 fentanyl as described in s. 893.03(2)(b)9., Carfentanil as  
1261 described in s. 893.03(2)(b)6., or Fentanyl Derivatives, as  
1262 described in s. 893.03(1)(a)62., or an analog thereto as  
1263 described in s. 893.0356, or any salt, derivative, isomer, or  
1264 salt of an isomer thereof, or 4 grams or more of any mixture  
1265 containing any such substance, commits a felony of the first  
1266 degree, which felony shall be known as "trafficking in  
1267 fentanyl," punishable as provided in s. 775.082, s. 775.083, or  
1268 s. 775.084. If the quantity involved:

1269 a. Is 4 grams or more, but less than 14 grams, such person  
1270 shall be sentenced to a mandatory minimum term of imprisonment  
1271 of 3 years and shall be ordered to pay a fine of \$50,000.

1272 b. Is 14 grams or more, but less than 28 grams, such  
1273 person shall be sentenced to a mandatory minimum term of  
1274 imprisonment of 7 years and shall be ordered to pay a fine of  
1275 \$100,000.

HB 477

2017

1276 c. Is 28 grams or more, such person shall be sentenced to  
1277 a mandatory minimum term of imprisonment of 15 years and shall  
1278 be ordered to pay a fine of \$500,000.

1279 ~~5.4.~~ A person who knowingly sells, purchases,  
1280 manufactures, delivers, or brings into this state, or who is  
1281 knowingly in actual or constructive possession of, 30 kilograms  
1282 or more of any morphine, opium, oxycodone, hydrocodone,  
1283 hydromorphone, or any salt, derivative, isomer, or salt of an  
1284 isomer thereof, including heroin, as described in s.  
1285 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or  
1286 more of any mixture containing any such substance, commits the  
1287 first degree felony of trafficking in illegal drugs. A person  
1288 who has been convicted of the first degree felony of trafficking  
1289 in illegal drugs under this subparagraph shall be punished by  
1290 life imprisonment and is ineligible for any form of  
1291 discretionary early release except pardon or executive clemency  
1292 or conditional medical release under s. 947.149. However, if the  
1293 court determines that, in addition to committing any act  
1294 specified in this paragraph:

1295 a. The person intentionally killed an individual or  
1296 counseled, commanded, induced, procured, or caused the  
1297 intentional killing of an individual and such killing was the  
1298 result; or

1299 b. The person's conduct in committing that act led to a  
1300 natural, though not inevitable, lethal result,

HB 477

2017

1301  
1302 such person commits the capital felony of trafficking in illegal  
1303 drugs, punishable as provided in ss. 775.082 and 921.142. A  
1304 person sentenced for a capital felony under this paragraph shall  
1305 also be sentenced to pay the maximum fine provided under  
1306 subparagraph 1.

1307 ~~6.5.~~ A person who knowingly brings into this state 60  
1308 kilograms or more of any morphine, opium, oxycodone,  
1309 hydrocodone, hydromorphone, or any salt, derivative, isomer, or  
1310 salt of an isomer thereof, including heroin, as described in s.  
1311 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 60 kilograms or  
1312 more of any mixture containing any such substance, and who knows  
1313 that the probable result of such importation would be the death  
1314 of a person, commits capital importation of illegal drugs, a  
1315 capital felony punishable as provided in ss. 775.082 and  
1316 921.142. A person sentenced for a capital felony under this  
1317 paragraph shall also be sentenced to pay the maximum fine  
1318 provided under subparagraph 1.

1319 (m) A person who knowingly sells, purchases, manufactures,  
1320 delivers, or brings into this state, or who is knowingly in  
1321 actual or constructive possession of, 280 grams or more of a  
1322 controlled substance as described in s. 893.03(1)(c)46.-50.,  
1323 114.-142., 151.-159., 166.-173., or 176.-195., or any mixture  
1324 containing those substances, commits a felony of the first  
1325 degree, which felony shall be known as "trafficking in synthetic

1326 drugs," punishable as provided in s. 775.082, s. 775.083, or s.  
 1327 775.084. If the quantity involved:

1328 1. Is 280 grams or more, but less than 500 grams, such  
 1329 person shall be sentenced to a mandatory minimum term of  
 1330 imprisonment of 3 years, and the defendant shall be ordered to  
 1331 pay a fine of \$25,000.

1332 2. Is 500 grams or more, but less than 1,000 grams, such  
 1333 person shall be sentenced to a mandatory minimum term of  
 1334 imprisonment of 7 years, and the defendant shall be ordered to  
 1335 pay a fine of \$50,000.

1336 3. Is 1,000 grams or more, but less than 30 kilograms,  
 1337 such person shall be sentenced to a mandatory minimum term of  
 1338 imprisonment of 15 years, and the defendant shall be ordered to  
 1339 pay a fine of \$200,000.

1340 4. Is 30 kilograms or more, such person shall be sentenced  
 1341 to a mandatory minimum term of imprisonment of 25 years, and the  
 1342 defendant shall be ordered to pay a fine of \$750,000.

1343 Section 5. Paragraphs (g) and (h) of subsection (3) of  
 1344 section 921.0022, Florida Statutes, are amended to read:

1345 921.0022 Criminal Punishment Code; offense severity  
 1346 ranking chart.—

1347 (3) OFFENSE SEVERITY RANKING CHART

1348 (g) LEVEL 7

1349

Florida	Felony	Description
---------	--------	-------------

HB 477

2017

	Statute	Degree	
1350	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
1351	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
1352	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.
1353	327.35 (3) (c) 2.	3rd	Vessel BUI resulting in serious bodily injury.
1354	402.319 (2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

HB 477

2017

1355	409.920	3rd	Medicaid provider fraud;
	(2) (b) 1.a.		\$10,000 or less.
1356	409.920	2nd	Medicaid provider fraud; more
	(2) (b) 1.b.		than \$10,000, but less than
			\$50,000.
1357	456.065 (2)	3rd	Practicing a health care
			profession without a license.
1358	456.065 (2)	2nd	Practicing a health care
			profession without a license
			which results in serious bodily
			injury.
1359	458.327 (1)	3rd	Practicing medicine without a
			license.
1360	459.013 (1)	3rd	Practicing osteopathic medicine
			without a license.
1361	460.411 (1)	3rd	Practicing chiropractic
			medicine without a license.
1362			



HB 477

2017

1363	461.012 (1)	3rd	Practicing podiatric medicine without a license.
1364	462.17	3rd	Practicing naturopathy without a license.
1365	463.015 (1)	3rd	Practicing optometry without a license.
1366	464.016 (1)	3rd	Practicing nursing without a license.
1367	465.015 (2)	3rd	Practicing pharmacy without a license.
1368	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
1369	467.201	3rd	Practicing midwifery without a license.
1370	468.366	3rd	Delivering respiratory care services without a license.
	483.828 (1)	3rd	Practicing as clinical

HB 477

2017

1371			laboratory personnel without a license.
	483.901 (7)	3rd	Practicing medical physics without a license.
1372			
	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
1373			
	484.053	3rd	Dispensing hearing aids without a license.
1374			
	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
1375			
	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.
1376			
	560.125 (5) (a)	3rd	Money services business by

HB 477

2017

			unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
1377	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
1378	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
1379	775.21 (10) (b)	3rd	Sexual predator working where children regularly congregate.
1380	775.21 (10) (g)	3rd	Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
1381	782.051 (3)	2nd	Attempted felony murder of a

HB 477

2017

1382	782.07(1)	2nd	<p>person by a person other than the perpetrator or the perpetrator of an attempted felony.</p>
1383	782.071	2nd	<p>Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).</p>
1384	782.072	2nd	<p>Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).</p>
1385	784.045(1)(a)1.	2nd	<p>Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).</p>
1386			<p>Aggravated battery; intentionally causing great bodily harm or disfigurement.</p>

HB 477

2017

1387	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
1388	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
1389	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
1390	784.048 (7)	3rd	Aggravated stalking; violation of court order.
1391	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
1392	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
1393	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
1394	784.081 (1)	1st	Aggravated battery on specified official or employee.

HB 477

2017

1395	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
1396	784.083 (1)	1st	Aggravated battery on code inspector.
1397	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1398	787.06 (3) (e) 2.	1st	Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.
1399	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2).
1400	790.16 (1)	1st	Discharge of a machine gun under specified circumstances.

HB 477

2017

1401	790.165 (2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
1402	790.165 (3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
1403	790.166 (3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
1404	790.166 (4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
1405	790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
	794.08 (4)	3rd	Female genital mutilation; consent by a parent, guardian,

HB 477

2017

			or a person in custodial authority to a victim younger than 18 years of age.
1406	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1407	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
1408	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
1409	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.
1410	800.04 (5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years;



HB 477

2017

			offender 18 years or older; prior conviction for specified sex offense.
1411	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.
1412	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
1413	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
1414	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
1415	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
1416	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property

HB 477

2017

1417			stolen while causing other property damage; 1st degree grand theft.
	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.
1418			
	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
1419			
	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
1420			
	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
1421			
	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
1422			
	812.131 (2) (a)	2nd	Robbery by sudden snatching.

HB 477

2017

1423	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
1424	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
1425	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
1426	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
1427	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1428	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.

HB 477

2017

1429	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
1430	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
1431	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
1432	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.
1433	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
1434	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.

HB 477

2017

1435	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
1436	838.015	2nd	Bribery.
1437	838.016	2nd	Unlawful compensation or reward for official behavior.
1438	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
1439	838.22	2nd	Bid tampering.
1440	843.0855 (2)	3rd	Impersonation of a public officer or employee.
1441	843.0855 (3)	3rd	Unlawful simulation of legal process.
1442	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1443	847.0135 (3)	3rd	Solicitation of a child, via a

HB 477

2017

1444			computer service, to commit an unlawful sex act.
1445	847.0135(4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1446	872.06	2nd	Abuse of a dead human body.
1447	874.05(2)(b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
1448	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

HB 477

2017

1449	893.13(1)(e)1.	1st	state, county, or municipal park or publicly owned recreational facility or community center. 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.
1450	893.13(4)(a)	1st	Use or hire of minor; deliver to minor other controlled substance.
1451	893.135(1)(a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
1452	893.135 (1)(b)1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.

HB 477

2017

1453	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
1454	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
1455	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
1456	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
1457	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
1458	893.135 (1) (d) 1.	1st	Trafficking in phencyclidine, more than 28 grams, less than 200 grams.
1459			



HB 477

2017

1460	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, more than 200 grams, less than 5 kilograms.
1461	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, more than 14 grams, less than 28 grams.
1462	893.135 (1) (g) 1.a.	1st	Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.
1463	893.135 (1) (h) 1.a.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.
1464	893.135 (1) (j) 1.a.	1st	Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.
1465	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

HB 477

2017

1466	<u>893.135 (1) (m) 1.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs,</u> <u>280 grams or more, less than</u> <u>500 grams.</u>
1467	<u>893.135 (1) (m) 2.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs,</u> <u>500 grams or more, less than</u> <u>1,000 grams.</u>
1468	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1469	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1470	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting

HB 477

2017

1471	943.0435 (8)	2nd	requirements. Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
1472	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
1473	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
1474	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1475	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.

HB 477

2017

1476  
1477  
1478  
1479  
1480  
1481

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

HB 477

2017

1482	985.4815 (13)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
1483	(h) LEVEL 8		
1484			
	Florida Statute	Felony Degree	Description
1485	316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
1486	316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
1487	327.35 (3) (c) 3.	2nd	Vessel BUI manslaughter.
1488	499.0051 (7)	1st	Knowing trafficking in contraband prescription drugs.
1489	499.0051 (8)	1st	Knowing forgery of prescription labels or prescription drug

HB 477

2017

1490	560.123 (8) (b) 2.	2nd	Failure to report currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000 by money transmitter.
1491	560.125 (5) (b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding \$20,000, but less than \$100,000.
1492	655.50 (10) (b) 2.	2nd	Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions.
1493	777.03 (2) (a)	1st	Accessory after the fact, capital felony.
1494	782.04 (4)	2nd	Killing of human without design when engaged in act or attempt

HB 477

2017

			of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.
1495	782.051 (2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3).
1496	782.071 (1) (b)	1st	Committing vehicular homicide and failing to render aid or give information.
1497	782.072 (2)	1st	Committing vessel homicide and failing to render aid or give information.
1498	787.06 (3) (a) 1.	1st	Human trafficking for labor and services of a child.
1499	787.06 (3) (b)	1st	Human trafficking using

HB 477

2017

			coercion for commercial sexual activity of an adult.
1500	787.06(3)(c)2.	1st	Human trafficking using coercion for labor and services of an unauthorized alien adult.
1501	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.
1502	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.
1503	790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
1504	794.011(5)(a)	1st	Sexual battery; victim 12 years



HB 477

2017

1505	794.011 (5) (b)	2nd	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.
1506	794.011 (5) (c)	2nd	Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.
1507	794.011 (5) (d)	1st	Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.
1508			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.

HB 477

2017

1509	794.08 (3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
1510	800.04 (4) (b)	2nd	Lewd or lascivious battery.
1511	800.04 (4) (c)	1st	Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.
1512	806.01 (1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
1513	810.02 (2) (a)	1st, PBL	Burglary with assault or battery.
1514	810.02 (2) (b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
	810.02 (2) (c)	1st	Burglary of a dwelling or structure causing structural damage or \$1,000 or more

			property damage.
1515	812.014 (2) (a) 2.	1st	Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.
1516	812.13 (2) (b)	1st	Robbery with a weapon.
1517	812.135 (2) (c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
1518	817.535 (2) (b)	2nd	Filing false lien or other unauthorized document; second or subsequent offense.
1519	817.535 (3) (a)	2nd	Filing false lien or other unauthorized document; property owner is a public officer or employee.
1520	817.535 (4) (a) 1.	2nd	Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.

HB 477

2017

1521	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.
1522	817.568 (6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
1523	817.611 (2) (c)	1st	Traffic in or possess 50 or more counterfeit credit cards or related documents.
1524	825.102 (2)	1st	Aggravated abuse of an elderly person or disabled adult.
1525	825.1025 (2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
1526	825.103 (3) (a)	1st	Exploiting an elderly person or disabled adult and property is

HB 477

2017

1527			valued at \$50,000 or more.
	837.02 (2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
1528			
	837.021 (2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
1529			
	860.121 (2) (c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
1530			
	860.16	1st	Aircraft piracy.
1531			
	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) .
1532			
	893.13 (2) (b)	1st	Purchase in excess of 10 grams of any substance specified in

HB 477

2017

1533			s. 893.03(1) (a) or (b).
	893.13(6) (c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b).
1534			
	893.135(1) (a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
1535			
	893.135 (1) (b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
1536			
	893.135 (1) (c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
1537			
	893.135 (1) (c)2.c.	1st	Trafficking in hydrocodone, 50 grams or more, less than 200 grams.
1538			
	893.135 (1) (c)3.c.	1st	Trafficking in oxycodone, 25 grams or more, less than 100 grams.

HB 477

2017

1539	893.135 (1) (d) 1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
1540	893.135 (1) (e) 1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
1541	893.135 (1) (f) 1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
1542	893.135 (1) (g) 1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
1543	893.135 (1) (h) 1.b.	1st	Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
1544	893.135 (1) (j) 1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.

HB 477

2017

1545	893.135 (1) (k) 2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
1546	<u>893.135 (1) (m) 3.</u>	<u>1st</u>	<u>Trafficking in synthetic drugs,</u> <u>1,000 grams or more, less than</u> <u>30 kilograms.</u>
1547	893.1351 (3)	1st	Possession of a place used to manufacture controlled substance when minor is present or resides there.
1548	895.03 (1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
1549	895.03 (2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
1550	895.03 (3)	1st	Conduct or participate in any enterprise through pattern of



1551 racketeering activity.

1552 896.101 (5) (b) 2nd Money laundering, financial transactions totaling or exceeding \$20,000, but less than \$100,000.

1553

1554 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.

1555

1556 Section 6. For the purpose of incorporating the amendment made by this act to section 893.03, Florida Statutes, in references thereto, paragraphs (a) and (g) of subsection (30) of section 39.01, Florida Statutes, are reenacted to read:

1557

1558 39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

1559

1560 (30) "Harm" to a child's health or welfare can occur when

1561 any person:

1562 (a) Inflicts or allows to be inflicted upon the child

1563 physical, mental, or emotional injury. In determining whether

1564 harm has occurred, the following factors must be considered in

1565 evaluating any physical, mental, or emotional injury to a child:  
1566 the age of the child; any prior history of injuries to the  
1567 child; the location of the injury on the body of the child; the  
1568 multiplicity of the injury; and the type of trauma inflicted.

1569 Such injury includes, but is not limited to:

- 1570 1. Willful acts that produce the following specific  
1571 injuries:
- 1572 a. Sprains, dislocations, or cartilage damage.
  - 1573 b. Bone or skull fractures.
  - 1574 c. Brain or spinal cord damage.
  - 1575 d. Intracranial hemorrhage or injury to other internal  
1576 organs.
  - 1577 e. Asphyxiation, suffocation, or drowning.
  - 1578 f. Injury resulting from the use of a deadly weapon.
  - 1579 g. Burns or scalding.
  - 1580 h. Cuts, lacerations, punctures, or bites.
  - 1581 i. Permanent or temporary disfigurement.
  - 1582 j. Permanent or temporary loss or impairment of a body  
1583 part or function.

1584  
1585 As used in this subparagraph, the term "willful" refers to the  
1586 intent to perform an action, not to the intent to achieve a  
1587 result or to cause an injury.

- 1588 2. Purposely giving a child poison, alcohol, drugs, or  
1589 other substances that substantially affect the child's behavior,

1590 motor coordination, or judgment or that result in sickness or  
1591 internal injury. For the purposes of this subparagraph, the term  
1592 "drugs" means prescription drugs not prescribed for the child or  
1593 not administered as prescribed, and controlled substances as  
1594 outlined in Schedule I or Schedule II of s. 893.03.

1595 3. Leaving a child without adult supervision or  
1596 arrangement appropriate for the child's age or mental or  
1597 physical condition, so that the child is unable to care for the  
1598 child's own needs or another's basic needs or is unable to  
1599 exercise good judgment in responding to any kind of physical or  
1600 emotional crisis.

1601 4. Inappropriate or excessively harsh disciplinary action  
1602 that is likely to result in physical injury, mental injury as  
1603 defined in this section, or emotional injury. The significance  
1604 of any injury must be evaluated in light of the following  
1605 factors: the age of the child; any prior history of injuries to  
1606 the child; the location of the injury on the body of the child;  
1607 the multiplicity of the injury; and the type of trauma  
1608 inflicted. Corporal discipline may be considered excessive or  
1609 abusive when it results in any of the following or other similar  
1610 injuries:

- 1611 a. Sprains, dislocations, or cartilage damage.
- 1612 b. Bone or skull fractures.
- 1613 c. Brain or spinal cord damage.
- 1614 d. Intracranial hemorrhage or injury to other internal

1615 organs.

1616 e. Asphyxiation, suffocation, or drowning.

1617 f. Injury resulting from the use of a deadly weapon.

1618 g. Burns or scalding.

1619 h. Cuts, lacerations, punctures, or bites.

1620 i. Permanent or temporary disfigurement.

1621 j. Permanent or temporary loss or impairment of a body

1622 part or function.

1623 k. Significant bruises or welts.

1624 (g) Exposes a child to a controlled substance or alcohol.

1625 Exposure to a controlled substance or alcohol is established by:

1626 1. A test, administered at birth, which indicated that the

1627 child's blood, urine, or meconium contained any amount of

1628 alcohol or a controlled substance or metabolites of such

1629 substances, the presence of which was not the result of medical

1630 treatment administered to the mother or the newborn infant; or

1631 2. Evidence of extensive, abusive, and chronic use of a

1632 controlled substance or alcohol by a parent when the child is

1633 demonstrably adversely affected by such usage.

1634

1635 As used in this paragraph, the term "controlled substance" means

1636 prescription drugs not prescribed for the parent or not

1637 administered as prescribed and controlled substances as outlined

1638 in Schedule I or Schedule II of s. 893.03.

1639 Section 7. For the purpose of incorporating the amendment

HB 477

2017

1640 made by this act to section 893.03, Florida Statutes, in a  
1641 reference thereto, subsection (5) of section 316.193, Florida  
1642 Statutes, is reenacted to read:

1643 316.193 Driving under the influence; penalties.—

1644 (5) The court shall place all offenders convicted of  
1645 violating this section on monthly reporting probation and shall  
1646 require completion of a substance abuse course conducted by a  
1647 DUI program licensed by the department under s. 322.292, which  
1648 must include a psychosocial evaluation of the offender. If the  
1649 DUI program refers the offender to an authorized substance abuse  
1650 treatment provider for substance abuse treatment, in addition to  
1651 any sentence or fine imposed under this section, completion of  
1652 all such education, evaluation, and treatment is a condition of  
1653 reporting probation. The offender shall assume reasonable costs  
1654 for such education, evaluation, and treatment. The referral to  
1655 treatment resulting from a psychosocial evaluation shall not be  
1656 waived without a supporting independent psychosocial evaluation  
1657 conducted by an authorized substance abuse treatment provider  
1658 appointed by the court, which shall have access to the DUI  
1659 program's psychosocial evaluation before the independent  
1660 psychosocial evaluation is conducted. The court shall review the  
1661 results and recommendations of both evaluations before  
1662 determining the request for waiver. The offender shall bear the  
1663 full cost of this procedure. The term "substance abuse" means  
1664 the abuse of alcohol or any substance named or described in

HB 477

2017

1665 Schedules I through V of s. 893.03. If an offender referred to  
1666 treatment under this subsection fails to report for or complete  
1667 such treatment or fails to complete the DUI program substance  
1668 abuse education course and evaluation, the DUI program shall  
1669 notify the court and the department of the failure. Upon receipt  
1670 of the notice, the department shall cancel the offender's  
1671 driving privilege, notwithstanding the terms of the court order  
1672 or any suspension or revocation of the driving privilege. The  
1673 department may temporarily reinstate the driving privilege on a  
1674 restricted basis upon verification from the DUI program that the  
1675 offender is currently participating in treatment and the DUI  
1676 education course and evaluation requirement has been completed.  
1677 If the DUI program notifies the department of the second failure  
1678 to complete treatment, the department shall reinstate the  
1679 driving privilege only after notice of completion of treatment  
1680 from the DUI program. The organization that conducts the  
1681 substance abuse education and evaluation may not provide  
1682 required substance abuse treatment unless a waiver has been  
1683 granted to that organization by the department. A waiver may be  
1684 granted only if the department determines, in accordance with  
1685 its rules, that the service provider that conducts the substance  
1686 abuse education and evaluation is the most appropriate service  
1687 provider and is licensed under chapter 397 or is exempt from  
1688 such licensure. A statistical referral report shall be submitted  
1689 quarterly to the department by each organization authorized to

1690 provide services under this section.

1691 Section 8. For the purpose of incorporating the amendment  
 1692 made by this act to section 893.03, Florida Statutes, in a  
 1693 reference thereto, paragraph (c) of subsection (2) of section  
 1694 322.2616, Florida Statutes, is reenacted to read:

1695 322.2616 Suspension of license; persons under 21 years of  
 1696 age; right to review.—

1697 (2)

1698 (c) When a driver subject to this section has a blood-  
 1699 alcohol or breath-alcohol level of 0.05 or higher, the  
 1700 suspension shall remain in effect until such time as the driver  
 1701 has completed a substance abuse course offered by a DUI program  
 1702 licensed by the department. The driver shall assume the  
 1703 reasonable costs for the substance abuse course. As part of the  
 1704 substance abuse course, the program shall conduct a substance  
 1705 abuse evaluation of the driver, and notify the parents or legal  
 1706 guardians of drivers under the age of 19 years of the results of  
 1707 the evaluation. The term "substance abuse" means the abuse of  
 1708 alcohol or any substance named or described in Schedules I  
 1709 through V of s. 893.03. If a driver fails to complete the  
 1710 substance abuse education course and evaluation, the driver  
 1711 license shall not be reinstated by the department.

1712 Section 9. For the purpose of incorporating the amendment  
 1713 made by this act to section 893.03, Florida Statutes, in a  
 1714 reference thereto, subsection (5) of section 327.35, Florida

HB 477

2017

1715 Statutes, is reenacted to read:

1716       327.35 Boating under the influence; penalties; "designated  
1717 drivers."—

1718       (5) In addition to any sentence or fine, the court shall  
1719 place any offender convicted of violating this section on  
1720 monthly reporting probation and shall require attendance at a  
1721 substance abuse course specified by the court; and the agency  
1722 conducting the course may refer the offender to an authorized  
1723 service provider for substance abuse evaluation and treatment,  
1724 in addition to any sentence or fine imposed under this section.  
1725 The offender shall assume reasonable costs for such education,  
1726 evaluation, and treatment, with completion of all such  
1727 education, evaluation, and treatment being a condition of  
1728 reporting probation. Treatment resulting from a psychosocial  
1729 evaluation may not be waived without a supporting psychosocial  
1730 evaluation conducted by an agency appointed by the court and  
1731 with access to the original evaluation. The offender shall bear  
1732 the cost of this procedure. The term "substance abuse" means the  
1733 abuse of alcohol or any substance named or described in  
1734 Schedules I-V of s. 893.03.

1735       Section 10. For the purpose of incorporating the amendment  
1736 made by this act to section 893.03, Florida Statutes, in a  
1737 reference thereto, paragraph (b) of subsection (11) of section  
1738 440.102, Florida Statutes, is reenacted to read:

1739       440.102 Drug-free workplace program requirements.—The



HB 477

2017

1740 following provisions apply to a drug-free workplace program  
1741 implemented pursuant to law or to rules adopted by the Agency  
1742 for Health Care Administration:

1743 (11) PUBLIC EMPLOYEES IN MANDATORY-TESTING OR SPECIAL-RISK  
1744 POSITIONS.—

1745 (b) An employee who is employed by a public employer in a  
1746 special-risk position may be discharged or disciplined by a  
1747 public employer for the first positive confirmed test result if  
1748 the drug confirmed is an illicit drug under s. 893.03. A  
1749 special-risk employee who is participating in an employee  
1750 assistance program or drug rehabilitation program may not be  
1751 allowed to continue to work in any special-risk or mandatory-  
1752 testing position of the public employer, but may be assigned to  
1753 a position other than a mandatory-testing position or placed on  
1754 leave while the employee is participating in the program.  
1755 However, the employee shall be permitted to use any accumulated  
1756 annual leave credits before leave may be ordered without pay.

1757 Section 11. For the purpose of incorporating the amendment  
1758 made by this act to section 893.03, Florida Statutes, in a  
1759 reference thereto, paragraph (e) of subsection (1) of section  
1760 458.3265, Florida Statutes, is reenacted to read:

1761 458.3265 Pain-management clinics.—

1762 (1) REGISTRATION.—

1763 (e) The department shall deny registration to any pain-  
1764 management clinic owned by or with any contractual or employment

1765 | relationship with a physician:

1766 |       1. Whose Drug Enforcement Administration number has ever  
1767 | been revoked.

1768 |       2. Whose application for a license to prescribe, dispense,  
1769 | or administer a controlled substance has been denied by any  
1770 | jurisdiction.

1771 |       3. Who has been convicted of or pleaded guilty or nolo  
1772 | contendere to, regardless of adjudication, an offense that  
1773 | constitutes a felony for receipt of illicit and diverted drugs,  
1774 | including a controlled substance listed in Schedule I, Schedule  
1775 | II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in  
1776 | this state, any other state, or the United States.

1777 |       Section 12. For the purpose of incorporating the amendment  
1778 | made by this act to section 893.03, Florida Statutes, in a  
1779 | reference thereto, paragraph (e) of subsection (1) of section  
1780 | 459.0137, Florida Statutes, is reenacted to read:

1781 |       459.0137 Pain-management clinics.—

1782 |       (1) REGISTRATION.—

1783 |       (e) The department shall deny registration to any pain-  
1784 | management clinic owned by or with any contractual or employment  
1785 | relationship with a physician:

1786 |       1. Whose Drug Enforcement Administration number has ever  
1787 | been revoked.

1788 |       2. Whose application for a license to prescribe, dispense,  
1789 | or administer a controlled substance has been denied by any

1790 jurisdiction.

1791 3. Who has been convicted of or pleaded guilty or nolo  
 1792 contendere to, regardless of adjudication, an offense that  
 1793 constitutes a felony for receipt of illicit and diverted drugs,  
 1794 including a controlled substance listed in Schedule I, Schedule  
 1795 II, Schedule III, Schedule IV, or Schedule V of s. 893.03, in  
 1796 this state, any other state, or the United States.

1797 Section 13. For the purpose of incorporating the amendment  
 1798 made by this act to section 893.135, Florida Statutes, in  
 1799 references thereto, paragraph (a) of subsection (2) and  
 1800 paragraph (a) of subsection (3) of section 775.087, Florida  
 1801 Statutes, are reenacted to read:

1802 775.087 Possession or use of weapon; aggravated battery;  
 1803 felony reclassification; minimum sentence.—

1804 (2)(a)1. Any person who is convicted of a felony or an  
 1805 attempt to commit a felony, regardless of whether the use of a  
 1806 weapon is an element of the felony, and the conviction was for:

- 1807 a. Murder;
- 1808 b. Sexual battery;
- 1809 c. Robbery;
- 1810 d. Burglary;
- 1811 e. Arson;
- 1812 f. Aggravated battery;
- 1813 g. Kidnapping;
- 1814 h. Escape;

HB 477

2017

1815 | i. Aircraft piracy;  
 1816 | j. Aggravated child abuse;  
 1817 | k. Aggravated abuse of an elderly person or disabled  
 1818 | adult;  
 1819 | l. Unlawful throwing, placing, or discharging of a  
 1820 | destructive device or bomb;  
 1821 | m. Carjacking;  
 1822 | n. Home-invasion robbery;  
 1823 | o. Aggravated stalking;  
 1824 | p. Trafficking in cannabis, trafficking in cocaine,  
 1825 | capital importation of cocaine, trafficking in illegal drugs,  
 1826 | capital importation of illegal drugs, trafficking in  
 1827 | phencyclidine, capital importation of phencyclidine, trafficking  
 1828 | in methaqualone, capital importation of methaqualone,  
 1829 | trafficking in amphetamine, capital importation of amphetamine,  
 1830 | trafficking in flunitrazepam, trafficking in gamma-  
 1831 | hydroxybutyric acid (GHB), trafficking in 1,4-Butanediol,  
 1832 | trafficking in Phenethylamines, or other violation of s.  
 1833 | 893.135(1); or  
 1834 | q. Possession of a firearm by a felon  
 1835 |  
 1836 | and during the commission of the offense, such person actually  
 1837 | possessed a "firearm" or "destructive device" as those terms are  
 1838 | defined in s. 790.001, shall be sentenced to a minimum term of  
 1839 | imprisonment of 10 years, except that a person who is convicted

HB 477

2017

1840 for possession of a firearm by a felon or burglary of a  
1841 conveyance shall be sentenced to a minimum term of imprisonment  
1842 of 3 years if such person possessed a "firearm" or "destructive  
1843 device" during the commission of the offense. However, if an  
1844 offender who is convicted of the offense of possession of a  
1845 firearm by a felon has a previous conviction of committing or  
1846 attempting to commit a felony listed in s. 775.084(1)(b)1. and  
1847 actually possessed a firearm or destructive device during the  
1848 commission of the prior felony, the offender shall be sentenced  
1849 to a minimum term of imprisonment of 10 years.

1850         2. Any person who is convicted of a felony or an attempt  
1851 to commit a felony listed in sub-subparagraphs (a)1.a.-p.,  
1852 regardless of whether the use of a weapon is an element of the  
1853 felony, and during the course of the commission of the felony  
1854 such person discharged a "firearm" or "destructive device" as  
1855 defined in s. 790.001 shall be sentenced to a minimum term of  
1856 imprisonment of 20 years.

1857         3. Any person who is convicted of a felony or an attempt  
1858 to commit a felony listed in sub-subparagraphs (a)1.a.-p.,  
1859 regardless of whether the use of a weapon is an element of the  
1860 felony, and during the course of the commission of the felony  
1861 such person discharged a "firearm" or "destructive device" as  
1862 defined in s. 790.001 and, as the result of the discharge, death  
1863 or great bodily harm was inflicted upon any person, the  
1864 convicted person shall be sentenced to a minimum term of

1865 | imprisonment of not less than 25 years and not more than a term  
 1866 | of imprisonment of life in prison.

1867 |       (3) (a) 1. Any person who is convicted of a felony or an  
 1868 | attempt to commit a felony, regardless of whether the use of a  
 1869 | firearm is an element of the felony, and the conviction was for:

- 1870 |       a. Murder;
- 1871 |       b. Sexual battery;
- 1872 |       c. Robbery;
- 1873 |       d. Burglary;
- 1874 |       e. Arson;
- 1875 |       f. Aggravated battery;
- 1876 |       g. Kidnapping;
- 1877 |       h. Escape;
- 1878 |       i. Sale, manufacture, delivery, or intent to sell,  
 1879 | manufacture, or deliver any controlled substance;
- 1880 |       j. Aircraft piracy;
- 1881 |       k. Aggravated child abuse;
- 1882 |       l. Aggravated abuse of an elderly person or disabled  
 1883 | adult;
- 1884 |       m. Unlawful throwing, placing, or discharging of a  
 1885 | destructive device or bomb;
- 1886 |       n. Carjacking;
- 1887 |       o. Home-invasion robbery;
- 1888 |       p. Aggravated stalking; or
- 1889 |       q. Trafficking in cannabis, trafficking in cocaine,

HB 477

2017

1890 capital importation of cocaine, trafficking in illegal drugs,  
1891 capital importation of illegal drugs, trafficking in  
1892 phencyclidine, capital importation of phencyclidine, trafficking  
1893 in methaqualone, capital importation of methaqualone,  
1894 trafficking in amphetamine, capital importation of amphetamine,  
1895 trafficking in flunitrazepam, trafficking in gamma-  
1896 hydroxybutyric acid (GHB), trafficking in 1,4-Butanediol,  
1897 trafficking in Phenethylamines, or other violation of s.  
1898 893.135(1);

1899  
1900 and during the commission of the offense, such person possessed  
1901 a semiautomatic firearm and its high-capacity detachable box  
1902 magazine or a machine gun as defined in s. 790.001, shall be  
1903 sentenced to a minimum term of imprisonment of 15 years.

1904 2. Any person who is convicted of a felony or an attempt  
1905 to commit a felony listed in subparagraph (a)1., regardless of  
1906 whether the use of a weapon is an element of the felony, and  
1907 during the course of the commission of the felony such person  
1908 discharged a semiautomatic firearm and its high-capacity box  
1909 magazine or a "machine gun" as defined in s. 790.001 shall be  
1910 sentenced to a minimum term of imprisonment of 20 years.

1911 3. Any person who is convicted of a felony or an attempt  
1912 to commit a felony listed in subparagraph (a)1., regardless of  
1913 whether the use of a weapon is an element of the felony, and  
1914 during the course of the commission of the felony such person

1915 discharged a semiautomatic firearm and its high-capacity box  
 1916 magazine or a "machine gun" as defined in s. 790.001 and, as the  
 1917 result of the discharge, death or great bodily harm was  
 1918 inflicted upon any person, the convicted person shall be  
 1919 sentenced to a minimum term of imprisonment of not less than 25  
 1920 years and not more than a term of imprisonment of life in  
 1921 prison.

1922 Section 14. For the purpose of incorporating the amendment  
 1923 made by this act to sections 893.03 and 893.135, Florida  
 1924 Statutes, in references thereto, paragraph (a) of subsection (1)  
 1925 and subsection (4) of section 782.04, Florida Statutes, are  
 1926 reenacted to read:

1927 782.04 Murder.—

1928 (1) (a) The unlawful killing of a human being:

1929 1. When perpetrated from a premeditated design to effect  
 1930 the death of the person killed or any human being;

1931 2. When committed by a person engaged in the perpetration  
 1932 of, or in the attempt to perpetrate, any:

1933 a. Trafficking offense prohibited by s. 893.135(1),

1934 b. Arson,

1935 c. Sexual battery,

1936 d. Robbery,

1937 e. Burglary,

1938 f. Kidnapping,

1939 g. Escape,



HB 477

2017

- 1940 h. Aggravated child abuse,
- 1941 i. Aggravated abuse of an elderly person or disabled
- 1942 adult,
- 1943 j. Aircraft piracy,
- 1944 k. Unlawful throwing, placing, or discharging of a
- 1945 destructive device or bomb,
- 1946 l. Carjacking,
- 1947 m. Home-invasion robbery,
- 1948 n. Aggravated stalking,
- 1949 o. Murder of another human being,
- 1950 p. Resisting an officer with violence to his or her
- 1951 person,
- 1952 q. Aggravated fleeing or eluding with serious bodily
- 1953 injury or death,
- 1954 r. Felony that is an act of terrorism or is in furtherance
- 1955 of an act of terrorism,
- 1956 s. Human trafficking; or
- 1957 3. Which resulted from the unlawful distribution of any
- 1958 substance controlled under s. 893.03(1), cocaine as described in
- 1959 s. 893.03(2)(a)4., opium or any synthetic or natural salt,
- 1960 compound, derivative, or preparation of opium, or methadone by a
- 1961 person 18 years of age or older, when such drug is proven to be
- 1962 the proximate cause of the death of the user,
- 1963
- 1964 is murder in the first degree and constitutes a capital felony,

1965 | punishable as provided in s. 775.082.

1966 |       (4) The unlawful killing of a human being, when

1967 | perpetrated without any design to effect death, by a person

1968 | engaged in the perpetration of, or in the attempt to perpetrate,

1969 | any felony other than any:

1970 |       (a) Trafficking offense prohibited by s. 893.135(1),

1971 |       (b) Arson,

1972 |       (c) Sexual battery,

1973 |       (d) Robbery,

1974 |       (e) Burglary,

1975 |       (f) Kidnapping,

1976 |       (g) Escape,

1977 |       (h) Aggravated child abuse,

1978 |       (i) Aggravated abuse of an elderly person or disabled

1979 | adult,

1980 |       (j) Aircraft piracy,

1981 |       (k) Unlawful throwing, placing, or discharging of a

1982 | destructive device or bomb,

1983 |       (l) Unlawful distribution of any substance controlled

1984 | under s. 893.03(1), cocaine as described in s. 893.03(2)(a)4.,

1985 | or opium or any synthetic or natural salt, compound, derivative,

1986 | or preparation of opium by a person 18 years of age or older,

1987 | when such drug is proven to be the proximate cause of the death

1988 | of the user,

1989 |       (m) Carjacking,

HB 477

2017

1990 (n) Home-invasion robbery,  
 1991 (o) Aggravated stalking,  
 1992 (p) Murder of another human being,  
 1993 (q) Aggravated fleeing or eluding with serious bodily  
 1994 injury or death,  
 1995 (r) Resisting an officer with violence to his or her  
 1996 person, or  
 1997 (s) Felony that is an act of terrorism or is in  
 1998 furtherance of an act of terrorism,  
 1999  
 2000 is murder in the third degree and constitutes a felony of the  
 2001 second degree, punishable as provided in s. 775.082, s. 775.083,  
 2002 or s. 775.084.  
 2003 Section 15. For the purpose of incorporating the amendment  
 2004 made by this act to section 893.03, Florida Statutes, in a  
 2005 reference thereto, paragraph (a) of subsection (2) of section  
 2006 787.06, Florida Statutes, is reenacted to read:  
 2007 787.06 Human trafficking.—  
 2008 (2) As used in this section, the term:  
 2009 (a) "Coercion" means:  
 2010 1. Using or threatening to use physical force against any  
 2011 person;  
 2012 2. Restraining, isolating, or confining or threatening to  
 2013 restrain, isolate, or confine any person without lawful  
 2014 authority and against her or his will;

2015           3. Using lending or other credit methods to establish a  
 2016 debt by any person when labor or services are pledged as a  
 2017 security for the debt, if the value of the labor or services as  
 2018 reasonably assessed is not applied toward the liquidation of the  
 2019 debt, the length and nature of the labor or services are not  
 2020 respectively limited and defined;

2021           4. Destroying, concealing, removing, confiscating,  
 2022 withholding, or possessing any actual or purported passport,  
 2023 visa, or other immigration document, or any other actual or  
 2024 purported government identification document, of any person;

2025           5. Causing or threatening to cause financial harm to any  
 2026 person;

2027           6. Enticing or luring any person by fraud or deceit; or

2028           7. Providing a controlled substance as outlined in  
 2029 Schedule I or Schedule II of s. 893.03 to any person for the  
 2030 purpose of exploitation of that person.

2031           Section 16. For the purpose of incorporating the amendment  
 2032 made by this act to section 893.03, Florida Statutes, in a  
 2033 reference thereto, section 817.563, Florida Statutes, is  
 2034 reenacted to read:

2035           817.563 Controlled substance named or described in s.  
 2036 893.03; sale of substance in lieu thereof.—It is unlawful for  
 2037 any person to agree, consent, or in any manner offer to  
 2038 unlawfully sell to any person a controlled substance named or  
 2039 described in s. 893.03 and then sell to such person any other

2040 substance in lieu of such controlled substance. Any person who  
 2041 violates this section with respect to:

2042 (1) A controlled substance named or described in s.  
 2043 893.03(1), (2), (3), or (4) is guilty of a felony of the third  
 2044 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 2045 775.084.

2046 (2) A controlled substance named or described in s.  
 2047 893.03(5) is guilty of a misdemeanor of the second degree,  
 2048 punishable as provided in s. 775.082 or s. 775.083.

2049 Section 17. For the purpose of incorporating the amendment  
 2050 made by this act to section 893.03, Florida Statutes, in  
 2051 references thereto, paragraph (a) of subsection (1) and  
 2052 subsection (2) of section 831.31, Florida Statutes, are  
 2053 reenacted to read:

2054 831.31 Counterfeit controlled substance; sale,  
 2055 manufacture, delivery, or possession with intent to sell,  
 2056 manufacture, or deliver.—

2057 (1) It is unlawful for any person to sell, manufacture, or  
 2058 deliver, or to possess with intent to sell, manufacture, or  
 2059 deliver, a counterfeit controlled substance. Any person who  
 2060 violates this subsection with respect to:

2061 (a) A controlled substance named or described in s.  
 2062 893.03(1), (2), (3), or (4) is guilty of a felony of the third  
 2063 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 2064 775.084.

HB 477

2017

2065 (2) For purposes of this section, "counterfeit controlled  
 2066 substance" means:

2067 (a) A controlled substance named or described in s. 893.03  
 2068 which, or the container or labeling of which, without  
 2069 authorization bears the trademark, trade name, or other  
 2070 identifying mark, imprint, or number, or any likeness thereof,  
 2071 of a manufacturer other than the person who in fact manufactured  
 2072 the controlled substance; or

2073 (b) Any substance which is falsely identified as a  
 2074 controlled substance named or described in s. 893.03.

2075 Section 18. For the purpose of incorporating the amendment  
 2076 made by this act to section 893.03, Florida Statutes, in a  
 2077 reference thereto, paragraph (c) of subsection (1) of section  
 2078 856.015, Florida Statutes, is reenacted to read:

2079 856.015 Open house parties.—

2080 (1) Definitions.—As used in this section:

2081 (c) "Drug" means a controlled substance, as that term is  
 2082 defined in ss. 893.02(4) and 893.03.

2083 Section 19. For the purpose of incorporating the amendment  
 2084 made by this act to section 893.03, Florida Statutes, in a  
 2085 reference thereto, Subsection (4) of section 893.02, Florida  
 2086 Statutes, is reenacted to read:

2087 893.02 Definitions.—The following words and phrases as  
 2088 used in this chapter shall have the following meanings, unless  
 2089 the context otherwise requires:

2090 (4) "Controlled substance" means any substance named or  
 2091 described in Schedules I-V of s. 893.03. Laws controlling the  
 2092 manufacture, distribution, preparation, dispensing, or  
 2093 administration of such substances are drug abuse laws.

2094 Section 20. For the purpose of incorporating the amendment  
 2095 made by this act to section 893.03, Florida Statutes, in  
 2096 references thereto, subsection (2), paragraph (a) of subsection  
 2097 (7), and paragraph (a) of subsection (8) of section 893.035,  
 2098 Florida Statutes, are reenacted to read:

2099 893.035 Control of new substances; findings of fact;  
 2100 delegation of authority to Attorney General to control  
 2101 substances by rule.—

2102 (2) The Attorney General shall apply the provisions of  
 2103 this section to any substance not currently controlled under the  
 2104 provisions of s. 893.03. The Attorney General may by rule:

2105 (a) Add a substance to a schedule established by s.  
 2106 893.03, or transfer a substance between schedules, if he or she  
 2107 finds that it has a potential for abuse and he or she makes with  
 2108 respect to it the other findings appropriate for classification  
 2109 in the particular schedule under s. 893.03 in which it is to be  
 2110 placed.

2111 (b) Remove a substance previously added to a schedule if  
 2112 he or she finds the substance does not meet the requirements for  
 2113 inclusion in that schedule.

2114

HB 477

2017

2115 Rules adopted under this section shall be made pursuant to the  
2116 rulemaking procedures prescribed by chapter 120.

2117 (7) (a) If the Attorney General finds that the scheduling  
2118 of a substance in Schedule I of s. 893.03 on a temporary basis  
2119 is necessary to avoid an imminent hazard to the public safety,  
2120 he or she may by rule and without regard to the requirements of  
2121 subsection (5) relating to the Department of Health and the  
2122 Department of Law Enforcement schedule such substance in  
2123 Schedule I if the substance is not listed in any other schedule  
2124 of s. 893.03. The Attorney General shall be required to  
2125 consider, with respect to his or her finding of imminent hazard  
2126 to the public safety, only those factors set forth in paragraphs  
2127 (3) (a) and (4) (d), (e), and (f), including actual abuse,  
2128 diversion from legitimate channels, and clandestine importation,  
2129 manufacture, or distribution.

2130 (8) (a) Upon the effective date of a rule adopted pursuant  
2131 to this section adding or transferring a substance to a schedule  
2132 under s. 893.03, such substance shall be deemed included in that  
2133 schedule, and all provisions of this chapter applicable to  
2134 substances in that schedule shall be deemed applicable to such  
2135 substance.

2136 Section 21. For the purpose of incorporating the amendment  
2137 made by this act to section 893.03, Florida Statutes, in  
2138 references thereto, paragraph (a) of subsection (2) and  
2139 subsection (5) of section 893.0356, Florida Statutes, are



HB 477

2017

2140 reenacted to read:

2141 893.0356 Control of new substances; findings of fact;  
 2142 "controlled substance analog" defined.—

2143 (2) (a) As used in this section, "controlled substance  
 2144 analog" means a substance which, due to its chemical structure  
 2145 and potential for abuse, meets the following criteria:

2146 1. Is substantially similar to that of a controlled  
 2147 substance listed in Schedule I or Schedule II of s. 893.03; and

2148 2. Has a stimulant, depressant, or hallucinogenic effect  
 2149 on the central nervous system or is represented or intended to  
 2150 have a stimulant, depressant, or hallucinogenic effect on the  
 2151 central nervous system substantially similar to or greater than  
 2152 that of a controlled substance listed in Schedule I or Schedule  
 2153 II of s. 893.03.

2154 (5) A controlled substance analog shall, for purposes of  
 2155 drug abuse prevention and control, be treated as the highest  
 2156 scheduled controlled substance of which it is a controlled  
 2157 substance analog in s. 893.03.

2158 Section 22. For the purpose of incorporating the amendment  
 2159 made by this act to section 893.03, Florida Statutes, in a  
 2160 reference thereto, subsection (1) of section 893.05, Florida  
 2161 Statutes, is reenacted to read:

2162 893.05 Practitioners and persons administering controlled  
 2163 substances in their absence.—

2164 (1) (a) A practitioner, in good faith and in the course of

HB 477

2017

2165 his or her professional practice only, may prescribe,  
2166 administer, dispense, mix, or otherwise prepare a controlled  
2167 substance, or the practitioner may cause the controlled  
2168 substance to be administered by a licensed nurse or an intern  
2169 practitioner under his or her direction and supervision only.

2170 (b) Pursuant to s. 458.347(4)(g), s. 459.022(4)(f), or s.  
2171 464.012(3), as applicable, a practitioner who supervises a  
2172 licensed physician assistant or advanced registered nurse  
2173 practitioner may authorize the licensed physician assistant or  
2174 advanced registered nurse practitioner to order controlled  
2175 substances for administration to a patient in a facility  
2176 licensed under chapter 395 or part II of chapter 400.

2177 (c) A veterinarian may prescribe, administer, dispense,  
2178 mix, or prepare a controlled substance for use on animals only,  
2179 and may cause the controlled substance to be administered by an  
2180 assistant or orderly under the veterinarian's direction and  
2181 supervision only.

2182 (d) A certified optometrist licensed under chapter 463 may  
2183 not administer or prescribe a controlled substance listed in  
2184 Schedule I or Schedule II of s. 893.03.

2185 Section 23. For the purpose of incorporating the amendment  
2186 made by this act to section 893.03, Florida Statutes, in  
2187 references thereto, paragraphs (b), (c), and (d) of subsection  
2188 (2) of section 893.12, Florida Statutes, are reenacted to read:  
2189 893.12 Contraband; seizure, forfeiture, sale.—

2190 (2)

2191 (b) All real property, including any right, title,

2192 leasehold interest, and other interest in the whole of any lot

2193 or tract of land and any appurtenances or improvements, which

2194 real property is used, or intended to be used, in any manner or

2195 part, to commit or to facilitate the commission of, or which

2196 real property is acquired with proceeds obtained as a result of,

2197 a violation of any provision of this chapter related to a

2198 controlled substance described in s. 893.03(1) or (2) may be

2199 seized and forfeited as provided by the Florida Contraband

2200 Forfeiture Act except that no property shall be forfeited under

2201 this paragraph to the extent of an interest of an owner or

2202 lienholder by reason of any act or omission established by that

2203 owner or lienholder to have been committed or omitted without

2204 the knowledge or consent of that owner or lienholder.

2205 (c) All moneys, negotiable instruments, securities, and

2206 other things of value furnished or intended to be furnished by

2207 any person in exchange for a controlled substance described in

2208 s. 893.03(1) or (2) or a listed chemical in violation of any

2209 provision of this chapter, all proceeds traceable to such an

2210 exchange, and all moneys, negotiable instruments, and securities

2211 used or intended to be used to facilitate any violation of any

2212 provision of this chapter or which are acquired with proceeds

2213 obtained in violation of any provision of this chapter may be

2214 seized and forfeited as provided by the Florida Contraband

2215 Forfeiture Act, except that no property shall be forfeited under  
 2216 this paragraph to the extent of an interest of an owner or  
 2217 lienholder by reason of any act or omission established by that  
 2218 owner or lienholder to have been committed or omitted without  
 2219 the knowledge or consent of that owner or lienholder.

2220 (d) All books, records, and research, including formulas,  
 2221 microfilm, tapes, and data which are used, or intended for use,  
 2222 or which are acquired with proceeds obtained, in violation of  
 2223 any provision of this chapter related to a controlled substance  
 2224 described in s. 893.03(1) or (2) or a listed chemical may be  
 2225 seized and forfeited as provided by the Florida Contraband  
 2226 Forfeiture Act.

2227 Section 24. For the purpose of incorporating the amendment  
 2228 made by this act to section 893.03, Florida Statutes, in  
 2229 references thereto, paragraphs (a), (c), (d), (e), (f), and (h)  
 2230 of subsection (1), paragraph (a) of subsection (2), paragraph  
 2231 (b) of subsection (4), paragraph (b) of subsection (5), and  
 2232 paragraph (a) of subsection (7) of section 893.13, Florida  
 2233 Statutes, are reenacted to read:

2234 893.13 Prohibited acts; penalties.—

2235 (1) (a) Except as authorized by this chapter and chapter  
 2236 499, a person may not sell, manufacture, or deliver, or possess  
 2237 with intent to sell, manufacture, or deliver, a controlled  
 2238 substance. A person who violates this provision with respect to:

2239 1. A controlled substance named or described in s.

HB 477

2017

2240 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
2241 commits a felony of the second degree, punishable as provided in  
2242 s. 775.082, s. 775.083, or s. 775.084.

2243 2. A controlled substance named or described in s.  
2244 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
2245 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
2246 the third degree, punishable as provided in s. 775.082, s.  
2247 775.083, or s. 775.084.

2248 3. A controlled substance named or described in s.  
2249 893.03(5) commits a misdemeanor of the first degree, punishable  
2250 as provided in s. 775.082 or s. 775.083.

2251 (c) Except as authorized by this chapter, a person may not  
2252 sell, manufacture, or deliver, or possess with intent to sell,  
2253 manufacture, or deliver, a controlled substance in, on, or  
2254 within 1,000 feet of the real property comprising a child care  
2255 facility as defined in s. 402.302 or a public or private  
2256 elementary, middle, or secondary school between the hours of 6  
2257 a.m. and 12 midnight, or at any time in, on, or within 1,000  
2258 feet of real property comprising a state, county, or municipal  
2259 park, a community center, or a publicly owned recreational  
2260 facility. As used in this paragraph, the term "community center"  
2261 means a facility operated by a nonprofit community-based  
2262 organization for the provision of recreational, social, or  
2263 educational services to the public. A person who violates this  
2264 paragraph with respect to:

2265           1. A controlled substance named or described in s.  
 2266 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2267 commits a felony of the first degree, punishable as provided in  
 2268 s. 775.082, s. 775.083, or s. 775.084. The defendant must be  
 2269 sentenced to a minimum term of imprisonment of 3 calendar years  
 2270 unless the offense was committed within 1,000 feet of the real  
 2271 property comprising a child care facility as defined in s.  
 2272 402.302.

2273           2. A controlled substance named or described in s.  
 2274 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2275 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2276 the second degree, punishable as provided in s. 775.082, s.  
 2277 775.083, or s. 775.084.

2278           3. Any other controlled substance, except as lawfully  
 2279 sold, manufactured, or delivered, must be sentenced to pay a  
 2280 \$500 fine and to serve 100 hours of public service in addition  
 2281 to any other penalty prescribed by law.

2282  
 2283 This paragraph does not apply to a child care facility unless  
 2284 the owner or operator of the facility posts a sign that is not  
 2285 less than 2 square feet in size with a word legend identifying  
 2286 the facility as a licensed child care facility and that is  
 2287 posted on the property of the child care facility in a  
 2288 conspicuous place where the sign is reasonably visible to the  
 2289 public.

HB 477

2017

2290 (d) Except as authorized by this chapter, a person may not  
2291 sell, manufacture, or deliver, or possess with intent to sell,  
2292 manufacture, or deliver, a controlled substance in, on, or  
2293 within 1,000 feet of the real property comprising a public or  
2294 private college, university, or other postsecondary educational  
2295 institution. A person who violates this paragraph with respect  
2296 to:

2297 1. A controlled substance named or described in s.  
2298 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
2299 commits a felony of the first degree, punishable as provided in  
2300 s. 775.082, s. 775.083, or s. 775.084.

2301 2. A controlled substance named or described in s.  
2302 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
2303 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
2304 the second degree, punishable as provided in s. 775.082, s.  
2305 775.083, or s. 775.084.

2306 3. Any other controlled substance, except as lawfully  
2307 sold, manufactured, or delivered, must be sentenced to pay a  
2308 \$500 fine and to serve 100 hours of public service in addition  
2309 to any other penalty prescribed by law.

2310 (e) Except as authorized by this chapter, a person may not  
2311 sell, manufacture, or deliver, or possess with intent to sell,  
2312 manufacture, or deliver, a controlled substance not authorized  
2313 by law in, on, or within 1,000 feet of a physical place for  
2314 worship at which a church or religious organization regularly

2315 | conducts religious services or within 1,000 feet of a  
 2316 | convenience business as defined in s. 812.171. A person who  
 2317 | violates this paragraph with respect to:

2318 |       1. A controlled substance named or described in s.  
 2319 | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2320 | commits a felony of the first degree, punishable as provided in  
 2321 | s. 775.082, s. 775.083, or s. 775.084.

2322 |       2. A controlled substance named or described in s.  
 2323 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2324 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2325 | the second degree, punishable as provided in s. 775.082, s.  
 2326 | 775.083, or s. 775.084.

2327 |       3. Any other controlled substance, except as lawfully  
 2328 | sold, manufactured, or delivered, must be sentenced to pay a  
 2329 | \$500 fine and to serve 100 hours of public service in addition  
 2330 | to any other penalty prescribed by law.

2331 |       (f) Except as authorized by this chapter, a person may not  
 2332 | sell, manufacture, or deliver, or possess with intent to sell,  
 2333 | manufacture, or deliver, a controlled substance in, on, or  
 2334 | within 1,000 feet of the real property comprising a public  
 2335 | housing facility at any time. As used in this section, the term  
 2336 | "real property comprising a public housing facility" means real  
 2337 | property, as defined in s. 421.03(12), of a public corporation  
 2338 | created as a housing authority pursuant to part I of chapter  
 2339 | 421. A person who violates this paragraph with respect to:



2340 1. A controlled substance named or described in s.  
 2341 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2342 commits a felony of the first degree, punishable as provided in  
 2343 s. 775.082, s. 775.083, or s. 775.084.

2344 2. A controlled substance named or described in s.  
 2345 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2346 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2347 the second degree, punishable as provided in s. 775.082, s.  
 2348 775.083, or s. 775.084.

2349 3. Any other controlled substance, except as lawfully  
 2350 sold, manufactured, or delivered, must be sentenced to pay a  
 2351 \$500 fine and to serve 100 hours of public service in addition  
 2352 to any other penalty prescribed by law.

2353 (h) Except as authorized by this chapter, a person may not  
 2354 sell, manufacture, or deliver, or possess with intent to sell,  
 2355 manufacture, or deliver, a controlled substance in, on, or  
 2356 within 1,000 feet of the real property comprising an assisted  
 2357 living facility, as that term is used in chapter 429. A person  
 2358 who violates this paragraph with respect to:

2359 1. A controlled substance named or described in s.  
 2360 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
 2361 commits a felony of the first degree, punishable as provided in  
 2362 s. 775.082, s. 775.083, or s. 775.084.

2363 2. A controlled substance named or described in s.  
 2364 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,

2365 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of  
 2366 the second degree, punishable as provided in s. 775.082, s.  
 2367 775.083, or s. 775.084.

2368 3. Any other controlled substance, except as lawfully  
 2369 sold, manufactured, or delivered, must be sentenced to pay a  
 2370 \$500 fine and to serve 100 hours of public service in addition  
 2371 to any other penalty prescribed by law.

2372 (2) (a) Except as authorized by this chapter and chapter  
 2373 499, a person may not purchase, or possess with intent to  
 2374 purchase, a controlled substance. A person who violates this  
 2375 provision with respect to:

2376 1. A controlled substance named or described in s.  
 2377 893.03(1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 4.  
 2378 commits a felony of the second degree, punishable as provided in  
 2379 s. 775.082, s. 775.083, or s. 775.084.

2380 2. A controlled substance named or described in s.  
 2381 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,  
 2382 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of  
 2383 the third degree, punishable as provided in s. 775.082, s.  
 2384 775.083, or s. 775.084.

2385 3. A controlled substance named or described in s.  
 2386 893.03(5) commits a misdemeanor of the first degree, punishable  
 2387 as provided in s. 775.082 or s. 775.083.

2388 (4) Except as authorized by this chapter, a person 18  
 2389 years of age or older may not deliver any controlled substance

HB 477

2017

2390 to a person younger than 18 years of age, use or hire a person  
 2391 younger than 18 years of age as an agent or employee in the sale  
 2392 or delivery of such a substance, or use such person to assist in  
 2393 avoiding detection or apprehension for a violation of this  
 2394 chapter. A person who violates this paragraph with respect to:

2395 (b) A controlled substance named or described in s.  
 2396 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2397 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2398 the second degree, punishable as provided in s. 775.082, s.  
 2399 775.083, or s. 775.084.

2400  
 2401 Imposition of sentence may not be suspended or deferred, and the  
 2402 person so convicted may not be placed on probation.

2403 (5) A person may not bring into this state any controlled  
 2404 substance unless the possession of such controlled substance is  
 2405 authorized by this chapter or unless such person is licensed to  
 2406 do so by the appropriate federal agency. A person who violates  
 2407 this provision with respect to:

2408 (b) A controlled substance named or described in s.  
 2409 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 2410 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 2411 the third degree, punishable as provided in s. 775.082, s.  
 2412 775.083, or s. 775.084.

2413 (7)(a) A person may not:

2414 1. Distribute or dispense a controlled substance in

2415 violation of this chapter.

2416         2. Refuse or fail to make, keep, or furnish any record,  
2417 notification, order form, statement, invoice, or information  
2418 required under this chapter.

2419         3. Refuse entry into any premises for any inspection or  
2420 refuse to allow any inspection authorized by this chapter.

2421         4. Distribute a controlled substance named or described in  
2422 s. 893.03(1) or (2) except pursuant to an order form as required  
2423 by s. 893.06.

2424         5. Keep or maintain any store, shop, warehouse, dwelling,  
2425 building, vehicle, boat, aircraft, or other structure or place  
2426 which is resorted to by persons using controlled substances in  
2427 violation of this chapter for the purpose of using these  
2428 substances, or which is used for keeping or selling them in  
2429 violation of this chapter.

2430         6. Use to his or her own personal advantage, or reveal,  
2431 any information obtained in enforcement of this chapter except  
2432 in a prosecution or administrative hearing for a violation of  
2433 this chapter.

2434         7. Possess a prescription form unless it has been signed  
2435 by the practitioner whose name appears printed thereon and  
2436 completed. This subparagraph does not apply if the person in  
2437 possession of the form is the practitioner whose name appears  
2438 printed thereon, an agent or employee of that practitioner, a  
2439 pharmacist, or a supplier of prescription forms who is

2440 authorized by that practitioner to possess those forms.

2441 8. Withhold information from a practitioner from whom the  
2442 person seeks to obtain a controlled substance or a prescription  
2443 for a controlled substance that the person making the request  
2444 has received a controlled substance or a prescription for a  
2445 controlled substance of like therapeutic use from another  
2446 practitioner within the previous 30 days.

2447 9. Acquire or obtain, or attempt to acquire or obtain,  
2448 possession of a controlled substance by misrepresentation,  
2449 fraud, forgery, deception, or subterfuge.

2450 10. Affix any false or forged label to a package or  
2451 receptacle containing a controlled substance.

2452 11. Furnish false or fraudulent material information in,  
2453 or omit any material information from, any report or other  
2454 document required to be kept or filed under this chapter or any  
2455 record required to be kept by this chapter.

2456 12. Store anhydrous ammonia in a container that is not  
2457 approved by the United States Department of Transportation to  
2458 hold anhydrous ammonia or is not constructed in accordance with  
2459 sound engineering, agricultural, or commercial practices.

2460 13. With the intent to obtain a controlled substance or  
2461 combination of controlled substances that are not medically  
2462 necessary for the person or an amount of a controlled substance  
2463 or substances that is not medically necessary for the person,  
2464 obtain or attempt to obtain from a practitioner a controlled

HB 477

2017

2465 substance or a prescription for a controlled substance by  
 2466 misrepresentation, fraud, forgery, deception, subterfuge, or  
 2467 concealment of a material fact. For purposes of this  
 2468 subparagraph, a material fact includes whether the person has an  
 2469 existing prescription for a controlled substance issued for the  
 2470 same period of time by another practitioner or as described in  
 2471 subparagraph 8.

2472 Section 25. For the purpose of incorporating the amendment  
 2473 made by this act to section 893.03, Florida Statutes, in  
 2474 references thereto, paragraphs (b), (c), and (e) of subsection  
 2475 (3) of section 921.0022, Florida Statutes, are reenacted to  
 2476 read:

2477 921.0022 Criminal Punishment Code; offense severity  
 2478 ranking chart.—

- 2479 (3) OFFENSE SEVERITY RANKING CHART
- 2480 (b) LEVEL 2

2481

Florida Statute	Felony Degree	Description
2482 379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.

2483

HB 477

2017

2484	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
2485	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.
2486	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.
2487	590.28 (1)	3rd	Intentional burning of lands.
2488	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
2489	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.

HB 477

2017

2490	806.13(1)(b)3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
2491	810.061(2)	3rd	Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.
2492	810.09(2)(e)	3rd	Trespassing on posted commercial horticulture property.
2493	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or more but less than \$5,000.
2494	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 use of an antishoplifting or inventory control device



HB 477

2017

			countermeasure.
2495	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
2496	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
2497	817.52 (3)	3rd	Failure to redeliver hired vehicle.
2498	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
2499	817.60 (5)	3rd	Dealing in credit cards of another.
2500	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
2501	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6

HB 477

2017

2502	826.04	3rd	months. Knowingly marries or has sexual intercourse with person to whom related.
2503	831.01	3rd	Forgery.
2504	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
2505	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
2506	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
2507	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
2508	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or

HB 477

2017

2509			notes.
	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
2510			
	843.08	3rd	False personation.
2511			
	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.
2512			
	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
2513			
2514	(c) LEVEL 3		
2515			
	Florida	Felony	
	Statute	Degree	Description
2516			
	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.

HB 477

2017

2517	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
2518	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
2519	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
2520	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
2521	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
2522	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
2523	319.33 (4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained

HB 477

2017

2524			title or registration.
2525	327.35 (2) (b)	3rd	Felony BUI.
2526	328.05 (2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
2527	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
2528	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, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle

HB 477

2017

2529			Protection Act.
	379.2431	3rd	Soliciting to commit or
	(1) (e) 6.		conspiring to commit a
			violation of the Marine Turtle
			Protection Act.
2530			
	400.9935 (4) (a)	3rd	Operating a clinic, or offering
	or (b)		services requiring licensure,
			without a license.
2531			
	400.9935 (4) (e)	3rd	Filing a false license
			application or other required
			information or failing to
			report information.
2532			
	440.1051 (3)	3rd	False report of workers'
			compensation fraud or
			retaliation for making such a
			report.
2533			
	501.001 (2) (b)	2nd	Tampers with a consumer product
			or the container using
			materially false/misleading
			information.

HB 477

2017

2534	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
2535	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
2536	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
2537	697.08	3rd	Equity skimming.
2538	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
2539	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
2540	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.

HB 477

2017

2541	810.09(2)(c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
2542	812.014(2)(c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
2543	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
2544	815.04(5)(b)	2nd	Computer offense devised to defraud or obtain property.
2545	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
2546	817.233	3rd	Burning to defraud insurer.
2547	817.234 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor



HB 477

2017

2548			vehicle accidents.
	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
2549			
	817.236	3rd	Filing a false motor vehicle insurance application.
2550			
	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
2551			
	817.413 (2)	3rd	Sale of used goods as new.
2552			
	817.505 (4)	3rd	Patient brokering.
2553			
	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
2554			
	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a

HB 477

2017

2555			counterfeit payment instrument.
	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
2556			
	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
2557			
	843.19	3rd	Injure, disable, or kill police dog or horse.
2558			
	860.15 (3)	3rd	Overcharging for repairs and parts.
2559			
	870.01 (2)	3rd	Riot; inciting or encouraging.
2560			
	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).
2561			
	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver

2562	893.13(1)(f)2.	2nd	<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                  university.</p>
2563	893.13(4)(c)	3rd	<p>Sell, manufacture, or deliver                  s. 893.03(1)(c), (2)(c)1.,                  (2)(c)2., (2)(c)3., (2)(c)5.,                  (2)(c)6., (2)(c)7., (2)(c)8.,                  (2)(c)9., (3), or (4) drugs                  within 1,000 feet of public                  housing facility.</p>
2564	893.13(6)(a)	3rd	<p>Use or hire of minor; deliver                  to minor other controlled                  substances.</p>
2565	893.13(7)(a)8.	3rd	<p>Possession of any controlled                  substance other than felony                  possession of cannabis.</p>
			<p>Withhold information from                  practitioner regarding previous</p>

2566	893.13(7)(a)9.	3rd	receipt of or prescription for a controlled substance.
2567	893.13(7)(a)10.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.
2568	893.13(7)(a)11.	3rd	Affix false or forged label to package of controlled substance.
2569	893.13(8)(a)1.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
			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.

HB 477

2017

2570	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.
2571	893.13(8)(a)3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
2572	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.
2573	918.13(1)(a)	3rd	Alter, destroy, or conceal investigation evidence.
2574	944.47 (1)(a)1. & 2.	3rd	Introduce contraband to correctional facility.

HB 477

2017

2575	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
2576	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
2577			
2578	(e) LEVEL 5		
2579			
	Florida	Felony	
	Statute	Degree	Description
2580	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
2581	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
2582	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
2583			

HB 477

2017

2584	322.34 (6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
2585	327.30 (5)	3rd	Vessel accidents involving personal injury; leaving scene.
	379.365 (2) (c) 1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is

HB 477

2017

2586			suspended or revoked.
	379.367 (4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
2587			
	379.407 (5) (b) 3.	3rd	Possession of 100 or more undersized spiny lobsters.
2588			
	381.0041 (11) (b)	3rd	Donate blood, plasma, or organs knowing HIV positive.
2589			
	440.10 (1) (g)	2nd	Failure to obtain workers' compensation coverage.
2590			
	440.105 (5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.
2591			
	440.381 (2)	2nd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.
2592			



HB 477

2017

2593	624.401 (4) (b) 2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.
2594	626.902 (1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
2595	790.01 (2)	3rd	Carrying a concealed firearm.
2596	790.162	2nd	Threat to throw or discharge destructive device.
2597	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
2598	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
2599	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.

HB 477

2017

2600	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
2601	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
2602	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
2603	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
2604	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
2605	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
	812.019 (1)	2nd	Stolen property; dealing in or

HB 477

2017

			trafficking in.
2606	812.131 (2) (b)	3rd	Robbery by sudden snatching.
2607	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
2608	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
2609	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
2610	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
2611	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or

HB 477

2017

2612	817.611 (2) (a)	2nd	amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
2613	817.625 (2) (b)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
2614	825.1025 (4)	3rd	Second or subsequent fraudulent use of scanning device or reencoder.
2615	827.071 (4)	2nd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
2616	827.071 (5)	3rd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
			Possess, control, or

HB 477

2017

2617	839.13 (2) (b)	2nd	intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child.
2618	843.01	3rd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.
2619	847.0135 (5) (b)	2nd	Resist officer with violence to person; resist arrest with violence.
2620	847.0137 (2) & (3)	3rd	Lewd or lascivious exhibition using computer; offender 18 years or older.
2621	847.0138 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.  Transmission of material harmful to minors to a minor by electronic device or equipment.

HB 477

2017

2622	874.05 (1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
2623	874.05 (2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.
2624	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).
2625	893.13 (1) (c) 2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal

2626	893.13(1)(d)1.	1st	<p>park or publicly owned recreational facility or community center.</p> <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>
2627	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., (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.</p>
2628	893.13(1)(f)1.	1st	<p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d),</p>

HB 477

2017

2629	893.13(4)(b)	2nd	or (2) (a), (2) (b), or (2) (c) 4. drugs) within 1,000 feet of public housing facility.
2630	893.1351(1)	3rd	Use or hire of minor; deliver to minor other controlled substance.  Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
2631			
2632	Section 26. This act shall take effect upon becoming a		
2633	law.		