

By the Committee on Criminal Justice; and Senator Bracy

591-03434-18

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1                   A bill to be entitled  
2       An act relating to sentencing; amending s. 893.13,  
3       F.S.; reducing the distance applicable to certain  
4       controlled substance offenses committed within certain  
5       drug-free zones; providing that only offenses  
6       involving the sale or manufacturing of a controlled  
7       substance are subject to enhanced penalties when  
8       committed within a drug-free zone; amending s.  
9       921.0022, F.S.; conforming provisions to changes made  
10      by the act; providing an effective date.

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

13  
14       Section 1. Paragraphs (c), (d), (e), (f), and (h) of  
15       subsection (1) of section 893.13, Florida Statutes, are amended  
16       to read:

17       893.13 Prohibited acts; penalties.—

18       (1)

19       (c) Except as authorized by this chapter, a person may not  
20       sell or, ~~manufacture, or deliver, or possess with intent to~~  
21       ~~sell, manufacture, or deliver,~~ a controlled substance in, on, or  
22       within 1,000 feet of the real property comprising a child care  
23       facility as defined in s. 402.302 or a public or private  
24       elementary, middle, or secondary school between the hours of 6  
25       a.m. and 12 midnight, or at any time in, on, or within 250 ~~1,000~~  
26       feet of real property comprising a state, county, or municipal  
27       park, a community center, or a publicly owned recreational  
28       facility. As used in this paragraph, the term "community center"  
29       means a facility operated by a nonprofit community-based

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30 organization for the provision of recreational, social, or  
31 educational services to the public. A person who violates this  
32 paragraph with respect to:

33 1. A controlled substance named or described in s.  
34 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
35 commits a felony of the first degree, punishable as provided in  
36 s. 775.082, s. 775.083, or s. 775.084. The defendant must be  
37 sentenced to a minimum term of imprisonment of 3 calendar years  
38 unless the offense was committed within 1,000 feet of the real  
39 property comprising a child care facility as defined in s.  
40 402.302.

41 2. A controlled substance named or described in s.  
42 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
43 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
44 the second degree, punishable as provided in s. 775.082, s.  
45 775.083, or s. 775.084.

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

50  
51 This paragraph does not apply to a child care facility unless  
52 the owner or operator of the facility posts a sign that is not  
53 less than 2 square feet in size with a word legend identifying  
54 the facility as a licensed child care facility and that is  
55 posted on the property of the child care facility in a  
56 conspicuous place where the sign is reasonably visible to the  
57 public.

58 (d) Except as authorized by this chapter, a person may not

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59 sell ~~or~~, manufacture, ~~or deliver~~, ~~or possess with intent to~~  
60 ~~sell, manufacture, or deliver~~, a controlled substance in, on, or  
61 within 250 ~~1,000~~ feet of the real property comprising a public  
62 or private college, university, or other postsecondary  
63 educational institution. A person who violates this paragraph  
64 with respect to:

65 1. A controlled substance named or described in s.  
66 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
67 commits a felony of the first degree, punishable as provided in  
68 s. 775.082, s. 775.083, or s. 775.084.

69 2. A controlled substance named or described in s.  
70 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
71 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
72 the second degree, punishable as provided in s. 775.082, s.  
73 775.083, or s. 775.084.

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

78 (e) Except as authorized by this chapter, a person may not  
79 sell ~~or~~, manufacture, ~~or deliver~~, ~~or possess with intent to~~  
80 ~~sell, manufacture, or deliver~~, a controlled substance not  
81 authorized by law in, on, or within 1,000 feet of a physical  
82 place for worship at which a church or religious organization  
83 regularly conducts religious services or within 250 ~~1,000~~ feet  
84 of a convenience business as defined in s. 812.171. A person who  
85 violates this paragraph with respect to:

86 1. A controlled substance named or described in s.  
87 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.

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88 commits a felony of the first degree, punishable as provided in  
89 s. 775.082, s. 775.083, or s. 775.084.

90 2. A controlled substance named or described in s.  
91 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
92 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
93 the second degree, punishable as provided in s. 775.082, s.  
94 775.083, or s. 775.084.

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

99 (f) Except as authorized by this chapter, a person may not  
100 sell or, manufacture, ~~or deliver~~, or possess with intent to  
101 sell, manufacture, or deliver, a controlled substance in, on, or  
102 within 250 ~~1,000~~ feet of the real property comprising a public  
103 housing facility at any time. As used in this section, the term  
104 "real property comprising a public housing facility" means real  
105 property, as defined in s. 421.03(12), of a public corporation  
106 created as a housing authority pursuant to part I of chapter  
107 421. A person who violates this paragraph with respect to:

108 1. A controlled substance named or described in s.  
109 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
110 commits a felony of the first degree, punishable as provided in  
111 s. 775.082, s. 775.083, or s. 775.084.

112 2. A controlled substance named or described in s.  
113 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
114 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
115 the second degree, punishable as provided in s. 775.082, s.  
116 775.083, or s. 775.084.

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

121           (h) Except as authorized by this chapter, a person may not  
122 sell or, manufacture, ~~or deliver~~, ~~or possess with intent to~~  
123 ~~sell, manufacture, or deliver~~, a controlled substance in, on, or  
124 within 1,000 feet of the real property comprising an assisted  
125 living facility, as that term is used in chapter 429. A person  
126 who violates this paragraph with respect to:

127           1. A controlled substance named or described in s.  
128 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
129 commits a felony of the first degree, punishable as provided in  
130 s. 775.082, s. 775.083, or s. 775.084.

131           2. A controlled substance named or described in s.  
132 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
133 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
134 the second degree, punishable as provided in s. 775.082, s.  
135 775.083, or s. 775.084.

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

140           Section 2. Paragraphs (c), (e), and (g) of subsection (3)  
141 of section 921.0022, Florida Statutes, are amended to read:

142           921.0022 Criminal Punishment Code; offense severity ranking  
143 chart.—

144           (3) OFFENSE SEVERITY RANKING CHART

145           (c) LEVEL 3

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

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153

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

154

319.33 (4) 3rd With intent to defraud,  
possess, sell, etc., a  
blank, forged, or  
unlawfully obtained title  
or registration.

155

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

156

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

157

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

158

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

159

379.2431 3rd Taking, disturbing,

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(1) (e) 5.

mutilating, destroying,  
causing to be destroyed,  
transferring, selling,  
offering to sell,  
molesting, or harassing  
marine turtles, marine  
turtle eggs, or marine  
turtle nests in violation  
of the Marine Turtle  
Protection Act.

160

379.2431

3rd

(1) (e) 6.

Possessing any marine  
turtle species or  
hatchling, or parts  
thereof, or the nest of any  
marine turtle species  
described in the Marine  
Turtle Protection Act.

161

379.2431

3rd

(1) (e) 7.

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

162

400.9935 (4) (a)

3rd

or (b)

Operating a clinic, or  
offering services requiring  
licensure, without a  
license.

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	400.9935 (4) (e)	3rd	Filing a false license application or other required information or failing to report information.
164	440.1051 (3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
165	501.001 (2) (b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
166	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
167	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
168	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.

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697.08	3rd	Equity skimming.
790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.

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177 815.04 (5) (b) 2nd Computer offense devised to defraud or obtain property.

178 817.034 (4) (a) 3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

179 817.233 3rd Burning to defraud insurer.

180 817.234 (8) (b) & (c) 3rd Unlawful solicitation of persons involved in motor vehicle accidents.

181 817.234 (11) (a) 3rd Insurance fraud; property value less than \$20,000.

182 817.236 3rd Filing a false motor vehicle insurance application.

183 817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

184 817.413 (2) 3rd Sale of used goods as new.

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

186

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

187

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

188

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

189

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

190

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

191

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

893.13 (1) (a) 2. 3rd Sell, manufacture, or

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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).

192

893.13(1)(d)2.

2nd

Sell or 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 250 ~~1,000~~  
feet of university.

193

893.13(1)(f)2.

2nd

Sell or 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 250 ~~1,000~~  
feet of public housing  
facility.

194

893.13(4)(c)

3rd

Use or hire of minor;  
deliver to minor other

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controlled substances.

195

893.13(6)(a)

3rd

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

196

893.13(7)(a)8.

3rd

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

197

893.13(7)(a)9.

3rd

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

198

893.13(7)(a)10.

3rd

Affix false or forged label to package of controlled substance.

199

893.13(7)(a)11.

3rd

Furnish false or fraudulent material information on any document or record required by chapter 893.

200

893.13(8)(a)1.

3rd

Knowingly assist a patient, other person, or owner of

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an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

201

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.

202

893.13(8)(a)3.

3rd

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

203

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.

204

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205	918.13 (1) (a)	3rd	Alter, destroy, or conceal investigation evidence.
206	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
207	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
208	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
209	(e) LEVEL 5		
210			
211	Florida Statute	Felony Degree	Description
212	316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
213	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
	316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.



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214

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

215

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

216

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 suspended or revoked.

217

379.367 (4) 3rd Willful molestation of a commercial harvester's spiny

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lobster trap, line, or buoy.

218

379.407(5)(b)3.

3rd

Possession of 100 or more undersized spiny lobsters.

219

381.0041(11)(b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

220

440.10(1)(g)

2nd

Failure to obtain workers' compensation coverage.

221

440.105(5)

2nd

Unlawful solicitation for the purpose of making workers' compensation claims.

222

440.381(2)

2nd

Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

223

624.401(4)(b)2.

2nd

Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

224

626.902(1)(c)

2nd

Representing an unauthorized insurer; repeat offender.

225

790.01(2)

3rd

Carrying a concealed firearm.

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790.162	2nd	Threat to throw or discharge destructive device.
790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

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- 812.0145 (2) (b)                      2nd      Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
- 812.015 (8)                              3rd      Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
- 812.019 (1)                              2nd      Stolen property; dealing in or trafficking in.
- 812.131 (2) (b)                        3rd      Robbery by sudden snatching.
- 812.16 (2)                                3rd      Owning, operating, or conducting a chop shop.
- 817.034 (4) (a) 2.                      2nd      Communications fraud, value \$20,000 to \$50,000.
- 817.234 (11) (b)                        2nd      Insurance fraud; property value \$20,000 or more but less than \$100,000.
- 817.2341 (1),  
    (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.

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	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
243	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
244	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
245	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
246	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child.
247	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a

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child.

248

839.13 (2) (b)

2nd

Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.

249

843.01

3rd

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

250

847.0135 (5) (b)

2nd

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

251

847.0137  
(2) & (3)

3rd

Transmission of pornography by electronic device or equipment.

252

847.0138  
(2) & (3)

3rd

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

253

874.05 (1) (b)

2nd

Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

254

874.05 (2) (a)

2nd

Encouraging or recruiting person under 13 years of age to join a criminal gang.

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255

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).

256

893.13(1)(c)2.                    2nd     Sell or ~~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 or ~~school,~~ or within 250 feet of a state, county, or municipal park or publicly owned recreational facility or community center.

257

893.13(1)(d)1.                    1st     Sell or ~~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 250 ~~1,000~~ feet of university.

258

893.13(1)(e)2.                    2nd     Sell or ~~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.,

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(2) (c) 9., (3), or (4) within 1,000 feet of property used for religious services or within 250 feet of a specified business site.

259

893.13 (1) (f) 1.	1st	Sell <u>or</u> , manufacture, <del>or deliver</del> cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), or (2) (a), (2) (b), or (2) (c) 4. drugs) within <u>250</u> <del>1,000</del> feet of public housing facility.
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893.13 (4) (b)	2nd	Use or hire of minor; deliver to minor other controlled substance.
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261

893.1351 (1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
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262

(g) LEVEL 7

264

Florida Statute	Felony Degree	Description
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265

316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
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266

316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
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267

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.

268

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

269

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

270

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

271

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

272

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

273

456.065 (2) 2nd Practicing a health care

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profession without a license which  
results in serious bodily injury.

274

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

275

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

276

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

277

461.012(1) 3rd Practicing podiatric medicine  
without a license.

278

462.17 3rd Practicing naturopathy without a  
license.

279

463.015(1) 3rd Practicing optometry without a  
license.

280

464.016(1) 3rd Practicing nursing without a  
license.

281

465.015(2) 3rd Practicing pharmacy without a  
license.

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466.026(1) 3rd Practicing dentistry or dental  
hygiene without a license.

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467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901 (7)	3rd	Practicing medical physics without a license.
484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
484.053	3rd	Dispensing hearing aids without a license.
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.
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.

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

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	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
298	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
299	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
300	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
301	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.
302	784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
303	784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
304	784.048 (7)	3rd	Aggravated stalking; violation of court order.

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- 784.07 (2) (d) 1st Aggravated battery on law enforcement officer.
- 784.074 (1) (a) 1st Aggravated battery on sexually violent predators facility staff.
- 784.08 (2) (a) 1st Aggravated battery on a person 65 years of age or older.
- 784.081 (1) 1st Aggravated battery on specified official or employee.
- 784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.
- 784.083 (1) 1st Aggravated battery on code inspector.
- 787.06 (3) (a) 2. 1st Human trafficking using coercion for labor and services of an adult.
- 787.06 (3) (e) 2. 1st Human trafficking using coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.

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313

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

314

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

315

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

316

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

317

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

318

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

319

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

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in s. 874.04.

320

794.08 (4) 3rd Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.

321

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

322

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

323

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

324

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.

325

800.04 (5) (e) 1st Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.



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- 806.01 (2) 2nd Maliciously damage structure by fire or explosive.
- 810.02 (3) (a) 2nd Burglary of occupied dwelling; unarmed; no assault or battery.
- 810.02 (3) (b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.
- 810.02 (3) (d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.
- 810.02 (3) (e) 2nd Burglary of authorized emergency vehicle.
- 812.014 (2) (a) 1. 1st Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other 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.
- 812.014 (2) (b) 3. 2nd Property stolen, emergency medical equipment; 2nd degree grand theft.

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- 812.014 (2) (b) 4.                    2nd    Property stolen, law enforcement equipment from authorized emergency vehicle.
- 812.0145 (2) (a)                    1st    Theft from person 65 years of age or older; \$50,000 or more.
- 812.019 (2)                            1st    Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
- 812.131 (2) (a)                    2nd    Robbery by sudden snatching.
- 812.133 (2) (b)                    1st    Carjacking; no firearm, deadly weapon, or other weapon.
- 817.034 (4) (a) 1.                    1st    Communications fraud, value greater than \$50,000.
- 817.234 (8) (a)                    2nd    Solicitation of motor vehicle accident victims with intent to defraud.
- 817.234 (9)                            2nd    Organizing, planning, or participating in an intentional motor vehicle collision.

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343

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

344

817.2341 1st Making false entries of material  
(2) (b) & (3) (b) 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.

345

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

346

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

347

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

348

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.

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

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disfigurement.

349

827.04 (3)

3rd

Impregnation of a child under 16 years of age by person 21 years of age or older.

350

837.05 (2)

3rd

Giving false information about alleged capital felony to a law enforcement officer.

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838.015

2nd

Bribery.

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838.016

2nd

Unlawful compensation or reward for official behavior.

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838.021 (3) (a)

2nd

Unlawful harm to a public servant.

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838.22

2nd

Bid tampering.

355

843.0855 (2)

3rd

Impersonation of a public officer or employee.

356

843.0855 (3)

3rd

Unlawful simulation of legal process.

357

843.0855 (4)

3rd

Intimidation of a public officer or employee.

358

847.0135 (3)

3rd

Solicitation of a child, via a

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computer service, to commit an  
unlawful sex act.

359

847.0135 (4) 2nd Traveling to meet a minor to  
commit an unlawful sex act.

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872.06 2nd Abuse of a dead human body.

361

874.05 (2) (b) 1st Encouraging or recruiting person  
under 13 to join a criminal gang;  
second or subsequent offense.

362

874.10 1st,PBL Knowingly initiates, organizes,  
plans, finances, directs, manages,  
or supervises criminal gang-  
related activity.

363

893.13 (1) (c) 1. 1st Sell or 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 or school, or  
within 250 feet of a state,  
county, or municipal park or  
publicly owned recreational  
facility or community center.

364

893.13 (1) (e) 1. 1st Sell or manufacture, ~~or deliver~~

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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 within 250 feet of a specified business site.

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- 893.13(4)(a) 1st Use or hire of minor; deliver to minor other controlled substance.
- 893.135(1)(a)1. 1st Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.
- 893.135(1)(b)1.a. 1st Trafficking in cocaine, more than 28 grams, less than 200 grams.
- 893.135(1)(c)1.a. 1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
- 893.135(1)(c)2.a. 1st Trafficking in hydrocodone, 14 grams or more, less than 28 grams.
- 893.135(1)(c)2.b. 1st Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
- 893.135(1)(c)3.a. 1st Trafficking in oxycodone, 7 grams or more, less than 14 grams.

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373 893.135 1st Trafficking in oxycodone, 14 grams  
(1) (c) 3.b. or more, less than 25 grams.

374 893.135 1st Trafficking in fentanyl, 4 grams  
(1) (c) 4.b. (I) or more, less than 14 grams.

375 893.135 1st Trafficking in phencyclidine, 28  
(1) (d) 1.a. grams or more, less than 200  
grams.

376 893.135 (1) (e) 1. 1st Trafficking in methaqualone, 200  
grams or more, less than 5  
kilograms.

377 893.135 (1) (f) 1. 1st Trafficking in amphetamine, 14  
grams or more, less than 28 grams.

378 893.135 1st Trafficking in flunitrazepam, 4  
(1) (g) 1.a. grams or more, less than 14 grams.

379 893.135 1st Trafficking in gamma-  
(1) (h) 1.a. hydroxybutyric acid (GHB), 1  
kilogram or more, less than 5  
kilograms.

380 893.135 1st Trafficking in 1,4-Butanediol, 1  
(1) (j) 1.a. kilogram or more, less than 5  
kilograms.

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381	893.135 (1) (k) 2.a.	1st	Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.
382	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
383	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
384	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
385	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
386	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.



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387

943.0435 (4) (c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting requirements.

388

943.0435 (8) 2nd Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.

389

943.0435 (9) (a) 3rd Sexual offender; failure to comply with reporting requirements.

390

943.0435 (13) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

391

943.0435 (14) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

392

944.607 (9) 3rd Sexual offender; failure to comply with reporting requirements.

393

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

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394

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

395

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

396

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

397

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

398

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

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Section 3. This act shall take effect October 1, 2018.