

26 | products, or marijuana accessories to a consumer;
27 | specifying duties of the Division of Alcoholic
28 | Beverages, Marijuana, and Tobacco; providing for
29 | enforcement of regulatory provisions; authorizing
30 | agreements with other entities for certain enforcement
31 | activities; requiring an annual report; providing for
32 | licensing of marijuana establishments; providing for a
33 | licenses process; providing limits on the number of
34 | retail marijuana stores in localities based on
35 | population; providing standards for prospective
36 | licensees; providing restrictions on the location of
37 | marijuana establishments; prohibiting certain
38 | activities by marijuana establishments; providing
39 | procedures when a marijuana establishment's license
40 | expires; authorizing localities to prohibit one or
41 | more types of marijuana establishments through local
42 | ordinance; authorizing localities to specify an entity
43 | within the locality to be responsible for processing
44 | applications for a license to operate a marijuana
45 | establishment; providing for submission of
46 | applications to localities if the division has not
47 | issued establishment licenses by a specified date;
48 | specifying duties of the Attorney General concerning
49 | federal subpoenas; providing an exemption from
50 | specified provisions for marijuana research;

51 specifying that the chapter does not apply to employer
52 drug policies or operating under the influence laws;
53 specifying that the chapter does not allow persons
54 under 21 years of age to engage in activities
55 permitted therein; providing that the rights of
56 property owners are not affected; authorizing
57 rulemaking; specifying that conduct allowed by the
58 chapter may not be considered the basis for the
59 finding of a lack of good moral character as that term
60 is used in law; providing criminal penalties for
61 violations; providing for emergency rulemaking;
62 amending s. 500.03, F.S.; providing that marijuana
63 establishments that sell food containing marijuana are
64 considered food service establishments for the
65 purposes of specified regulations; creating s.
66 500.105, F.S.; specifying that food products
67 containing marijuana that are prepared in permitted
68 food establishments and sold by licensed retail
69 marijuana stores are not considered adulterated;
70 amending s. 562.13, F.S.; providing that it is
71 unlawful for marijuana establishments to employ
72 persons under 18 years of age; amending s. 569.0073,
73 F.S.; exempting licensed marijuana establishments from
74 specified provisions regulating the sale of pipes and
75 smoking devices; amending s. 893.03, F.S.; removing

76 | cannabis from the schedule of controlled substances;
 77 | amending ss. 893.13 and 893.135, F.S.; providing that
 78 | conduct authorized under chapter 566, F.S., is not
 79 | prohibited by specified controlled substance
 80 | prohibitions; removing restrictions of possession and
 81 | sale of cannabis; creating s. 893.13501, F.S.;
 82 | providing for retroactive effect of amendments to ss.
 83 | 893.03, 89.013, and 893.135, F.S., by this act;
 84 | providing for sentencing review for certain offenders;
 85 | requiring notice to certain offenders; providing
 86 | procedures for resentencing or release of offenders;
 87 | providing exceptions; amending s. 921.0022, F.S.;
 88 | conforming provisions to changes made by the act;
 89 | providing effective dates.

90 |

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

92 |

93 | Section 1. Paragraph (b) of subsection (2) of section
 94 | 20.165, Florida Statutes, is amended to read:

95 | 20.165 Department of Business and Professional
 96 | Regulation.—There is created a Department of Business and
 97 | Professional Regulation.

98 | (2) The following divisions of the Department of Business
 99 | and Professional Regulation are established:

100 | (b) Division of Alcoholic Beverages, Marijuana, and

101 Tobacco.

102 Section 2. Section 561.025, Florida Statutes, is amended
 103 to read:

104 561.025 Alcoholic Beverage, Marijuana, and Tobacco Trust
 105 Fund.—There is created within the State Treasury the Alcoholic
 106 Beverage, Marijuana, and Tobacco Trust Fund. All funds collected
 107 by the division under ss. 210.15, 210.40, or under s. 569.003
 108 and the Beverage Law with the exception of state funds collected
 109 pursuant to ss. 563.05, 564.06, and 565.12 shall be deposited in
 110 the State Treasury to the credit of the trust fund,
 111 notwithstanding any other provision of law to the contrary. In
 112 addition, funds collected by the division under chapter 566
 113 shall be deposited into the trust fund, except that funds from
 114 the excise tax in s. 566.012 shall be deposited as provided in
 115 s. 566.013. Moneys deposited to the credit of the trust fund
 116 shall be used to operate the division and to provide a
 117 proportionate share of the operation of the office of the
 118 secretary and the Division of Administration of the Department
 119 of Business and Professional Regulation; except that:

120 (1) The revenue transfer provisions of ss. 561.32 and
 121 561.342(1) and (2) shall continue in full force and effect, and
 122 the division shall cause such revenue to be returned to the
 123 municipality or county in the manner provided for in s. 561.32
 124 or s. 561.342(1) and (2). ~~;~~ ~~and~~

125 (2) Ten percent of the revenues derived from retail

126 tobacco products dealer permit fees collected under s. 569.003
127 shall be transferred to the Department of Education to provide
128 for teacher training and for research and evaluation to reduce
129 and prevent the use of tobacco products by children.

130 (3) Until January 1, 2030, an amount equal to 5 percent of
131 the revenues received by the division during the previous month
132 pursuant to the tax imposed by s. 566.012 shall be transferred
133 to the Department of Health to be used to provide grants for the
134 purpose of producing peer-reviewed research on the beneficial
135 uses and safety of marijuana.

136 Section 3. The Division of Law Revision is directed to
137 prepare a reviser's bill for the 2022 Regular Session of the
138 Legislature to:

139 (1) Redesignate the Division of Alcoholic Beverages and
140 Tobacco of the Department of Business and Professional
141 Regulation as the "Division of Alcoholic Beverages, Marijuana,
142 and Tobacco" and the Alcoholic Beverage and Tobacco Trust Fund
143 as the "Alcoholic Beverage, Marijuana, and Tobacco Trust Fund,"
144 respectively, wherever those terms appear in the Florida
145 Statutes.

146 (2) Correct any cross-references in the Florida Statutes
147 that need revision due to the changes made by this act.

148 Section 4. Chapter 566, Florida Statutes, consisting of
149 sections 566.031 through 566.043, is created to read:

150 CHAPTER 566

RECREATIONAL MARIJUANA

PART I

MARIJUANA REGULATION

566.031 Definitions.—As used in this part, the term:

(1) "Consumer" means a person 21 years of age or older who purchases marijuana or marijuana products for personal use by persons 21 years of age or older, but not for resale to others.

(2) "Department" has the same meaning as provided in s. 566.011.

(3) "Division" has the same meaning as provided in s. 566.011.

(4) "Licensee" means any individual, partnership, corporation, firm, association, or other legal entity holding a marijuana establishment license within the state.

(5) "Locality" means a municipality or, in reference to a location in the unorganized territory, the county in which that locality is located.

(6) "Marijuana" has the same meaning as provided in s. 566.011.

(7) "Marijuana accessories" means equipment, products, or materials of any kind that are used, intended, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing marijuana or for

176 ingesting, inhaling, or otherwise introducing marijuana into the
177 human body.

178 (8) "Marijuana cultivation facility" has the same meaning
179 as provided in s. 566.011.

180 (9) "Marijuana establishment" has the same meaning as
181 provided in s. 566.011.

182 (10) "Marijuana product manufacturing facility" has the
183 same meaning as provided in s. 566.011.

184 (11) "Marijuana testing facility" means an entity licensed
185 to analyze and certify the safety and potency of marijuana.

186 (12) "Minor" means a person under 21 years of age.

187 (13) "Retail marijuana store" has the same meaning as
188 provided in s. 566.011.

189 (14) "Seedling" means a marijuana plant that has no
190 flowers, is less than 12 inches in height, and is less than 12
191 inches in diameter.

192 566.032 Exemption from criminal and noncriminal penalties,
193 seizure, or forfeiture.—Notwithstanding chapter 893 or any other
194 provision of law, and except as provided in this part, the
195 actions specified in this part are legal under the laws of this
196 state and do not constitute a civil or criminal offense under
197 the laws of this state or the law of any political subdivision
198 within this state or serve as a basis for seizure or forfeiture
199 of assets under state law.

200 566.033 Personal use of marijuana.—

201 (1) A person who is 21 years of age or older may:
 202 (a) Use, possess, or transport marijuana accessories and
 203 up to 2.5 ounces of marijuana.
 204 (b) Transfer or furnish, without remuneration, up to 2.5
 205 ounces of marijuana and up to 6 seedlings to a person who is 21
 206 years of age or older.
 207 (c) Possess, grow, cultivate, process, or transport up to
 208 6 marijuana plants, including seedlings, and possess the
 209 marijuana produced by the marijuana plants on the premises where
 210 the plants were grown.
 211 (d) Purchase up to 2.5 ounces of marijuana, up to 6
 212 seedlings, and marijuana accessories from a retail marijuana
 213 store.
 214 (2) The following apply to the cultivation of marijuana
 215 for personal use by a person who is 21 years of age or older:
 216 (a) A person may cultivate up to 6 marijuana plants,
 217 including seedlings, at that person's place of residence, on
 218 property owned by that person, or on another person's property
 219 with permission of the owner of the other property.
 220 (b) A person who elects to cultivate marijuana shall take
 221 reasonable precautions to ensure the plants are secure from
 222 unauthorized access or access by a person under 21 years of age.
 223 Reasonable precautions include, but are not limited to,
 224 cultivating marijuana in a fully enclosed secure outdoor area,
 225 locked closet, or locked room inaccessible to persons under 21

226 years of age.

227 (3) A person may smoke or ingest marijuana in a nonpublic
 228 place, including, but not limited to, a private residence.

229 (a) This subsection does not permit a person to consume
 230 marijuana in a manner that endangers others.

231 (b) The prohibitions and limitations on smoking tobacco
 232 products in specified areas in part II of chapter 386 apply to
 233 marijuana.

234 (c) A person who smokes marijuana in a public place other
 235 than as governed by part II of chapter 386 commits a noncriminal
 236 violation subject to a civil penalty of \$100.

237 566.0331 False identification.—

238 (1) As used in this section, the term "minor" means a
 239 person who is under 21 years of age.

240 (2) A minor may not present or offer to a marijuana
 241 establishment or the marijuana establishment's agent or employee
 242 any written or oral evidence of age that is false, fraudulent,
 243 or not actually the minor's own for the purpose of:

244 (a) Ordering, purchasing, attempting to purchase, or
 245 otherwise procuring or attempting to procure marijuana; or

246 (b) Gaining access to marijuana.

247 (3) (a) A minor who violates subsection (2) commits:

248 1. For a first offense, a noncriminal violation subject to
 249 a civil penalty of at least \$200 and not more than \$400.

250 2. For a second offense, a noncriminal violation subject

251 to a civil penalty of at least \$300 and not more than \$600,
252 which may only be suspended as provided in paragraph (b).

253 3. For a third or subsequent offense, a noncriminal
254 violation subject to a civil penalty of \$600, which may only be
255 suspended as provided in paragraph (b).

256
257 When a minor is adjudged to have committed a first offense under
258 subsection (2), the judge shall inform that minor that the
259 noncriminal penalties for the second and subsequent offenses are
260 mandatory and may only be suspended as provided in paragraph
261 (b). Failure to inform the minor that subsequent noncriminal
262 penalties are mandatory is not a ground for suspension of any
263 subsequent civil penalty.

264 (b) A judge, as an alternative to or in addition to the
265 noncriminal penalties specified in paragraph (a), may assign the
266 minor to perform specified work for the benefit of the state,
267 the municipality, or other public entity or a charitable
268 institution for no more than 40 hours for each violation.

269 566.034 Marijuana establishments.—

270 (1) A marijuana establishment may engage in the
271 manufacture, possession, or purchase of marijuana, marijuana
272 products, and marijuana accessories and sell marijuana,
273 marijuana products, or marijuana accessories to a consumer as
274 described in this subsection.

275 (a) A retail marijuana store may:

276 1. Possess, display, or transport marijuana, marijuana
277 products, or marijuana accessories.

278 2. Purchase marijuana from a marijuana cultivation
279 facility.

280 3. Purchase marijuana or marijuana products from a
281 marijuana product manufacturing facility.

282 4. Sell marijuana, marijuana products, or marijuana
283 accessories to consumers.

284 (b) A marijuana cultivation facility may:

285 1. Cultivate, harvest, process, package, transport,
286 display, or possess marijuana.

287 2. Deliver or transfer marijuana to a marijuana testing
288 facility.

289 3. Sell marijuana to another marijuana cultivation
290 facility, a marijuana product manufacturing facility, or a
291 retail marijuana store.

292 4. Purchase marijuana from another marijuana cultivation
293 facility.

294 (c) A marijuana product manufacturing facility may:

295 1. Package, process, transport, manufacture, display, or
296 possess marijuana or marijuana products.

297 2. Deliver or transfer marijuana or marijuana products to
298 a marijuana testing facility.

299 3. Sell marijuana or marijuana products to a retail
300 marijuana store or marijuana product manufacturing facility.

301 4. Purchase marijuana from a marijuana cultivation
302 facility.

303 5. Purchase marijuana or marijuana products from a
304 marijuana product manufacturing facility.

305 (d) A marijuana testing facility may possess, cultivate,
306 process, repackage, store, transport, display, transfer, or
307 deliver marijuana or marijuana products.

308
309 A marijuana establishment may lease or otherwise allow the use
310 of property owned, occupied, or controlled by a person,
311 corporation, or other entity for any of the activities conducted
312 lawfully in accordance with this subsection.

313 (2) This section does not prevent the imposition of
314 penalties for violating this chapter or state or local rules
315 adopted pursuant to this chapter.

316 566.035 Duties of the division.—The division shall:

317 (1) Enforce the laws and rules relating to the
318 manufacturing, processing, labeling, storing, transporting,
319 testing, and selling of marijuana by marijuana establishments
320 and administer those laws relating to licensing and the
321 collection of taxes.

322 (2) Adopt rules consistent with this chapter for the
323 administration and enforcement of laws regulating and licensing
324 marijuana establishments.

325 (3) If determined necessary by the division, enter into a

326 memorandum of understanding with the Department of Law
327 Enforcement, a county sheriff, or other state or municipal law
328 enforcement agency to perform inspections of marijuana
329 establishments.

330 (4) Issue marijuana cultivation facility, marijuana
331 testing facility, marijuana product manufacturing facility, and
332 retail marijuana store licenses.

333 (5) Prevent the sale of marijuana by licensees to minors
334 and intoxicated persons.

335 (6) Ensure that licensees have access to the provisions of
336 this chapter and other laws and rules governing marijuana in
337 accordance with this section.

338 (7) Post on the department's publicly accessible website
339 this chapter and all rules adopted under this chapter. The
340 division shall notify all licensees of changes in the law and
341 rules through a publicly accessible website posting within 90
342 days after adjournment of each session of the Legislature. The
343 division shall update the posting on the department's publicly
344 accessible website to reflect new laws and rules before the
345 effective date of the laws and rules.

346 (8) Certify monthly to the Chief Financial Officer a
347 complete statement of revenues and expenses for licenses issued
348 and for revenues collected by the division and submit an annual
349 report that includes a complete statement of the revenues and
350 expenses for the division to the Governor, the President of the

351 Senate, and the Speaker of the House of Representatives.

352 (9) Suspend or revoke the license of a licensee in
353 accordance with rules adopted by the division. A marijuana
354 establishment with a license that is suspended or revoked
355 pursuant to this subsection may:

356 (a) Continue to possess marijuana during the time its
357 license is suspended, but may not dispense, transfer, or sell
358 marijuana. If the marijuana establishment is a marijuana
359 cultivation facility, it may continue to cultivate marijuana
360 plants during the time its license is suspended. Marijuana may
361 not be removed from the licensed premises except as authorized
362 by the division and only for the purpose of destruction.

363 (b) Possess marijuana for up to 7 days after revocation of
364 its license, during which time the marijuana establishment shall
365 dispose of its inventory of marijuana in accordance with
366 division rules.

367 (10) Beginning January 15, 2023, and annually thereafter,
368 report to the committees of each house of the Legislature having
369 jurisdiction over marijuana regulation. The report must include,
370 but is not limited to, all rules adopted by the division and
371 statistics regarding the number of marijuana establishment
372 applications received, and licensed and the licensing fees
373 collected within the previous year.

374 566.036 Licensing of marijuana establishments.-

375 (1) An applicant for a marijuana establishment license

376 shall file an application in the form required by the division
377 for the type of marijuana establishment license sought. The
378 division shall begin accepting and processing applications by
379 August 1, 2022.

380 (2) Upon receiving an application for a marijuana
381 establishment license, the division shall immediately forward a
382 copy of the application and 50 percent of the license
383 application fee to the locality in which the applicant desires
384 to operate.

385 (3) The division shall issue or renew a license to operate
386 a marijuana establishment to an applicant who meets the
387 requirements of the division as set forth in rule and in
388 subsection (9) within 90 days after the date of receipt of the
389 application unless:

390 (a) The division finds the applicant is not in compliance
391 with this section or rules adopted by the division;

392 (b) The division is notified by the relevant locality that
393 the applicant is not in compliance with an ordinance, rule, or
394 regulation in effect at the time of application; or

395 (c) The number of marijuana establishments allowed in the
396 locality has been limited pursuant to s. 566.037 or is limited
397 by subsection (5) and the division has already licensed the
398 maximum number of marijuana establishments allowed in the
399 locality for the category of license that is sought.

400 (4) The following shall control when more than one

401 application is received by the division for establishment of a
402 marijuana establishment in the same locality:

403 (a) If a greater number of applications are received from
404 qualified applicants to operate a marijuana establishment in a
405 locality than are allowed under the limits enacted by the
406 locality pursuant to s. 566.037 or pursuant to subsection (5),
407 the division shall solicit and consider input from the locality
408 regarding the locality's preference or preferences for
409 licensure. Within 90 days after the date that the first
410 application is received, the division shall issue the maximum
411 number of applicable licenses for each type of marijuana
412 establishment license application received.

413 (b) In a competitive application process to determine
414 which applicants will receive licenses for a marijuana
415 establishment, the division shall give preference to an
416 applicant who has at least 1 year of previous experience in
417 operating another business in this state in compliance with
418 state law.

419 (c) The division may not grant a license for a marijuana
420 establishment to a licensee who has already received a license
421 to operate the same type of marijuana establishment if doing so
422 would prevent another qualified applicant from receiving a
423 license.

424 (5) Unless the locality has prohibited retail marijuana
425 stores or has enacted a lower limit on the number of retail

426 marijuana stores, the division shall license no more than:

427 (a) One retail marijuana store per each 5,000 persons in a
428 locality with a population over 20,000.

429 (b) Two retail marijuana stores in a locality with a
430 population of at least 5,001 but less than 20,000.

431 (c) One retail marijuana store in a locality with a
432 population of at least 2,000 but less than 5,001.

433

434 The division may license one retail marijuana store in a
435 locality where the population is less than 2,000 if the
436 municipality or county commissioners for the locality has not
437 prohibited retail marijuana stores. The division may grant a
438 locality's request to allow additional marijuana stores. The
439 division may consider the impact of seasonal population or
440 tourism and other related information provided by the locality
441 requesting an additional marijuana establishment location.

442 (6) Upon denial of an application, the division shall
443 notify the applicant in writing of the specific reason for its
444 denial.

445 (7) All licenses under this part are valid for 1 year from
446 the date of issuance.

447 (8) A prospective licensee as a marijuana establishment:

448 (a) May not have been convicted of a disqualifying drug
449 offense. For purposes of this section, "disqualifying drug
450 offense" means a conviction for a violation of a state or

451 federal controlled substance law that is a crime punishable by
452 imprisonment for 1 year or more. It does not include an offense
453 for which the sentence, including any term of probation,
454 incarceration, or supervised release, was completed 10 or more
455 years before application for licensure or an offense that
456 consisted of conduct that would be permitted under this part.

457 (b) May not have had a previous license revoked for a
458 marijuana establishment.

459 (c) If the applicant is a corporation, may not be issued a
460 license if any of the principal officers of the corporation
461 would be personally ineligible under paragraph (a) or paragraph
462 (b).

463 (9) A marijuana establishment:

464 (a) May not be located within 500 feet of the property
465 line of a preexisting public or private school. The distance
466 must be measured from the main entrance of the marijuana
467 establishment to the main entrance of the school by the ordinary
468 course of travel.

469 (b) Shall implement appropriate security measures,
470 consistent with rules issued by the division, that are designed
471 to prevent:

472 1. Unauthorized entrance into areas containing marijuana.

473 2. The theft of marijuana located on the premises or in
474 transit to or from the premises by the licensee.

475 3. Tampering with or adulteration of the marijuana

476 products.

477 4. Unauthorized access to marijuana or marijuana
478 accessories.

479 5. Access to marijuana by or sales of marijuana to minors.

480 (c) Shall prepare and maintain documents that include
481 procedures for the oversight of all aspects of operations and
482 procedures to ensure accurate record keeping.

483 (d) Shall make available for inspection its license at the
484 premises to which that license applies. A licensee may not
485 refuse a representative of the division the right at any time to
486 inspect the entire licensed premises or to audit the books and
487 records of the licensee.

488 (e) May not sell marijuana to a person under 21 years of
489 age or to a visibly intoxicated person.

490 (f) If the licensee is a retail marijuana store, it may
491 not allow a minor to enter or remain on the premises unless the
492 minor is an employee of the division, a law enforcement officer,
493 emergency personnel, or a contractor performing work on the
494 facility that is not directly related to marijuana, such as
495 installing or maintaining security devices or performing
496 electrical wiring.

497 (g) May not sell marijuana between the hours of 1 a.m. and
498 6 a.m.

499 (h) May not employ as a manager or leave in charge of the
500 licensed premises any person who, by reason of conviction for a

501 disqualifying drug offense or because of a revocation of that
502 person's marijuana establishment license, is not eligible for a
503 marijuana establishment license.

504 (i) If a retail marijuana store, may not offer any free
505 merchandise, a rebate, or a gift to a consumer.

506 (j) If a retail marijuana store, may only sell or furnish
507 marijuana to a consumer from the premises licensed by the
508 department. A retail marijuana store may not, either directly or
509 indirectly, by any agent or employee, travel from locality to
510 locality, or from place to place within the same locality,
511 selling, bartering, carrying for sale, or exposing for sale
512 marijuana from a vehicle.

513 (10) A person who intentionally provides false information
514 on an application for a marijuana establishment license violates
515 s. 837.06.

516 (11) When a licensee's license expires:

517 (a) A licensee who unintentionally fails to renew a
518 license upon its expiration date and continues to engage in
519 activities allowed by s. 566.034 may not be charged with illegal
520 sales for a period of 7 days after the expiration date. A
521 licensee who continues to make sales of marijuana after having
522 been properly notified of the expired license may be charged
523 with illegally selling marijuana.

524 (b) At least 30 days before expiration of a licensee's
525 license issued pursuant to this part, the division shall notify

526 the licensee by the most expedient means available:

527 1. That the licensee's license is scheduled to expire.

528 2. The date of expiration.

529 3. That all sales of marijuana must be suspended after the
530 date of expiration and remain suspended until the license is
531 properly renewed.

532

533 Failure by the division to notify a licensee pursuant to this
534 paragraph does not excuse a licensee from being charged with a
535 violation of this part.

536 566.037 Local control.—

537 (1) A locality may prohibit the operation of one or more
538 types of marijuana establishments through the enactment of an
539 ordinance.

540 (2) If a locality does not prohibit the operation of a
541 marijuana establishment pursuant to subsection (1), the
542 following apply:

543 (a) No later than September 1, 2022, a locality may enact
544 an ordinance or regulation specifying the entity within the
545 locality that is responsible for processing applications
546 submitted for a licensee to operate a marijuana establishment
547 within the boundaries of the locality. The locality may provide
548 that the entity may issue such licenses if issuance by the
549 locality becomes necessary because of a failure by the division
550 to adopt rules pursuant to s. 566.035 or because of a failure by

551 the division to process and issue licenses as required by s.
552 566.036.

553 (b) A locality may enact ordinances, rules, or regulations
554 pursuant to this paragraph as long as those ordinances, rules,
555 or regulations do not conflict with this section or with rules
556 issued pursuant to s. 566.035. The ordinances may:

557 1. Govern the time, place, and manner of operations and
558 number of marijuana establishments.

559 2. Establish procedures for the issuance, suspension, and
560 revocation of a license issued by the locality in accordance
561 with paragraph (c) or paragraph (d).

562 3. Establish a schedule of annual operating, licensing,
563 and application fees for a marijuana establishment. This
564 subparagraph applies only if the application fee or licensing
565 fee is submitted to a locality in accordance with paragraph (c)
566 or paragraph (d).

567 4. Establish noncriminal penalties for violation of an
568 ordinance, rule, or regulation governing the time, place, and
569 manner that a marijuana establishment may operate in that
570 locality.

571 (c) If the division does not begin issuing licenses by
572 January 1, 2023, an applicant may submit an application directly
573 to the locality in which it wants to operate. A locality that
574 receives an application pursuant to this paragraph shall issue a
575 license to an applicant within 90 days after receipt of the

576 application unless the locality finds, and notifies the
577 applicant, that the applicant is not in compliance with an
578 ordinance, rule, or regulation made pursuant to s. 566.035 or
579 paragraph (b) in effect at the time of application. The locality
580 shall notify the division if the locality issues an annual
581 license to the applicant.

582 (d) If the division does not issue a license to an
583 applicant within 90 days after receipt of the application filed
584 in accordance with s. 566.036 and does not notify the applicant
585 of the specific reason for denial, in writing and within 90 days
586 after receipt of the application, the applicant may resubmit its
587 application directly to the locality and the locality may issue
588 an annual license to the applicant. A locality issuing a license
589 to an applicant shall do so within 90 days after receipt of the
590 resubmitted application unless the locality finds, and notifies
591 the applicant, that the applicant is not in compliance with an
592 ordinance, rule, or regulation made pursuant to s. 566.035 or
593 paragraph (b) in effect at the time the application is
594 resubmitted. The locality shall notify the division if the
595 locality issues an annual license to the applicant.

596 (e) A license issued by a locality in accordance with
597 paragraph (c) or paragraph (d) has the same effect as a license
598 issued by the division in accordance with s. 566.036 and the
599 holder of that license is not subject to regulation or
600 enforcement by the division during the term of that license. A

601 subsequent or renewed license may be issued under this paragraph
602 on an annual basis if the division has not adopted rules
603 required by s. 566.035 at least 90 days before the date upon
604 which such subsequent or renewed license would be effective, or
605 if the division has adopted rules pursuant to 566.041 but has
606 not, at least 90 days after the adoption of those rules, issued
607 any marijuana establishment licenses pursuant to s. 566.036.

608 566.038 Defense of state law.—The Attorney General shall
609 to the best of the abilities of the office and in good faith
610 advocate to quash any federal subpoena for records involving
611 marijuana establishments.

612 566.039 Research.—Notwithstanding the provisions of this
613 part regulating the distribution of marijuana, a scientific or
614 medical researcher who has previously published peer-reviewed
615 research may purchase, possess, and securely store marijuana for
616 purposes of conducting research. A scientific or medical
617 researcher may administer and distribute marijuana to a
618 participant in research who is at least 21 years of age after
619 receiving informed consent from that participant.

620 566.040 Construction.—

621 (1) EMPLOYMENT POLICIES.—This chapter does not require an
622 employer to permit or accommodate the use, consumption,
623 possession, transfer, display, transportation, sale, or growing
624 of marijuana in the workplace or to affect the ability of
625 employers to have policies restricting the use of marijuana by

626 their employees.

627 (2) OPERATING UNDER THE INFLUENCE.—This chapter does not
628 exempt a person from the laws prohibiting operating under the
629 influence under chapter 316 or chapter 327.

630 (3) TRANSFER TO MINOR.—This chapter does not permit the
631 transfer of marijuana, with or without remuneration, to a minor
632 or to allow a minor to purchase, possess, use, transport, grow,
633 or consume marijuana.

634 (4) RESTRICTION ON USE OF PROPERTY.—This chapter does not
635 prohibit a person, employer, school, hospital, detention
636 facility, corporation, or other entity that occupies, owns, or
637 controls real property from prohibiting or otherwise regulating
638 the possession, consumption, use, display, transfer,
639 distribution, sale, transportation, or growing of marijuana on
640 or in that real property.

641 (5) COMPASSIONATE USE OF LOW-THC CANNABIS.—This chapter
642 does not apply to the compassionate use of low-THC cannabis
643 under s. 381.986.

644 566.041 Rulemaking.—The division shall adopt any rules
645 necessary to administer and enforce the provisions of this
646 chapter.

647 566.042 Good moral character.—Engaging in conduct allowed
648 by this chapter may not be the basis for a finding of a lack of
649 good moral character as that term is used in the Florida
650 Statutes.

651 566.043 Penalties for violations.-It is unlawful for any
652 person to violate any provision of the this chapter, and any
653 person who violates any provision of the this chapter for which
654 no penalty has been provided commits misdemeanor of the second
655 degree, punishable as provided in s. 775.082 or s. 775.083;
656 provided, that any person who shall have been convicted of a
657 violation of any provision of this chapter and shall thereafter
658 be convicted of a second or subsequent violation, commits a
659 felony of the third degree, punishable as provided in s.
660 775.082, s. 775.083, or s. 775.084.

661 Section 5. Section 566.037, Florida Statutes, as created by
662 this act, which relates to local control, shall take effect upon
663 this act becoming a law.

664 Section 6. Rulemaking.-This section shall take effect upon
665 this act becoming a law.

666 (1) By June 1, 2022, the Division of Alcoholic Beverages,
667 Marijuana, and Tobacco of the Department of Business and
668 Professional Regulation shall adopt emergency rules for the
669 administration and the enforcement of laws regulating and
670 licensing marijuana establishments pursuant to part II of
671 chapter 566, Florida Statutes, as created by this act. These
672 rules must be developed by the division and may not be
673 contracted out to an entity outside the division. These rules
674 may not prohibit the operation of marijuana establishments,
675 either expressly or through restrictions that make the operation

676 of marijuana establishments unreasonably impracticable. As used
677 in this section, "unreasonably impracticable" means that the
678 measures necessary to comply with the rules require such a high
679 investment of risk, money, time, or other resource or asset that
680 the operation of a marijuana establishment is not worthy of
681 being carried out in practice by a reasonably prudent
682 businessperson.

683 (2) Rules adopted pursuant to this section must include:

684 (a) Provisions for administering and enforcing part II of
685 chapter 566, Florida Statutes, including oversight requirements
686 and noncriminal penalties for violations.

687 (b) The form and content of applications for each type of
688 marijuana establishment license, and registration renewal forms.

689 (c) Procedures allowing an applicant who has been denied a
690 license due to failure to meet the requirements for licensing to
691 correct the reason for failure.

692 (d) Procedures and timelines for background checks and
693 appeals.

694 (e) Rules governing the transfer of a license, which must
695 be substantially the same as rules governing the transfer of a
696 beverage license under chapter 561, Florida Statutes.

697 (f) Minimum standards for employment, including
698 requirements for background checks, restrictions against hiring
699 persons under 21 years of age, and safeguards to protect against
700 unauthorized employee access to marijuana.

701 (g) Minimum recordkeeping requirements, including the
702 recording of the disposal of marijuana that is not sold. Rules
703 developed pursuant to this subsection may not require a consumer
704 to provide a retail marijuana store with personal information
705 other than government-issued identification to determine the
706 consumer's age or require the retail marijuana store to acquire
707 and record personal information about its consumers.

708 (h) Health and safety rules and standards for the
709 manufacture of marijuana products and the cultivation of
710 marijuana.

711 (i) Labeling requirements for marijuana and marijuana
712 products sold or distributed by a marijuana establishment.

713 (j) Restrictions on the advertising, signage, and display
714 of marijuana and marijuana products.

715 (k) Minimum security requirements, including standards to
716 reasonably protect against unauthorized access to marijuana at
717 all stages of the licensee's possession, transportation,
718 storage, and cultivation of marijuana; these security
719 requirements may not prohibit outdoor cultivation in an
720 enclosed, secured space.

721 (l) Procedures for enforcing s. 566.036(9) and (10),
722 Florida Statutes, including noncriminal penalties for
723 violations, procedures for suspending or terminating the license
724 of a licensee who violates licensing provisions or the rules
725 adopted pursuant to this section, and procedures for appeals of

726 penalties or licensing actions.

727 (m) Any other oversight requirements that the division
 728 determines are necessary to administer the laws relating to
 729 licensing marijuana establishments.

730 (3) Rules adopted pursuant to this section may not
 731 prohibit a locality, as defined in s. 566.031, Florida Statutes,
 732 from limiting the number of each type of licensee who may
 733 operate in the locality or from enacting reasonable regulations
 734 applicable to licensees.

735 Section 7. Paragraph (p) of subsection (1) of section
 736 500.03, Florida Statutes, is amended to read:

737 500.03 Definitions; construction; applicability.—

738 (1) For the purpose of this chapter, the term:

739 (p) "Food establishment" means a factory, food outlet, or
 740 other facility manufacturing, processing, packing, holding, or
 741 preparing food or selling food at wholesale or retail. The term
 742 does not include a business or activity that is regulated under
 743 s. 413.051, s. 500.80, chapter 509, or chapter 601. The term
 744 includes a retail marijuana store that sells food containing
 745 marijuana pursuant to chapter 566. The term includes tomato
 746 packinghouses and repackers but does not include any other
 747 establishments that pack fruits and vegetables in their raw or
 748 natural states, including those fruits or vegetables that are
 749 washed, colored, or otherwise treated in their unpeeled, natural
 750 form before they are marketed.

751 Section 8. Section 500.105, Florida Statutes, is created
752 to read:

753 500.105 Retail marijuana store food products containing
754 marijuana.—Food products containing marijuana that are prepared
755 in a food establishment that holds a permit under s. 500.12, if
756 required, and that are sold by a retail marijuana store licensed
757 under chapter 566 are not considered adulterated under this
758 chapter due to the presence of marijuana.

759 Section 9. Subsection (1) of section 562.13, Florida
760 Statutes, is amended to read:

761 562.13 Employment of minors or certain other persons by
762 certain vendors prohibited; exceptions.—

763 (1) Unless otherwise provided in this section, it is
764 unlawful for any vendor licensed under the Beverage Law or a
765 licensee under chapter 566 to employ any person under 18 years
766 of age.

767 Section 10. Subsection (1) of section 569.0073, Florida
768 Statutes, is amended to read:

769 569.0073 Special provisions; smoking pipes and smoking
770 devices.—

771 (1) It is unlawful for any person to offer for sale at
772 retail any of the items listed in subsection (2) unless such
773 person:

774 (a) Has a retail tobacco products dealer permit under s.
775 569.003 or is a marijuana establishment licensed under s.

776 566.036. The provisions of this chapter apply to any person that
777 offers for retail sale any of the items listed in subsection
778 (2); and

779 (b)1. Derives at least 75 percent of its annual gross
780 revenues from the retail sale of cigarettes, cigars, and other
781 tobacco products or marijuana products sold in compliance with
782 chapter 566; or

783 2. Derives no more than 25 percent of its annual gross
784 revenues from the retail sale of the items listed in subsection
785 (2).

786 Section 11. Paragraph (c) of subsection (1) of section
787 893.03, Florida Statutes, is amended to read:

788 893.03 Standards and schedules.—The substances enumerated
789 in this section are controlled by this chapter. The controlled
790 substances listed or to be listed in Schedules I, II, III, IV,
791 and V are included by whatever official, common, usual,
792 chemical, trade name, or class designated. The provisions of
793 this section shall not be construed to include within any of the
794 schedules contained in this section any excluded drugs listed
795 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
796 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical
797 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
798 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
799 Anabolic Steroid Products."

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

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

805 (c) Unless specifically excepted or unless listed in
 806 another schedule, any material, compound, mixture, or
 807 preparation that contains any quantity of the following
 808 hallucinogenic substances or that contains any of their salts,
 809 isomers, including optical, positional, or geometric isomers,
 810 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
 811 salts of isomers, homologues, nitrogen-heterocyclic analogs,
 812 esters, or ethers, if the existence of such salts, isomers, and
 813 salts of isomers is possible within the specific chemical
 814 designation or class description:

- 815 1. Alpha-Ethyltryptamine.
- 816 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-
 817 oxazoline).
- 818 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).
- 819 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 820 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
- 821 6. Bufotenine.
- 822 ~~7. Cannabis.~~
- 823 7.8. Cathinone.
- 824 8.9. DET (Diethyltryptamine).
- 825 9.10. 2,5-Dimethoxyamphetamine.

- 826 | ~~10.11.~~ DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
- 827 | ~~11.12.~~ DMT (Dimethyltryptamine).
- 828 | ~~12.13.~~ PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine
- 829 | analog of phencyclidine).
- 830 | ~~13.14.~~ JB-318 (N-Ethyl-3-piperidyl benzilate).
- 831 | ~~14.15.~~ N-Ethylamphetamine.
- 832 | ~~15.16.~~ Fenethylamine.
- 833 | ~~16.17.~~ 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 834 | ~~17.18.~~ Ibogaine.
- 835 | ~~18.19.~~ LSD (Lysergic acid diethylamide).
- 836 | ~~19.20.~~ Mescaline.
- 837 | ~~20.21.~~ Methcathinone.
- 838 | ~~21.22.~~ 5-Methoxy-3,4-methylenedioxyamphetamine.
- 839 | ~~22.23.~~ PMA (4-Methoxyamphetamine).
- 840 | ~~23.24.~~ PMMA (4-Methoxymethamphetamine).
- 841 | ~~24.25.~~ DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 842 | ~~25.26.~~ MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 843 | ~~26.27.~~ MDA (3,4-Methylenedioxyamphetamine).
- 844 | ~~27.28.~~ JB-336 (N-Methyl-3-piperidyl benzilate).
- 845 | ~~28.29.~~ N,N-Dimethylamphetamine.
- 846 | ~~29.30.~~ Parahexyl.
- 847 | ~~30.31.~~ Peyote.
- 848 | ~~31.32.~~ PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine)
- 849 | (Pyrrolidine analog of phencyclidine).
- 850 | ~~32.33.~~ Psilocybin.

851 33.34. Psilocyn.
 852 34.35. Salvia divinorum, except for any drug product
 853 approved by the United States Food and Drug Administration which
 854 contains Salvia divinorum or its isomers, esters, ethers, salts,
 855 and salts of isomers, esters, and ethers, if the existence of
 856 such isomers, esters, ethers, and salts is possible within the
 857 specific chemical designation.
 858 35.36. Salvinorin A, except for any drug product approved
 859 by the United States Food and Drug Administration which contains
 860 Salvinorin A or its isomers, esters, ethers, salts, and salts of
 861 isomers, esters, and ethers, if the existence of such isomers,
 862 esters, ethers, and salts is possible within the specific
 863 chemical designation.
 864 36.37. Xylazine.
 865 37.38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)
 866 (Thiophene analog of phencyclidine).
 867 38.39. 3,4,5-Trimethoxyamphetamine.
 868 39.40. Methylone (3,4-Methylenedioxymethcathinone).
 869 40.41. MDPV (3,4-Methylenedioxypyrovalerone).
 870 41.42. Methylenmethcathinone.
 871 42.43. Methoxymethcathinone.
 872 43.44. Fluoromethcathinone.
 873 44.45. Methylethcathinone.
 874 45.46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-
 875 methyloctan-2-yl)phenol) and its dimethyloctyl (C8) homologue.

- 876 ~~46.47.~~ HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-
- 877 3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
- 878 ol].
- 879 ~~47.48.~~ JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
- 880 ~~48.49.~~ JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
- 881 ~~49.50.~~ JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
- 882 naphthoyl)indole).
- 883 ~~50.51.~~ BZP (Benzylpiperazine).
- 884 ~~51.52.~~ Fluorophenylpiperazine.
- 885 ~~52.53.~~ Methylphenylpiperazine.
- 886 ~~53.54.~~ Chlorophenylpiperazine.
- 887 ~~54.55.~~ Methoxyphenylpiperazine.
- 888 ~~55.56.~~ DBZP (1,4-Dibenzylpiperazine).
- 889 ~~56.57.~~ TFMPP (Trifluoromethylphenylpiperazine).
- 890 ~~57.58.~~ MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 891 Methylenedioxy-N-methylbutanamine).
- 892 ~~58.59.~~ 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 893 ~~59.60.~~ 5-Hydroxy-N-methyltryptamine.
- 894 ~~60.61.~~ 5-MeO-MiPT (5-Methoxy-N-methyl-N-
- 895 isopropyltryptamine).
- 896 ~~61.62.~~ 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 897 ~~62.63.~~ Methyltryptamine.
- 898 ~~63.64.~~ 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 899 ~~64.65.~~ 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 900 ~~65.66.~~ Tyramine (4-Hydroxyphenethylamine).

- 901 ~~66.67.~~ 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 902 ~~67.68.~~ DiPT (N,N-Diisopropyltryptamine).
- 903 ~~68.69.~~ DPT (N,N-Dipropyltryptamine).
- 904 ~~69.70.~~ 4-Hydroxy-DiPT (4-Hydroxy-N,N-
- 905 diisopropyltryptamine).
- 906 ~~70.71.~~ 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 907 ~~71.72.~~ DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 908 ~~72.73.~~ DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 909 ~~73.74.~~ 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 910 ~~74.75.~~ 2C-T-4 (4-Isopropylthio-2,5-
- 911 dimethoxyphenethylamine).
- 912 ~~75.76.~~ 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 913 ~~76.77.~~ 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 914 ~~77.78.~~ 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 915 ~~78.79.~~ 2C-T-7 (4-(n)-Propylthio-2,5-
- 916 dimethoxyphenethylamine).
- 917 ~~79.80.~~ 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 918 ~~80.81.~~ Butylone (3,4-Methylenedioxy-alpha-
- 919 methylaminobutyrophenone).
- 920 ~~81.82.~~ Ethcathinone.
- 921 ~~82.83.~~ Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 922 ~~83.84.~~ Naphyrone (Naphthylpyrovalerone).
- 923 ~~84.85.~~ Dimethylone (3,4-Methylenedioxy-N,N-
- 924 dimethylcathinone).
- 925 ~~85.86.~~ 3,4-Methylenedioxy-N,N-diethylcathinone.

- 926 ~~86.87.~~ 3,4-Methylenedioxy-propiofenone.
- 927 ~~87.88.~~ 3,4-Methylenedioxy-alpha-bromopropiofenone.
- 928 ~~88.89.~~ 3,4-Methylenedioxy-propiofenone-2-oxime.
- 929 ~~89.90.~~ 3,4-Methylenedioxy-N-acetylcathinone.
- 930 ~~90.91.~~ 3,4-Methylenedioxy-N-acetylmethcathinone.
- 931 ~~91.92.~~ 3,4-Methylenedioxy-N-acetylethcathinone.
- 932 ~~92.93.~~ Bromomethcathinone.
- 933 ~~93.94.~~ Buphedrone (alpha-Methylamino-butyrophenone).
- 934 ~~94.95.~~ Eutylone (3,4-Methylenedioxy-alpha-
- 935 ethylaminobutyrophenone).
- 936 ~~95.96.~~ Dimethylcathinone.
- 937 ~~96.97.~~ Dimethylmethcathinone.
- 938 ~~97.98.~~ Pentylone (3,4-Methylenedioxy-alpha-
- 939 methylaminovalerophenone).
- 940 ~~98.99.~~ MDP PP (3,4-Methylenedioxy-alpha-
- 941 pyrrolidinopropiofenone).
- 942 ~~99.100.~~ MDPBP (3,4-Methylenedioxy-alpha-
- 943 pyrrolidinobutyrophenone).
- 944 ~~100.101.~~ MOPPP (Methoxy-alpha-pyrrolidinopropiofenone).
- 945 ~~101.102.~~ MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 946 ~~102.103.~~ BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
- 947 (Benocyclidine).
- 948 ~~103.104.~~ F-MABP (Fluoromethylaminobutyrophenone).
- 949 ~~104.105.~~ MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 950 ~~105.106.~~ Et-PBP (Ethylpyrrolidinobutyrophenone).

951 ~~106.107.~~ 3-Me-4-MeO-MCAT (3-Methyl-4-
 952 Methoxymethcathinone) .
 953 ~~107.108.~~ Me-EABP (Methylethylaminobutyrophenone) .
 954 ~~108.109.~~ Etizolam .
 955 ~~109.110.~~ PPP (Pyrrolidinopropiophenone) .
 956 ~~110.111.~~ PBP (Pyrrolidinobutyrophenone) .
 957 ~~111.112.~~ PVP (Pyrrolidinovalerophenone) or
 958 (Pyrrolidinopentiophenone) .
 959 ~~112.113.~~ MPPP (Methyl-alpha-pyrrolidinopropiophenone) .
 960 ~~113.114.~~ JWH-007 (1-Pentyl-2-methyl-3-(1-
 961 naphthoyl) indole) .
 962 ~~114.115.~~ JWH-015 (1-Propyl-2-methyl-3-(1-
 963 naphthoyl) indole) .
 964 ~~115.116.~~ JWH-019 (1-Hexyl-3-(1-naphthoyl) indole) .
 965 ~~116.117.~~ JWH-020 (1-Heptyl-3-(1-naphthoyl) indole) .
 966 ~~117.118.~~ JWH-072 (1-Propyl-3-(1-naphthoyl) indole) .
 967 ~~118.119.~~ JWH-081 (1-Pentyl-3-(4-methoxy-1-
 968 naphthoyl) indole) .
 969 ~~119.120.~~ JWH-122 (1-Pentyl-3-(4-methyl-1-
 970 naphthoyl) indole) .
 971 ~~120.121.~~ JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-
 972 methylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene) .
 973 ~~121.122.~~ JWH-175 (1-Pentyl-3-(1-naphthylmethyl) indole) .
 974 ~~122.123.~~ JWH-201 (1-Pentyl-3-(4-
 975 methoxyphenylacetyl) indole) .

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976 ~~123.124.~~ JWH-203 (1-Pentyl-3-(2-
977 chlorophenylacetyl)indole) .
978 ~~124.125.~~ JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole) .
979 ~~125.126.~~ JWH-250 (1-Pentyl-3-(2-
980 methoxyphenylacetyl)indole) .
981 ~~126.127.~~ JWH-251 (1-Pentyl-3-(2-
982 methylphenylacetyl)indole) .
983 ~~127.128.~~ JWH-302 (1-Pentyl-3-(3-
984 methoxyphenylacetyl)indole) .
985 ~~128.129.~~ JWH-398 (1-Pentyl-3-(4-chloro-1-
986 naphthoyl)indole) .
987 ~~129.130.~~ HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-
988 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
989 tetrahydrobenzo[c]chromen-1-ol) .
990 ~~130.131.~~ HU-308 ([(1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-
991 methyloctan-2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-
992 enyl] methanol) .
993 ~~131.132.~~ HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
994 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
995 1,4-dione) .
996 ~~132.133.~~ CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene) .
997 ~~133.134.~~ CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-
998 pentylphenoxy)-undecanamide) .
999 ~~134.135.~~ CB-52 (N-Cyclopropyl-11-(2-hexyl-5-
1000 hydroxyphenoxy)-undecanamide) .

- 1001 ~~135.136.~~ CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-
- 1002 (2-methyloctan-2-yl)phenol).
- 1003 ~~136.137.~~ AM-694 (1-(5-Fluoropentyl)-3-(2-
- 1004 iodobenzoyl)indole).
- 1005 ~~137.138.~~ AM-2201 (1-(5-Fluoropentyl)-3-(1-
- 1006 naphthoyl)indole).
- 1007 ~~138.139.~~ RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).
- 1008 ~~139.140.~~ RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
- 1009 methoxyphenylacetyl)indole).
- 1010 ~~140.141.~~ WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
- 1011 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
- 1012 naphthalenylmethanone).
- 1013 ~~141.142.~~ WIN55,212-3 ([(3S)-2,3-Dihydro-5-methyl-3-(4-
- 1014 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
- 1015 naphthalenylmethanone).
- 1016 ~~142.143.~~ Pentedrone (alpha-Methylaminovalerophenone).
- 1017 ~~143.144.~~ Fluoroamphetamine.
- 1018 ~~144.145.~~ Fluoromethamphetamine.
- 1019 ~~145.146.~~ Methoxetamine.
- 1020 ~~146.147.~~ Methiopropamine.
- 1021 ~~147.148.~~ Methylbuphedrone (Methyl-alpha-
- 1022 methylaminobutyrophenone).
- 1023 ~~148.149.~~ APB ((2-Aminopropyl)benzofuran).
- 1024 ~~149.150.~~ APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1025 ~~150.151.~~ UR-144 (1-Pentyl-3-(2,2,3,3-

1026 tetramethylcyclopropanoyl) indole) .

1027 151.152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-

1028 tetramethylcyclopropanoyl) indole) .

1029 152.153. Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-

1030 tetramethylcyclopropanoyl) indole) .

1031 153.154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-

1032 carboxamide) .

1033 154.155. AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-

1034 iodobenzoyl) indole) .

1035 155.156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl) indole-

1036 3-carboxamide) .

1037 156.157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-

1038 yl)-cyclohexylcarbamate) .

1039 157.158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,

1040 cyclohexyl ester) .

1041 158.159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-

1042 benzoxazin-4-one) .

1043 159.160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine) .

1044 160.161. 2C-H (2,5-Dimethoxyphenethylamine) .

1045 161.162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine) .

1046 162.163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine) .

1047 163.164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-

1048 methoxybenzyl)]phenethylamine) .

1049 164.165. MDMA (3,4-Methylenedioxymethamphetamine) .

1050 165.166. PB-22 (8-Quinoliny 1-pentylindole-3-

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1051 | carboxylate) .
1052 | ~~166.167.~~ Fluoro PB-22 (8-Quinoliny 1-
1053 | (fluoropentyl) indole-3-carboxylate) .
1054 | ~~167.168.~~ BB-22 (8-Quinoliny 1-(cyclohexylmethyl) indole-3-
1055 | carboxylate) .
1056 | ~~168.169.~~ Fluoro AKB48 (N-Adamant-1-yl 1-
1057 | (fluoropentyl) indazole-3-carboxamide) .
1058 | ~~169.170.~~ AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
1059 | 1-pentylindazole-3-carboxamide) .
1060 | ~~170.171.~~ AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
1061 | yl)-1-(4-fluorobenzyl) indazole-3-carboxamide) .
1062 | ~~171.172.~~ ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
1063 | yl)-1-pentylindazole-3-carboxamide) .
1064 | ~~172.173.~~ Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-
1065 | oxobutan-2-yl)-1-(fluoropentyl) indole-3-carboxamide) .
1066 | ~~173.174.~~ 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1067 | methoxybenzyl)]phenethylamine) .
1068 | ~~174.175.~~ 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1069 | methoxybenzyl)]phenethylamine) .
1070 | ~~175.176.~~ AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
1071 | yl)-1-(cyclohexylmethyl) indazole-3-carboxamide) .
1072 | ~~176.177.~~ FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl) indole-
1073 | 3-carboxylate) .
1074 | ~~177.178.~~ Fluoro-NNEI (N-Naphthalen-1-yl 1-
1075 | (fluoropentyl) indole-3-carboxamide) .

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1076 ~~178.179.~~ Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-
1077 yl)-1-(fluoropentyl)indazole-3-carboxamide) .
1078 ~~179.180.~~ THJ-2201 (1-(5-Fluoropentyl)-3-(1-
1079 naphthoyl)indazole) .
1080 ~~180.181.~~ AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-
1081 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol) .
1082 ~~181.182.~~ AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-
1083 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
1084 hexahydrobenzo[c]chromen-1-ol) .
1085 ~~182.183.~~ AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-
1086 (hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-
1087 hexahydrobenzo[c]chromen-1-ol) .
1088 ~~183.184.~~ AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-
1089 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9
1090 diol) .
1091 ~~184.185.~~ HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-
1092 dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-
1093 tetrahydro-6aH-benzo[c]chromen-1-ol) .
1094 ~~185.186.~~ HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-
1095 6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione) .
1096 ~~186.187.~~ MAPB ((2-Methylaminopropyl)benzofuran) .
1097 ~~187.188.~~ 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine) .
1098 ~~188.189.~~ 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine) .
1099 ~~189.190.~~ Synthetic Cannabinoids.—Unless specifically
1100 excepted or unless listed in another schedule or contained

1101 within a pharmaceutical product approved by the United States
1102 Food and Drug Administration, any material, compound, mixture,
1103 or preparation that contains any quantity of a synthetic
1104 cannabinoid found to be in any of the following chemical class
1105 descriptions, or homologues, nitrogen-heterocyclic analogs,
1106 isomers (including optical, positional, or geometric), esters,
1107 ethers, salts, and salts of homologues, nitrogen-heterocyclic
1108 analogs, isomers, esters, or ethers, whenever the existence of
1109 such homologues, nitrogen-heterocyclic analogs, isomers, esters,
1110 ethers, salts, and salts of isomers, esters, or ethers is
1111 possible within the specific chemical class or designation.
1112 Since nomenclature of these synthetically produced cannabinoids
1113 is not internationally standardized and may continually evolve,
1114 these structures or the compounds of these structures shall be
1115 included under this subparagraph, regardless of their specific
1116 numerical designation of atomic positions covered, if it can be
1117 determined through a recognized method of scientific testing or
1118 analysis that the substance contains properties that fit within
1119 one or more of the following categories:

1120 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols
1121 naturally contained in a plant of the genus Cannabis, the
1122 synthetic equivalents of the substances contained in the plant
1123 or in the resinous extracts of the genus Cannabis, or synthetic
1124 substances, derivatives, and their isomers with similar chemical
1125 structure and pharmacological activity, including, but not

1126 | limited to, Delta 9 tetrahydrocannabinols and their optical
1127 | isomers, Delta 8 tetrahydrocannabinols and their optical
1128 | isomers, Delta 6a,10a tetrahydrocannabinols and their optical
1129 | isomers, or any compound containing a tetrahydrobenzo[c]chromene
1130 | structure with substitution at either or both the 3-position or
1131 | 9-position, with or without substitution at the 1-position with
1132 | hydroxyl or alkoxy groups, including, but not limited to:

1133 | (I) Tetrahydrocannabinol.

1134 | (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
1135 | (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
1136 | ol).

1137 | (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
1138 | (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
1139 | ol).

1140 | (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
1141 | (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1142 | (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
1143 | 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1144 | (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
1145 | 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).

1146 | (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-
1147 | (2,3-dimethylpentan-2-yl)-6a,7,10,10a-
1148 | tetrahydrobenzo[c]chromene).

1149 | (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
1150 | 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).

- 1151 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
 1152 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
- 1153 (X) Parahexyl.
- 1154 b. Naphthoylindoles, Naphthoylindazoles,
 1155 Naphthoylcarbazoles, Naphthylmethylindoles,
 1156 Naphthylmethylindazoles, and Naphthylmethylcarbazoles.—Any
 1157 compound containing a naphthoylindole, naphthoylindazole,
 1158 naphthoylcarbazole, naphthylmethylindole,
 1159 naphthylmethylindazole, or naphthylmethylcarbazole structure,
 1160 with or without substitution on the indole, indazole, or
 1161 carbazole ring to any extent, whether or not substituted on the
 1162 naphthyl ring to any extent, including, but not limited to:
- 1163 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
 1164 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
 1165 naphthoyl)indole).
- 1166 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
 1167 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
 1168 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
 1169 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
 1170 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
 1171 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
 1172 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
 1173 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
 1174 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
 1175 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).

- 1176 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl) indole) .
 1177 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
 1178 naphthoyl) indole) .
 1179 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl) indole) .
 1180 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl) indole) .
 1181 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
 1182 naphthoyl) indole) .
 1183 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-
 1184 naphthoyl) indole) .
 1185 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl) indole) .
 1186 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl) indole) .
 1187 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl) indole) .
 1188 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
 1189 naphthylmethyl] indole) .
 1190 (XXIII) JWH-193 (1-[2-(4-Morpholinyl) ethyl]-3-(4-methyl-1-
 1191 naphthoyl) indole) .
 1192 (XXIV) JWH-198 (1-[2-(4-Morpholinyl) ethyl]-3-(4-methoxy-1-
 1193 naphthoyl) indole) .
 1194 (XXV) JWH-200 (1-[2-(4-Morpholinyl) ethyl]-3-(1-
 1195 naphthoyl) indole) .
 1196 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl) indole) .
 1197 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl) indole) .
 1198 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-
 1199 naphthoyl) indole) .
 1200 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl) indole) .

1201 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl) indole) .
 1202 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
 1203 naphthoyl) indole) .
 1204 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
 1205 naphthoyl) indole) .
 1206 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
 1207 naphthoyl) indole) .
 1208 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
 1209 naphthoyl) indole) .
 1210 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
 1211 naphthoyl) indole) .
 1212 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl) indole) .
 1213 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
 1214 naphthoyl) indazole) .
 1215 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
 1216 naphthoyl) indole) .
 1217 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
 1218 naphthoyl) indole) .
 1219 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl) carbazole) .
 1220 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-
 1221 naphthoyl) carbazole) .
 1222 c. Naphthoylpyrroles.—Any compound containing a
 1223 naphthoylpyrrole structure, with or without substitution on the
 1224 pyrrole ring to any extent, whether or not substituted on the
 1225 naphthyl ring to any extent, including, but not limited to:

- 1226 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).
- 1227 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl)pyrrole).
- 1228 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl)pyrrole).
- 1229 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl)pyrrole).
- 1230 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl)pyrrole).
- 1231 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-
- 1232 naphthoyl)pyrrole).
- 1233 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
- 1234 naphthoyl)pyrrole).
- 1235 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
- 1236 naphthoyl)pyrrole).
- 1237 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
- 1238 naphthoyl)pyrrole).
- 1239 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
- 1240 naphthoyl)pyrrole).

1241 d. Naphthylmethylenindenes.—Any compound containing a
 1242 naphthylmethylenindene structure, with or without substitution
 1243 at the 3-position of the indene ring to any extent, whether or
 1244 not substituted on the naphthyl ring to any extent, including,
 1245 but not limited to, JWH-176 (3-Pentyl-1-

1246 (naphthylmethylene)indene).

1247 e. Phenylacetylindoles and Phenylacetylidazoles.—Any
 1248 compound containing a phenylacetylindole or phenylacetylidazole
 1249 structure, with or without substitution on the indole or
 1250 indazole ring to any extent, whether or not substituted on the

1251 | phenyl ring to any extent, including, but not limited to:

1252 | (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).

1253 | (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).

1254 | (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).

1255 | (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).

1256 | (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).

1257 | (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).

1258 | (VII) Cannabipiperidiethanone.

1259 | (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-

1260 | methoxyphenylacetyl)indole).

1261 | f. Cyclohexylphenols.—Any compound containing a

1262 | cyclohexylphenol structure, with or without substitution at the

1263 | 5-position of the phenolic ring to any extent, whether or not

1264 | substituted on the cyclohexyl ring to any extent, including, but

1265 | not limited to:

1266 | (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-

1267 | yl)phenol).

1268 | (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)

1269 | homologue).

1270 | (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-

1271 | methyloctan-2-yl)phenol).

1272 | g. Benzoylindoles and Benzoylindazoles.—Any compound

1273 | containing a benzoylindole or benzoylindazole structure, with or

1274 | without substitution on the indole or indazole ring to any

1275 | extent, whether or not substituted on the phenyl ring to any

1276 | extent, including, but not limited to:

1277 | (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).

1278 | (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).

1279 | (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-

1280 | iodo-5-nitrobenzoyl)indole).

1281 | (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-

1282 | (4-methoxybenzoyl)indole).

1283 | (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-

1284 | iodobenzoyl)indole).

1285 | (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).

1286 | (VII) RCS-4 C4 homologue (1-Butyl-3-(4-

1287 | methoxybenzoyl)indole).

1288 | (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-

1289 | 3-(4-methoxybenzoyl)indole).

1290 | h. Tetramethylcyclopropanoylindoles and

1291 | Tetramethylcyclopropanoylindazoles.—Any compound containing a

1292 | tetramethylcyclopropanoylindole or

1293 | tetramethylcyclopropanoylindazole structure, with or without

1294 | substitution on the indole or indazole ring to any extent,

1295 | whether or not substituted on the tetramethylcyclopropyl group

1296 | to any extent, including, but not limited to:

1297 | (I) UR-144 (1-Pentyl-3-(2,2,3,3-

1298 | tetramethylcyclopropanoyl)indole).

1299 | (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-

1300 | tetramethylcyclopropanoyl)indole).

- 1301 (III) Chloro UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
- 1302 tetramethylcyclopropanoyl)indole).
- 1303 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-
- 1304 tetramethylcyclopropanoyl)indole).
- 1305 (V) A-834,735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-
- 1306 tetramethylcyclopropanoyl)indole).
- 1307 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-
- 1308 tetramethylcyclopropanoyl)indole).
- 1309 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-
- 1310 tetramethylcyclopropanoyl)indole).
- 1311 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-
- 1312 tetramethylcyclopropanoyl)indazole).
- 1313 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-
- 1314 tetramethylcyclopropanoyl)indole).
- 1315 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-
- 1316 tetramethylcyclopropanoyl)indole).
- 1317 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole
- 1318 carboxamides, and Adamantylindazole carboxamides.—Any compound
- 1319 containing an adamantoyl indole, adamantoyl indazole, adamantyl
- 1320 indole carboxamide, or adamantyl indazole carboxamide structure,
- 1321 with or without substitution on the indole or indazole ring to
- 1322 any extent, whether or not substituted on the adamantyl ring to
- 1323 any extent, including, but not limited to:
- 1324 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
- 1325 (II) Fluoro AKB48 (N-Adamant-1-yl 1-

1326 (fluoropentyl)indazole-3-carboxamide).

1327 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-

1328 carboxamide).

1329 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-

1330 adamantoyl)indole).

1331 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).

1332 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).

1333 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-

1334 adamantoyl)indole).

1335 j. Quinoliny lindolecarboxylates,

1336 Quinoliny lindazolecarboxylates, Quinoliny lindolecarboxamides,

1337 and Quinoliny lindazolecarboxamides.—Any compound containing a

1338 quinoliny lindole carboxylate, quinoliny lindazole carboxylate,

1339 isoquinoliny lindole carboxylate, isoquinoliny lindazole

1340 carboxylate, quinoliny lindole carboxamide, quinoliny lindazole

1341 carboxamide, isoquinoliny lindole carboxamide, or

1342 isoquinoliny lindazole carboxamide structure, with or without

1343 substitution on the indole or indazole ring to any extent,

1344 whether or not substituted on the quinoline or isoquinoline ring

1345 to any extent, including, but not limited to:

1346 (I) PB-22 (8-Quinoliny l 1-pentylindole-3-carboxylate).

1347 (II) Fluoro PB-22 (8-Quinoliny l 1-(fluoropentyl)indole-3-

1348 carboxylate).

1349 (III) BB-22 (8-Quinoliny l 1-(cyclohexylmethyl)indole-3-

1350 carboxylate).

- 1351 (IV) FUB-PB-22 (8-Quinoliny 1-(4-fluorobenzyl)indole-3-
 1352 carboxylate).
- 1353 (V) NPB-22 (8-Quinoliny 1-pentylindazole-3-carboxylate).
- 1354 (VI) Fluoro NPB-22 (8-Quinoliny 1-(fluoropentyl)indazole-
 1355 3-carboxylate).
- 1356 (VII) FUB-NPB-22 (8-Quinoliny 1-(4-fluorobenzyl)indazole-
 1357 3-carboxylate).
- 1358 (VIII) THJ (8-Quinoliny 1-pentylindazole-3-carboxamide).
- 1359 (IX) Fluoro THJ (8-Quinoliny 1-(fluoropentyl)indazole-3-
 1360 carboxamide).
- 1361 k. Naphthylindolecarboxylates and
 1362 Naphthylindazolecarboxylates.—Any compound containing a
 1363 naphthylindole carboxylate or naphthylindazole carboxylate
 1364 structure, with or without substitution on the indole or
 1365 indazole ring to any extent, whether or not substituted on the
 1366 naphthyl ring to any extent, including, but not limited to:
- 1367 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-
 1368 carboxylate).
- 1369 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-
 1370 carboxylate).
- 1371 (III) Fluoro SDB-005 (1-Naphthalenyl 1-
 1372 (fluoropentyl)indazole-3-carboxylate).
- 1373 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-
 1374 carboxylate).
- 1375 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-

1376 | carboxylate).

1377 | 1. Naphthylindole carboxamides and Naphthylindazole
1378 | carboxamides.—Any compound containing a naphthylindole
1379 | carboxamide or naphthylindazole carboxamide structure, with or
1380 | without substitution on the indole or indazole ring to any
1381 | extent, whether or not substituted on the naphthyl ring to any
1382 | extent, including, but not limited to:

1383 | (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).

1384 | (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-
1385 | (fluoropentyl)indole-3-carboxamide).

1386 | (III) Chloro-NNEI (N-Naphthalen-1-yl 1-
1387 | (chloropentyl)indole-3-carboxamide).

1388 | (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
1389 | carboxamide).

1390 | (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-
1391 | (fluoropentyl)indazole-3-carboxamide).

1392 | m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
1393 | indazole carboxamides, Alkylcarbonyl indole carboxylates, and
1394 | Alkylcarbonyl indazole carboxylates.—Any compound containing an
1395 | alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,
1396 | 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-
1397 | phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
1398 | indole carboxamide, indazole carboxamide, indole carboxylate, or
1399 | indazole carboxylate, with or without substitution on the indole
1400 | or indazole ring to any extent, whether or not substituted on

1401 the alkylcarbonyl group to any extent, including, but not
 1402 limited to:

1403 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
 1404 pentylindole-3-carboxamide).

1405 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
 1406 yl)-1-(fluoropentyl)indole-3-carboxamide).

1407 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
 1408 1-(fluoropentyl)indole-3-carboxamide).

1409 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 1410 pentylindazole-3-carboxamide).

1411 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-
 1412 yl)-1-(fluoropentyl)indazole-3-carboxamide).

1413 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
 1414 1-pentylindazole-3-carboxamide).

1415 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
 1416 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

1417 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
 1418 1-(4-fluorobenzyl)indazole-3-carboxamide).

1419 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
 1420 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1421 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 1422 (cyclohexylmethyl)indazole-3-carboxamide).

1423 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-
 1424 1-(cyclohexylmethyl)indazole-3-carboxamide).

1425 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

1426 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

1427 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-

1428 pentylindazole-3-carboxamide).

1429 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-

1430 1-(fluoropentyl)indazole-3-carboxamide).

1431 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-

1432 fluorobenzyl)indazole-3-carboxamide).

1433 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-

1434 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

1435 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-

1436 oxobutan-2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).

1437 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-

1438 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).

1439 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-

1440 fluoropentyl)indole-3-carboxamide).

1441 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-

1442 fluoropentyl)indazole-3-carboxamide).

1443 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-

1444 (cyclohexylmethyl)indazole-3-carboxamide).

1445 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-

1446 fluorobenzyl)indazole-3-carboxamide).

1447 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-

1448 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).

1449 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-

1450 Any compound containing a N-(2-phenylpropan-2-yl) indole

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1451 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide
1452 structure, with or without substitution on the indole or
1453 indazole ring to any extent, whether or not substituted on the
1454 phenyl ring of the cumyl group to any extent, including, but not
1455 limited to:

1456 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-
1457 carboxamide).

1458 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-
1459 (fluoropentyl)indole-3-carboxamide).

1460 o. Other Synthetic Cannabinoids.—Any material, compound,
1461 mixture, or preparation that contains any quantity of a
1462 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:

1463 (I) With or without modification or replacement of a
1464 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage
1465 between either two core rings, or linkage between a core ring
1466 and group structure, with or without the addition of a carbon or
1467 replacement of a carbon;

1468 (II) With or without replacement of a core ring or group
1469 structure, whether or not substituted on the ring or group
1470 structures to any extent; and

1471 (III) Is a cannabinoid receptor agonist, unless
1472 specifically excepted or unless listed in another schedule or
1473 contained within a pharmaceutical product approved by the United
1474 States Food and Drug Administration.

1475 190.191. Substituted Cathinones.—Unless specifically

1476 | excepted, listed in another schedule, or contained within a
1477 | pharmaceutical product approved by the United States Food and
1478 | Drug Administration, any material, compound, mixture, or
1479 | preparation, including its salts, isomers, esters, or ethers,
1480 | and salts of isomers, esters, or ethers, whenever the existence
1481 | of such salts is possible within any of the following specific
1482 | chemical designations:

1483 | a. Any compound containing a 2-amino-1-phenyl-1-propanone
1484 | structure;

1485 | b. Any compound containing a 2-amino-1-naphthyl-1-
1486 | propanone structure; or

1487 | c. Any compound containing a 2-amino-1-thiophenyl-1-
1488 | propanone structure,
1489 | whether or not the compound is further modified:

1490 | (I) With or without substitution on the ring system to any
1491 | extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
1492 | haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
1493 | dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
1494 | substituents;

1495 | (II) With or without substitution at the 3-propanone
1496 | position with an alkyl substituent or removal of the methyl
1497 | group at the 3-propanone position;

1498 | (III) With or without substitution at the 2-amino nitrogen
1499 | atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
1500 | not further substituted in the ring system; or

- 1501 (IV) With or without inclusion of the 2-amino nitrogen
 1502 atom in a cyclic structure, including, but not limited to:
 1503 (A) Methcathinone.
 1504 (B) Ethcathinone.
 1505 (C) Methylone (3,4-Methylenedioxy-methcathinone).
 1506 (D) 2,3-Methylenedioxy-methcathinone.
 1507 (E) MDPV (3,4-Methylenedioxy-pyrovalerone).
 1508 (F) Methylmethcathinone.
 1509 (G) Methoxymethcathinone.
 1510 (H) Fluoromethcathinone.
 1511 (I) Methylethcathinone.
 1512 (J) Butylone (3,4-Methylenedioxy-alpha-
 1513 methylaminobutyrophenone).
 1514 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
 1515 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
 1516 (M) Naphyrone (Naphthylpyrovalerone).
 1517 (N) Bromomethcathinone.
 1518 (O) Buphedrone (alpha-Methylaminobutyrophenone).
 1519 (P) Eutylone (3,4-Methylenedioxy-alpha-
 1520 ethylaminobutyrophenone).
 1521 (Q) Dimethylcathinone.
 1522 (R) Dimethylmethcathinone.
 1523 (S) Pentylone (3,4-Methylenedioxy-alpha-
 1524 methylaminovalerophenone).
 1525 (T) Pentedrone (alpha-Methylaminovalerophenone).

- 1526 (U) MDPPP (3,4-Methylenedioxy-alpha-
- 1527 pyrrolidinopropiophenone).
- 1528 (V) MDPBP (3,4-Methylenedioxy-alpha-
- 1529 pyrrolidinobutyrophenone).
- 1530 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 1531 (X) PPP (Pyrrolidinopropiophenone).
- 1532 (Y) PVP (Pyrrolidinovalerophenone) or
- 1533 (Pyrrolidinopentiophenone).
- 1534 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
- 1535 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
- 1536 (BB) F-MABP (Fluoromethylaminobutyrophenone).
- 1537 (CC) Me-EABP (Methylethylaminobutyrophenone).
- 1538 (DD) PBP (Pyrrolidinobutyrophenone).
- 1539 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
- 1540 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
- 1541 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
- 1542 (HH) Dimethylone (3,4-Methylenedioxy-N,N-
- 1543 dimethylcathinone).
- 1544 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
- 1545 (JJ) 3,4-Methylenedioxy-N-acetylcathinone.
- 1546 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
- 1547 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
- 1548 (MM) Methylbuphedrone (Methyl-alpha-
- 1549 methylaminobutyrophenone).
- 1550 (NN) Methyl-alpha-methylaminohexanophenone.

1551 (OO) N-Ethyl-N-methylcathinone.
 1552 (PP) PHP (Pyrrolidinohexanophenone).
 1553 (QQ) PV8 (Pyrrolidinoheptanophenone).
 1554 (RR) Chloromethcathinone.
 1555 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
 1556 191.192. Substituted Phenethylamines.—Unless specifically
 1557 excepted or unless listed in another schedule, or contained
 1558 within a pharmaceutical product approved by the United States
 1559 Food and Drug Administration, any material, compound, mixture,
 1560 or preparation, including its salts, isomers, esters, or ethers,
 1561 and salts of isomers, esters, or ethers, whenever the existence
 1562 of such salts is possible within any of the following specific
 1563 chemical designations, any compound containing a phenethylamine
 1564 structure, without a beta-keto group, and without a benzyl group
 1565 attached to the amine group, whether or not the compound is
 1566 further modified with or without substitution on the phenyl ring
 1567 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
 1568 halide, fused alkylenedioxy, fused furan, fused benzofuran,
 1569 fused dihydrofuran, or fused tetrahydropyran substituents,
 1570 whether or not further substituted on a ring to any extent, with
 1571 or without substitution at the alpha or beta position by any
 1572 alkyl substituent, with or without substitution at the nitrogen
 1573 atom, and with or without inclusion of the 2-amino nitrogen atom
 1574 in a cyclic structure, including, but not limited to:
 1575 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).

- 1576 | b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
- 1577 | c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
- 1578 | d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
- 1579 | e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
- 1580 | f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
- 1581 | g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
- 1582 | h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
- 1583 | i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
- 1584 | j. 2C-H (2,5-Dimethoxyphenethylamine).
- 1585 | k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
- 1586 | l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
- 1587 | m. MDMA (3,4-Methylenedioxyamphetamine).
- 1588 | n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-
- 1589 | Methylenedioxy-N-methylbutanamine).
- 1590 | o. MDA (3,4-Methylenedioxyamphetamine).
- 1591 | p. 2,5-Dimethoxyamphetamine.
- 1592 | q. Fluoroamphetamine.
- 1593 | r. Fluoromethamphetamine.
- 1594 | s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
- 1595 | t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
- 1596 | u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
- 1597 | v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
- 1598 | w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
- 1599 | x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
- 1600 | y. PMA (4-Methoxyamphetamine).

- 1601 z. N-Ethylamphetamine.
- 1602 aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
- 1603 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
- 1604 cc. PMMA (4-Methoxymethamphetamine).
- 1605 dd. N,N-Dimethylamphetamine.
- 1606 ee. 3,4,5-Trimethoxyamphetamine.
- 1607 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
- 1608 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
- 1609 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
- 1610 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
- 1611 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1612 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1613 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1614 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
- 1615 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
- 1616 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
- 1617 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
- 1618 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
- 1619 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
- 1620 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-
- 1621 dihydrobenzofuran),
- 1622
- 1623 which does not include phenethylamine, mescaline as described in
- 1624 subparagraph 20., substituted cathinones as described in
- 1625 subparagraph 191., N-Benzyl phenethylamine compounds as

1626 described in subparagraph 193., or methamphetamine as described
1627 in subparagraph (2)(c)5.

1628 192.193. N-Benzyl Phenethylamine Compounds.—Unless
1629 specifically excepted or unless listed in another schedule, or
1630 contained within a pharmaceutical product approved by the United
1631 States Food and Drug Administration, any material, compound,
1632 mixture, or preparation, including its salts, isomers, esters,
1633 or ethers, and salts of isomers, esters, or ethers, whenever the
1634 existence of such salts is possible within any of the following
1635 specific chemical designations, any compound containing a
1636 phenethylamine structure without a beta-keto group, with
1637 substitution on the nitrogen atom of the amino group with a
1638 benzyl substituent, with or without substitution on the phenyl
1639 or benzyl ring to any extent with alkyl, alkoxy, thio,
1640 alkylthio, halide, fused alkylenedioxy, fused furan, fused
1641 benzofuran, or fused tetrahydropyran substituents, whether or
1642 not further substituted on a ring to any extent, with or without
1643 substitution at the alpha position by any alkyl substituent,
1644 including, but not limited to:

1645 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
1646 methoxybenzyl)]phenethylamine).

1647 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
1648 hydroxybenzyl)]phenethylamine).

1649 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
1650 fluorobenzyl)]phenethylamine).

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- 1651 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1652 methylenedioxybenzyl)]phenethylamine).
- 1653 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1654 methoxybenzyl)]phenethylamine).
- 1655 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1656 hydroxybenzyl)]phenethylamine).
- 1657 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1658 fluorobenzyl)]phenethylamine).
- 1659 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1660 methylenedioxybenzyl)]phenethylamine).
- 1661 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
1662 methoxybenzyl)]phenethylamine).
- 1663 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1664 methoxybenzyl)]phenethylamine).
- 1665 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1666 methoxybenzyl)]phenethylamine).
- 1667 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1668 methoxybenzyl)]phenethylamine).
- 1669 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1670 hydroxybenzyl)]phenethylamine).
- 1671 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1672 fluorobenzyl)]phenethylamine).
- 1673 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1674 methylenedioxybenzyl)]phenethylamine).
- 1675 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-

1676 methoxybenzyl)]phenethylamine).

1677 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1678 hydroxybenzyl)]phenethylamine).

1679 r. 25H-NBF (2,5-Dimethoxy-[N-(2-
1680 fluorobenzyl)]phenethylamine).

1681 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1682 methoxybenzyl)]phenethylamine),

1683

1684 which does not include substituted cathinones as described in
1685 subparagraph 191.

1686 193.194. Substituted Tryptamines.—Unless specifically
1687 excepted or unless listed in another schedule, or contained
1688 within a pharmaceutical product approved by the United States
1689 Food and Drug Administration, any material, compound, mixture,
1690 or preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1691 example tryptamine, structure with or without mono- or di-
1692 substitution of the amine nitrogen with alkyl or alkenyl groups,
1693 or by inclusion of the amino nitrogen atom in a cyclic
1694 structure, whether or not substituted at the alpha position with
1695 an alkyl group, whether or not substituted on the indole ring to
1696 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1697 groups, including, but not limited to:

1698 a. Alpha-Ethyltryptamine.

1699 b. Bufotenine.

1700 c. DET (Diethyltryptamine).

- 1701 d. DMT (Dimethyltryptamine).
- 1702 e. MET (N-Methyl-N-ethyltryptamine).
- 1703 f. DALT (N,N-Diallyltryptamine).
- 1704 g. EiPT (N-Ethyl-N-isopropyltryptamine).
- 1705 h. MiPT (N-Methyl-N-isopropyltryptamine).
- 1706 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
- 1707 j. 5-Hydroxy-N-methyltryptamine.
- 1708 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
- 1709 l. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
- 1710 m. Methyltryptamine.
- 1711 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
- 1712 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
- 1713 p. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).
- 1714 q. DiPT (N,N-Diisopropyltryptamine).
- 1715 r. DPT (N,N-Dipropyltryptamine).
- 1716 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
- 1717 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
- 1718 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
- 1719 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
- 1720 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
- 1721 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
- 1722 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
- 1723 isopropyltryptamine).
- 1724 z. Methyl-alpha-ethyltryptamine.
- 1725 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),

1726
 1727 which does not include tryptamine, psilocyn as described in
 1728 subparagraph 34., or psilocybin as described in subparagraph 33.
 1729 194.195. Substituted Phenylcyclohexylamines.—Unless
 1730 specifically excepted or unless listed in another schedule, or
 1731 contained within a pharmaceutical product approved by the United
 1732 States Food and Drug Administration, any material, compound,
 1733 mixture, or preparation containing a phenylcyclohexylamine
 1734 structure, with or without any substitution on the phenyl ring,
 1735 any substitution on the cyclohexyl ring, any replacement of the
 1736 phenyl ring with a thiophenyl or benzothiophenyl ring, with or
 1737 without substitution on the amine with alkyl, dialkyl, or alkoxy
 1738 substituents, inclusion of the nitrogen in a cyclic structure,
 1739 or any combination of the above, including, but not limited to:
 1740 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 1741 (Benocyclidine).
 1742 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
 1743 of phencyclidine).
 1744 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
 1745 analog of phencyclidine).
 1746 d. PCPr (Phenylcyclohexylpropylamine).
 1747 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
 1748 analog of phencyclidine).
 1749 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
 1750 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).

- 1751 h. Methoxetamine.
- 1752 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
- 1753 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
- 1754 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
- 1755 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
- 1756 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
- 1757 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
- 1758 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
- 1759 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
- 1760 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
- 1761 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
- 1762 ~~195.196.~~ W-15, 4-chloro-N-[1-(2-phenylethyl)-2-
- 1763 piperidinylidene]-benzenesulfonamide.
- 1764 ~~196.197.~~ W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-
- 1765 piperidinylidene]-benzenesulfonamide.
- 1766 ~~197.198.~~ AH-7921, 3,4-dichloro-N-[[1-
- 1767 (dimethylamino)cyclohexyl]methyl]-benzamide.
- 1768 ~~198.199.~~ U47700, trans-3,4-dichloro-N-[2-
- 1769 (dimethylamino)cyclohexyl]-N-methyl-benzamide.
- 1770 ~~199.200.~~ MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-
- 1771 piperazine, dihydrochloride.

1772

1773 Section 12. Subsections (3), (6), and (9) of section

1774 893.13, Florida Statutes are amended, and subsection (10) is

1775 added to that section, to read:

1776 893.13 Prohibited acts; penalties.—

1777 ~~(3) A person who delivers, without consideration, 20 grams~~
1778 ~~or less of cannabis, as defined in this chapter, commits a~~
1779 ~~misdemeanor of the first degree, punishable as provided in s.~~
1780 ~~775.082 or s. 775.083. As used in this subsection, the term~~
1781 ~~"cannabis" does not include the resin extracted from the plants~~
1782 ~~of the genus Cannabis or any compound manufacture, salt,~~
1783 ~~derivative, mixture, or preparation of such resin.~~

1784 (5)~~(6)~~(a) A person may not be in actual or constructive
1785 possession of a controlled substance unless such controlled
1786 substance was lawfully obtained from a practitioner or pursuant
1787 to a valid prescription or order of a practitioner while acting
1788 in the course of his or her professional practice or to be in
1789 actual or constructive possession of a controlled substance
1790 except as otherwise authorized by this chapter. A person who
1791 violates this provision commits a felony of the third degree,
1792 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1793 ~~(b) If the offense is the possession of 20 grams or less~~
1794 ~~of cannabis, as defined in this chapter, the person commits a~~
1795 ~~misdemeanor of the first degree, punishable as provided in s.~~
1796 ~~775.082 or s. 775.083. As used in this subsection, the term~~
1797 ~~"cannabis" does not include the resin extracted from the plants~~
1798 ~~of the genus Cannabis, or any compound manufacture, salt,~~
1799 ~~derivative, mixture, or preparation of such resin.~~

1800 (b)~~(e)~~ Except as provided in this chapter, a person may

1801 not possess more than 10 grams of any substance named or
1802 described in s. 893.03(1)(a), (1)(b), or (2)(b), or any
1803 combination thereof, or any mixture containing any such
1804 substance. A person who violates this paragraph commits a felony
1805 of the first degree, punishable as provided in s. 775.082, s.
1806 775.083, or s. 775.084.

1807 (c)~~(d)~~ If the offense is possession of a controlled
1808 substance named or described in s. 893.03(5), the person commits
1809 a misdemeanor of the second degree, punishable as provided in s.
1810 775.082 or s. 775.083.

1811 ~~(e) Notwithstanding any provision to the contrary of the~~
1812 ~~laws of this state relating to arrest, a law enforcement officer~~
1813 ~~may arrest without warrant any person who the officer has~~
1814 ~~probable cause to believe is violating the provisions of this~~
1815 ~~chapter relating to possession of cannabis.~~

1816 (8)~~(9)~~ ~~The provisions of Subsections (1)-(7)~~ (1)-(7) ~~(1)-(8)~~ are
1817 not applicable to the delivery to, or actual or constructive
1818 possession for medical or scientific use or purpose only of
1819 controlled substances by, persons included in any of the
1820 following classes, or the agents or employees of such persons,
1821 for use in the usual course of their business or profession or
1822 in the performance of their official duties:

- 1823 (a) Pharmacists.
1824 (b) Practitioners.
1825 (c) Persons who procure controlled substances in good

1826 | faith and in the course of professional practice only, by or
 1827 | under the supervision of pharmacists or practitioners employed
 1828 | by them, or for the purpose of lawful research, teaching, or
 1829 | testing, and not for resale.

1830 | (d) Hospitals that procure controlled substances for
 1831 | lawful administration by practitioners, but only for use by or
 1832 | in the particular hospital.

1833 | (e) Officers or employees of state, federal, or local
 1834 | governments acting in their official capacity only, or informers
 1835 | acting under their jurisdiction.

1836 | (f) Common carriers.

1837 | (g) Manufacturers, wholesalers, and distributors.

1838 | (h) Law enforcement officers for bona fide law enforcement
 1839 | purposes in the course of an active criminal investigation.

1840 | (10) Subsections (1)-(7) are not applicable to conduct
 1841 | authorized under chapter 566.

1842 | Section 13. Subsection (1) of section 893.135, Florida
 1843 | Statutes, is amended to read:

1844 | 893.135 Trafficking; mandatory sentences; suspension or
 1845 | reduction of sentences; conspiracy to engage in trafficking.—

1846 | (1) Except as authorized in this chapter, ~~or in~~ chapter
 1847 | 499 or chapter 566 and notwithstanding ~~the provisions of s.~~
 1848 | 893.13:

1849 | ~~(a) Any person who knowingly sells, purchases,~~
 1850 | ~~manufactures, delivers, or brings into this state, or who is~~

1851 ~~knowingly in actual or constructive possession of, in excess of~~
1852 ~~25 pounds of cannabis, or 300 or more cannabis plants, commits a~~
1853 ~~felony of the first degree, which felony shall be known as~~
1854 ~~"trafficking in cannabis," punishable as provided in s. 775.082,~~
1855 ~~s. 775.083, or s. 775.084. If the quantity of cannabis involved:~~
1856 ~~1. Is in excess of 25 pounds, but less than 2,000 pounds,~~
1857 ~~or is 300 or more cannabis plants, but not more than 2,000~~
1858 ~~cannabis plants, such person shall be sentenced to a mandatory~~
1859 ~~minimum term of imprisonment of 3 years, and the defendant shall~~
1860 ~~be ordered to pay a fine of \$25,000.~~
1861 ~~2. Is 2,000 pounds or more, but less than 10,000 pounds,~~
1862 ~~or is 2,000 or more cannabis plants, but not more than 10,000~~
1863 ~~cannabis plants, such person shall be sentenced to a mandatory~~
1864 ~~minimum term of imprisonment of 7 years, and the defendant shall~~
1865 ~~be ordered to pay a fine of \$50,000.~~
1866 ~~3. Is 10,000 pounds or more, or is 10,000 or more cannabis~~
1867 ~~plants, such person shall be sentenced to a mandatory minimum~~
1868 ~~term of imprisonment of 15 calendar years and pay a fine of~~
1869 ~~\$200,000.~~
1870
1871 ~~For the purpose of this paragraph, a plant, including, but not~~
1872 ~~limited to, a seedling or cutting, is a "cannabis plant" if it~~
1873 ~~has some readily observable evidence of root formation, such as~~
1874 ~~root hairs. To determine if a piece or part of a cannabis plant~~
1875 ~~severed from the cannabis plant is itself a cannabis plant, the~~

1876 ~~severed piece or part must have some readily observable evidence~~
1877 ~~of root formation, such as root hairs. Callous tissue is not~~
1878 ~~readily observable evidence of root formation. The viability and~~
1879 ~~sex of a plant and the fact that the plant may or may not be a~~
1880 ~~dead harvested plant are not relevant in determining if the~~
1881 ~~plant is a "cannabis plant" or in the charging of an offense~~
1882 ~~under this paragraph. Upon conviction, the court shall impose~~
1883 ~~the longest term of imprisonment provided for in this paragraph.~~

1884 (a)~~(b)~~1. Any person who knowingly sells, purchases,
1885 manufactures, delivers, or brings into this state, or who is
1886 knowingly in actual or constructive possession of, 28 grams or
1887 more of cocaine, as described in s. 893.03(2)(a)4., or of any
1888 mixture containing cocaine, but less than 150 kilograms of
1889 cocaine or any such mixture, commits a felony of the first
1890 degree, which felony shall be known as "trafficking in cocaine,"
1891 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
1892 If the quantity involved:

1893 a. Is 28 grams or more, but less than 200 grams, such
1894 person shall be sentenced to a mandatory minimum term of
1895 imprisonment of 3 years, and the defendant shall be ordered to
1896 pay a fine of \$50,000.

1897 b. Is 200 grams or more, but less than 400 grams, such
1898 person shall be sentenced to a mandatory minimum term of
1899 imprisonment of 7 years, and the defendant shall be ordered to
1900 pay a fine of \$100,000.

1901 c. Is 400 grams or more, but less than 150 kilograms, such
 1902 person shall be sentenced to a mandatory minimum term of
 1903 imprisonment of 15 calendar years and pay a fine of \$250,000.

1904 2. Any person who knowingly sells, purchases,
 1905 manufactures, delivers, or brings into this state, or who is
 1906 knowingly in actual or constructive possession of, 150 kilograms
 1907 or more of cocaine, as described in s. 893.03(2)(a)4., commits
 1908 the first degree felony of trafficking in cocaine. A person who
 1909 has been convicted of the first degree felony of trafficking in
 1910 cocaine under this subparagraph shall be punished by life
 1911 imprisonment and is ineligible for any form of discretionary
 1912 early release except pardon or executive clemency or conditional
 1913 medical release under s. 947.149. However, if the court
 1914 determines that, in addition to committing any act specified in
 1915 this paragraph:

1916 a. The person intentionally killed an individual or
 1917 counseled, commanded, induced, procured, or caused the
 1918 intentional killing of an individual and such killing was the
 1919 result; or

1920 b. The person's conduct in committing that act led to a
 1921 natural, though not inevitable, lethal result,
 1922
 1923 such person commits the capital felony of trafficking in
 1924 cocaine, punishable as provided in ss. 775.082 and 921.142. Any
 1925 person sentenced for a capital felony under this paragraph shall

1926 | also be sentenced to pay the maximum fine provided under
 1927 | subparagraph 1.

1928 | 3. Any person who knowingly brings into this state 300
 1929 | kilograms or more of cocaine, as described in s. 893.03(2)(a)4.,
 1930 | and who knows that the probable result of such importation would
 1931 | be the death of any person, commits capital importation of
 1932 | cocaine, a capital felony punishable as provided in ss. 775.082
 1933 | and 921.142. Any person sentenced for a capital felony under
 1934 | this paragraph shall also be sentenced to pay the maximum fine
 1935 | provided under subparagraph 1.

1936 | (b)~~(e)~~1. A person who knowingly sells, purchases,
 1937 | manufactures, delivers, or brings into this state, or who is
 1938 | knowingly in actual or constructive possession of, 4 grams or
 1939 | more of any morphine, opium, hydromorphone, or any salt,
 1940 | derivative, isomer, or salt of an isomer thereof, including
 1941 | heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or
 1942 | (3)(c)4., or 4 grams or more of any mixture containing any such
 1943 | substance, but less than 30 kilograms of such substance or
 1944 | mixture, commits a felony of the first degree, which felony
 1945 | shall be known as "trafficking in illegal drugs," punishable as
 1946 | provided in s. 775.082, s. 775.083, or s. 775.084. If the
 1947 | quantity involved:

1948 | a. Is 4 grams or more, but less than 14 grams, such person
 1949 | shall be sentenced to a mandatory minimum term of imprisonment
 1950 | of 3 years and shall be ordered to pay a fine of \$50,000.

1951 b. Is 14 grams or more, but less than 28 grams, such
 1952 person shall be sentenced to a mandatory minimum term of
 1953 imprisonment of 15 years and shall be ordered to pay a fine of
 1954 \$100,000.

1955 c. Is 28 grams or more, but less than 30 kilograms, such
 1956 person shall be sentenced to a mandatory minimum term of
 1957 imprisonment of 25 years and shall be ordered to pay a fine of
 1958 \$500,000.

1959 2. A person who knowingly sells, purchases, manufactures,
 1960 delivers, or brings into this state, or who is knowingly in
 1961 actual or constructive possession of, 28 grams or more of
 1962 hydrocodone, as described in s. 893.03(2)(a)1.k., codeine, as
 1963 described in s. 893.03(2)(a)1.g., or any salt thereof, or 28
 1964 grams or more of any mixture containing any such substance,
 1965 commits a felony of the first degree, which felony shall be
 1966 known as "trafficking in hydrocodone," punishable as provided in
 1967 s. 775.082, s. 775.083, or s. 775.084. If the quantity involved:

1968 a. Is 28 grams or more, but less than 50 grams, such
 1969 person shall be sentenced to a mandatory minimum term of
 1970 imprisonment of 3 years and shall be ordered to pay a fine of
 1971 \$50,000.

1972 b. Is 50 grams or more, but less than 100 grams, such
 1973 person shall be sentenced to a mandatory minimum term of
 1974 imprisonment of 7 years and shall be ordered to pay a fine of
 1975 \$100,000.

1976 c. Is 100 grams or more, but less than 300 grams, such
 1977 person shall be sentenced to a mandatory minimum term of
 1978 imprisonment of 15 years and shall be ordered to pay a fine of
 1979 \$500,000.

1980 d. Is 300 grams or more, but less than 30 kilograms, such
 1981 person shall be sentenced to a mandatory minimum term of
 1982 imprisonment of 25 years and shall be ordered to pay a fine of
 1983 \$750,000.

1984 3. A person who knowingly sells, purchases, manufactures,
 1985 delivers, or brings into this state, or who is knowingly in
 1986 actual or constructive possession of, 7 grams or more of
 1987 oxycodone, as described in s. 893.03(2)(a)1.q., or any salt
 1988 thereof, or 7 grams or more of any mixture containing any such
 1989 substance, commits a felony of the first degree, which felony
 1990 shall be known as "trafficking in oxycodone," punishable as
 1991 provided in s. 775.082, s. 775.083, or s. 775.084. If the
 1992 quantity involved:

1993 a. Is 7 grams or more, but less than 14 grams, such person
 1994 shall be sentenced to a mandatory minimum term of imprisonment
 1995 of 3 years and shall be ordered to pay a fine of \$50,000.

1996 b. Is 14 grams or more, but less than 25 grams, such
 1997 person shall be sentenced to a mandatory minimum term of
 1998 imprisonment of 7 years and shall be ordered to pay a fine of
 1999 \$100,000.

2000 c. Is 25 grams or more, but less than 100 grams, such

2001 person shall be sentenced to a mandatory minimum term of
2002 imprisonment of 15 years and shall be ordered to pay a fine of
2003 \$500,000.

2004 d. Is 100 grams or more, but less than 30 kilograms, such
2005 person shall be sentenced to a mandatory minimum term of
2006 imprisonment of 25 years and shall be ordered to pay a fine of
2007 \$750,000.

2008 4.a. A person who knowingly sells, purchases,
2009 manufactures, delivers, or brings into this state, or who is
2010 knowingly in actual or constructive possession of, 4 grams or
2011 more of:

2012 (I) Alfentanil, as described in s. 893.03(2)(b)1.;

2013 (II) Carfentanil, as described in s. 893.03(2)(b)6.;

2014 (III) Fentanyl, as described in s. 893.03(2)(b)9.;

2015 (IV) Sufentanil, as described in s. 893.03(2)(b)30.;

2016 (V) A fentanyl derivative, as described in s.

2017 893.03(1)(a)62.;

2018 (VI) A controlled substance analog, as described in s.
2019 893.0356, of any substance described in sub-sub-subparagraphs
2020 (I)-(V); or

2021 (VII) A mixture containing any substance described in sub-
2022 sub-subparagraphs (I)-(VI),

2023
2024 commits a felony of the first degree, which felony shall be
2025 known as "trafficking in fentanyl," punishable as provided in s.

2026 | 775.082, s. 775.083, or s. 775.084.

2027 | b. If the quantity involved under sub-subparagraph a.:

2028 | (I) Is 4 grams or more, but less than 14 grams, such
 2029 | person shall be sentenced to a mandatory minimum term of
 2030 | imprisonment of 3 years, and shall be ordered to pay a fine of
 2031 | \$50,000.

2032 | (II) Is 14 grams or more, but less than 28 grams, such
 2033 | person shall be sentenced to a mandatory minimum term of
 2034 | imprisonment of 15 years, and shall be ordered to pay a fine of
 2035 | \$100,000.

2036 | (III) Is 28 grams or more, such person shall be sentenced
 2037 | to a mandatory minimum term of imprisonment of 25 years, and
 2038 | shall be ordered to pay a fine of \$500,000.

2039 | 5. A person who knowingly sells, purchases, manufactures,
 2040 | delivers, or brings into this state, or who is knowingly in
 2041 | actual or constructive possession of, 30 kilograms or more of
 2042 | any morphine, opium, oxycodone, hydrocodone, codeine,
 2043 | hydromorphone, or any salt, derivative, isomer, or salt of an
 2044 | isomer thereof, including heroin, as described in s.
 2045 | 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
 2046 | more of any mixture containing any such substance, commits the
 2047 | first degree felony of trafficking in illegal drugs. A person
 2048 | who has been convicted of the first degree felony of trafficking
 2049 | in illegal drugs under this subparagraph shall be punished by
 2050 | life imprisonment and is ineligible for any form of

2051 discretionary early release except pardon or executive clemency
 2052 or conditional medical release under s. 947.149. However, if the
 2053 court determines that, in addition to committing any act
 2054 specified in this paragraph:

2055 a. The person intentionally killed an individual or
 2056 counseled, commanded, induced, procured, or caused the
 2057 intentional killing of an individual and such killing was the
 2058 result; or

2059 b. The person's conduct in committing that act led to a
 2060 natural, though not inevitable, lethal result,

2061
 2062 such person commits the capital felony of trafficking in illegal
 2063 drugs, punishable as provided in ss. 775.082 and 921.142. A
 2064 person sentenced for a capital felony under this paragraph shall
 2065 also be sentenced to pay the maximum fine provided under
 2066 subparagraph 1.

2067 6. A person who knowingly brings into this state 60
 2068 kilograms or more of any morphine, opium, oxycodone,
 2069 hydrocodone, codeine, hydromorphone, or any salt, derivative,
 2070 isomer, or salt of an isomer thereof, including heroin, as
 2071 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
 2072 60 kilograms or more of any mixture containing any such
 2073 substance, and who knows that the probable result of such
 2074 importation would be the death of a person, commits capital
 2075 importation of illegal drugs, a capital felony punishable as

2076 provided in ss. 775.082 and 921.142. A person sentenced for a
 2077 capital felony under this paragraph shall also be sentenced to
 2078 pay the maximum fine provided under subparagraph 1.

2079 (c)~~(d)~~1. Any person who knowingly sells, purchases,
 2080 manufactures, delivers, or brings into this state, or who is
 2081 knowingly in actual or constructive possession of, 28 grams or
 2082 more of phencyclidine, as described in s. 893.03(2)(b)23., a
 2083 substituted phenylcyclohexylamine, as described in s.
 2084 893.03(1)(c)194. ~~s. 893.03(1)(e)195.~~, or a substance described
 2085 in s. 893.03(1)(c)12., 31., 37., 102., or 145. ~~s.~~
 2086 ~~893.03(1)(e)13., 32., 38., 103., or 146.~~, or of any mixture
 2087 containing phencyclidine, as described in s. 893.03(2)(b)23., a
 2088 substituted phenylcyclohexylamine, as described in s.
 2089 893.03(1)(c)194. ~~s. 893.03(1)(e)195.~~, or a substance described
 2090 in s. 893.03(1)(c)12., 31., 37., 102., or 145. ~~s.~~
 2091 ~~893.03(1)(e)13., 32., 38., 103., or 146.~~, commits a felony of
 2092 the first degree, which felony shall be known as "trafficking in
 2093 phencyclidine," punishable as provided in s. 775.082, s.
 2094 775.083, or s. 775.084. If the quantity involved:

2095 a. Is 28 grams or more, but less than 200 grams, such
 2096 person shall be sentenced to a mandatory minimum term of
 2097 imprisonment of 3 years, and the defendant shall be ordered to
 2098 pay a fine of \$50,000.

2099 b. Is 200 grams or more, but less than 400 grams, such
 2100 person shall be sentenced to a mandatory minimum term of

2101 imprisonment of 7 years, and the defendant shall be ordered to
 2102 pay a fine of \$100,000.

2103 c. Is 400 grams or more, such person shall be sentenced to
 2104 a mandatory minimum term of imprisonment of 15 calendar years
 2105 and pay a fine of \$250,000.

2106 2. Any person who knowingly brings into this state 800
 2107 grams or more of phencyclidine, as described in s.
 2108 893.03(2)(b)23., a substituted phenylcyclohexylamine, as
 2109 described in s. 893.03(1)(c)194. ~~s. 893.03(1)(c)195.~~, or a
 2110 substance described in s. 893.03(1)(c)12., 31., 37., 102., or
 2111 145. ~~s. 893.03(1)(c)13., 32., 38., 103., or 146.~~, or of any
 2112 mixture containing phencyclidine, as described in s.
 2113 893.03(2)(b)23., a substituted phenylcyclohexylamine, as
 2114 described in s. 893.03(1)(c)194. ~~s. 893.03(1)(c)195.~~, or a
 2115 substance described in s. 893.03(1)(c)12., 31., 37., 102., or
 2116 145. ~~s. 893.03(1)(c)13., 32., 38., 103., or 146.~~, and who knows
 2117 that the probable result of such importation would be the death
 2118 of any person commits capital importation of phencyclidine, a
 2119 capital felony punishable as provided in ss. 775.082 and
 2120 921.142. Any person sentenced for a capital felony under this
 2121 paragraph shall also be sentenced to pay the maximum fine
 2122 provided under subparagraph 1.

2123 (d)~~(e)~~1. Any person who knowingly sells, purchases,
 2124 manufactures, delivers, or brings into this state, or who is
 2125 knowingly in actual or constructive possession of, 200 grams or

2126 more of methaqualone or of any mixture containing methaqualone,
2127 as described in s. 893.03(1)(d), commits a felony of the first
2128 degree, which felony shall be known as "trafficking in
2129 methaqualone," punishable as provided in s. 775.082, s. 775.083,
2130 or s. 775.084. If the quantity involved:

2131 a. Is 200 grams or more, but less than 5 kilograms, such
2132 person shall be sentenced to a mandatory minimum term of
2133 imprisonment of 3 years, and the defendant shall be ordered to
2134 pay a fine of \$50,000.

2135 b. Is 5 kilograms or more, but less than 25 kilograms,
2136 such person shall be sentenced to a mandatory minimum term of
2137 imprisonment of 7 years, and the defendant shall be ordered to
2138 pay a fine of \$100,000.

2139 c. Is 25 kilograms or more, such person shall be sentenced
2140 to a mandatory minimum term of imprisonment of 15 calendar years
2141 and pay a fine of \$250,000.

2142 2. Any person who knowingly brings into this state 50
2143 kilograms or more of methaqualone or of any mixture containing
2144 methaqualone, as described in s. 893.03(1)(d), and who knows
2145 that the probable result of such importation would be the death
2146 of any person commits capital importation of methaqualone, a
2147 capital felony punishable as provided in ss. 775.082 and
2148 921.142. Any person sentenced for a capital felony under this
2149 paragraph shall also be sentenced to pay the maximum fine
2150 provided under subparagraph 1.

2151 (e)~~(f)~~1. Any person who knowingly sells, purchases,
2152 manufactures, delivers, or brings into this state, or who is
2153 knowingly in actual or constructive possession of, 14 grams or
2154 more of amphetamine, as described in s. 893.03(2)(c)2., or
2155 methamphetamine, as described in s. 893.03(2)(c)5., or of any
2156 mixture containing amphetamine or methamphetamine, or
2157 phenylacetone, phenylacetic acid, pseudoephedrine, or ephedrine
2158 in conjunction with other chemicals and equipment utilized in
2159 the manufacture of amphetamine or methamphetamine, commits a
2160 felony of the first degree, which felony shall be known as
2161 "trafficking in amphetamine," punishable as provided in s.
2162 775.082, s. 775.083, or s. 775.084. If the quantity involved:
2163 a. Is 14 grams or more, but less than 28 grams, such
2164 person shall be sentenced to a mandatory minimum term of
2165 imprisonment of 3 years, and the defendant shall be ordered to
2166 pay a fine of \$50,000.
2167 b. Is 28 grams or more, but less than 200 grams, such
2168 person shall be sentenced to a mandatory minimum term of
2169 imprisonment of 7 years, and the defendant shall be ordered to
2170 pay a fine of \$100,000.
2171 c. Is 200 grams or more, such person shall be sentenced to
2172 a mandatory minimum term of imprisonment of 15 calendar years
2173 and pay a fine of \$250,000.
2174 2. Any person who knowingly manufactures or brings into
2175 this state 400 grams or more of amphetamine, as described in s.

2176 893.03(2)(c)2., or methamphetamine, as described in s.
 2177 893.03(2)(c)5., or of any mixture containing amphetamine or
 2178 methamphetamine, or phenylacetone, phenylacetic acid,
 2179 pseudoephedrine, or ephedrine in conjunction with other
 2180 chemicals and equipment used in the manufacture of amphetamine
 2181 or methamphetamine, and who knows that the probable result of
 2182 such manufacture or importation would be the death of any person
 2183 commits capital manufacture or importation of amphetamine, a
 2184 capital felony punishable as provided in ss. 775.082 and
 2185 921.142. Any person sentenced for a capital felony under this
 2186 paragraph shall also be sentenced to pay the maximum fine
 2187 provided under subparagraph 1.

2188 (f)~~(g)~~1. Any person who knowingly sells, purchases,
 2189 manufactures, delivers, or brings into this state, or who is
 2190 knowingly in actual or constructive possession of, 4 grams or
 2191 more of flunitrazepam or any mixture containing flunitrazepam as
 2192 described in s. 893.03(1)(a) commits a felony of the first
 2193 degree, which felony shall be known as "trafficking in
 2194 flunitrazepam," punishable as provided in s. 775.082, s.
 2195 775.083, or s. 775.084. If the quantity involved:

2196 a. Is 4 grams or more but less than 14 grams, such person
 2197 shall be sentenced to a mandatory minimum term of imprisonment
 2198 of 3 years, and the defendant shall be ordered to pay a fine of
 2199 \$50,000.

2200 b. Is 14 grams or more but less than 28 grams, such person

2201 shall be sentenced to a mandatory minimum term of imprisonment
 2202 of 7 years, and the defendant shall be ordered to pay a fine of
 2203 \$100,000.

2204 c. Is 28 grams or more but less than 30 kilograms, such
 2205 person shall be sentenced to a mandatory minimum term of
 2206 imprisonment of 25 calendar years and pay a fine of \$500,000.

2207 2. Any person who knowingly sells, purchases,
 2208 manufactures, delivers, or brings into this state or who is
 2209 knowingly in actual or constructive possession of 30 kilograms
 2210 or more of flunitrazepam or any mixture containing flunitrazepam
 2211 as described in s. 893.03(1)(a) commits the first degree felony
 2212 of trafficking in flunitrazepam. A person who has been convicted
 2213 of the first degree felony of trafficking in flunitrazepam under
 2214 this subparagraph shall be punished by life imprisonment and is
 2215 ineligible for any form of discretionary early release except
 2216 pardon or executive clemency or conditional medical release
 2217 under s. 947.149. However, if the court determines that, in
 2218 addition to committing any act specified in this paragraph:

2219 a. The person intentionally killed an individual or
 2220 counseled, commanded, induced, procured, or caused the
 2221 intentional killing of an individual and such killing was the
 2222 result; or

2223 b. The person's conduct in committing that act led to a
 2224 natural, though not inevitable, lethal result,
 2225

2226 such person commits the capital felony of trafficking in
2227 flunitrazepam, punishable as provided in ss. 775.082 and
2228 921.142. Any person sentenced for a capital felony under this
2229 paragraph shall also be sentenced to pay the maximum fine
2230 provided under subparagraph 1.

2231 (g)~~(h)~~1. Any person who knowingly sells, purchases,
2232 manufactures, delivers, or brings into this state, or who is
2233 knowingly in actual or constructive possession of, 1 kilogram or
2234 more of gamma-hydroxybutyric acid (GHB), as described in s.
2235 893.03(1)(d), or any mixture containing gamma-hydroxybutyric
2236 acid (GHB), commits a felony of the first degree, which felony
2237 shall be known as "trafficking in gamma-hydroxybutyric acid
2238 (GHB)," punishable as provided in s. 775.082, s. 775.083, or s.
2239 775.084. If the quantity involved:

2240 a. Is 1 kilogram or more but less than 5 kilograms, such
2241 person shall be sentenced to a mandatory minimum term of
2242 imprisonment of 3 years, and the defendant shall be ordered to
2243 pay a fine of \$50,000.

2244 b. Is 5 kilograms or more but less than 10 kilograms, such
2245 person shall be sentenced to a mandatory minimum term of
2246 imprisonment of 7 years, and the defendant shall be ordered to
2247 pay a fine of \$100,000.

2248 c. Is 10 kilograms or more, such person shall be sentenced
2249 to a mandatory minimum term of imprisonment of 15 calendar years
2250 and pay a fine of \$250,000.

2251 2. Any person who knowingly manufactures or brings into
 2252 this state 150 kilograms or more of gamma-hydroxybutyric acid
 2253 (GHB), as described in s. 893.03(1)(d), or any mixture
 2254 containing gamma-hydroxybutyric acid (GHB), and who knows that
 2255 the probable result of such manufacture or importation would be
 2256 the death of any person commits capital manufacture or
 2257 importation of gamma-hydroxybutyric acid (GHB), a capital felony
 2258 punishable as provided in ss. 775.082 and 921.142. Any person
 2259 sentenced for a capital felony under this paragraph shall also
 2260 be sentenced to pay the maximum fine provided under subparagraph
 2261 1.

2262 (h)~~(i)~~1. Any person who knowingly sells, purchases,
 2263 manufactures, delivers, or brings into this state, or who is
 2264 knowingly in actual or constructive possession of, 1 kilogram or
 2265 more of gamma-butyrolactone (GBL), as described in s.
 2266 893.03(1)(d), or any mixture containing gamma-butyrolactone
 2267 (GBL), commits a felony of the first degree, which felony shall
 2268 be known as "trafficking in gamma-butyrolactone (GBL),"
 2269 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 2270 If the quantity involved:

2271 a. Is 1 kilogram or more but less than 5 kilograms, such
 2272 person shall be sentenced to a mandatory minimum term of
 2273 imprisonment of 3 years, and the defendant shall be ordered to
 2274 pay a fine of \$50,000.

2275 b. Is 5 kilograms or more but less than 10 kilograms, such

2276 person shall be sentenced to a mandatory minimum term of
 2277 imprisonment of 7 years, and the defendant shall be ordered to
 2278 pay a fine of \$100,000.

2279 c. Is 10 kilograms or more, such person shall be sentenced
 2280 to a mandatory minimum term of imprisonment of 15 calendar years
 2281 and pay a fine of \$250,000.

2282 2. Any person who knowingly manufactures or brings into
 2283 the state 150 kilograms or more of gamma-butyrolactone (GBL), as
 2284 described in s. 893.03(1)(d), or any mixture containing gamma-
 2285 butyrolactone (GBL), and who knows that the probable result of
 2286 such manufacture or importation would be the death of any person
 2287 commits capital manufacture or importation of gamma-
 2288 butyrolactone (GBL), a capital felony punishable as provided in
 2289 ss. 775.082 and 921.142. Any person sentenced for a capital
 2290 felony under this paragraph shall also be sentenced to pay the
 2291 maximum fine provided under subparagraph 1.

2292 (i)~~(j)~~1. Any person who knowingly sells, purchases,
 2293 manufactures, delivers, or brings into this state, or who is
 2294 knowingly in actual or constructive possession of, 1 kilogram or
 2295 more of 1,4-Butanediol as described in s. 893.03(1)(d), or of
 2296 any mixture containing 1,4-Butanediol, commits a felony of the
 2297 first degree, which felony shall be known as "trafficking in
 2298 1,4-Butanediol," punishable as provided in s. 775.082, s.
 2299 775.083, or s. 775.084. If the quantity involved:

2300 a. Is 1 kilogram or more, but less than 5 kilograms, such

2301 person shall be sentenced to a mandatory minimum term of
 2302 imprisonment of 3 years, and the defendant shall be ordered to
 2303 pay a fine of \$50,000.

2304 b. Is 5 kilograms or more, but less than 10 kilograms,
 2305 such person shall be sentenced to a mandatory minimum term of
 2306 imprisonment of 7 years, and the defendant shall be ordered to
 2307 pay a fine of \$100,000.

2308 c. Is 10 kilograms or more, such person shall be sentenced
 2309 to a mandatory minimum term of imprisonment of 15 calendar years
 2310 and pay a fine of \$500,000.

2311 2. Any person who knowingly manufactures or brings into
 2312 this state 150 kilograms or more of 1,4-Butanediol as described
 2313 in s. 893.03(1)(d), or any mixture containing 1,4-Butanediol,
 2314 and who knows that the probable result of such manufacture or
 2315 importation would be the death of any person commits capital
 2316 manufacture or importation of 1,4-Butanediol, a capital felony
 2317 punishable as provided in ss. 775.082 and 921.142. Any person
 2318 sentenced for a capital felony under this paragraph shall also
 2319 be sentenced to pay the maximum fine provided under subparagraph
 2320 1.

2321 (j)~~(k)~~1. A person who knowingly sells, purchases,
 2322 manufactures, delivers, or brings into this state, or who is
 2323 knowingly in actual or constructive possession of, 10 grams or
 2324 more of a:

2325 a. Substance described in s. 893.03(1)(c)4., 5., 9., 10.,

2326 | 14., 16., 20.-26., 28., 38., 39.-44., 57., 71.-79., 80.-85.,
 2327 | 89.-101., 103.-107., 109.-112., 142.-144., 147.-149., 159.-162.,
 2328 | 164., or 186.-188. ~~s. 893.03(1)(c)4., 5., 10., 11., 15., 17.,~~
 2329 | ~~21.-27., 29., 39., 40.-45., 58., 72.-80., 81.-86., 90.-102.,~~
 2330 | ~~104.-108., 110.-113., 143.-145., 148.-150., 160.-163., 165., or~~
 2331 | ~~187.-189.,~~ a substituted cathinone, as described in s.
 2332 | 893.03(1)(c)190. ~~s. 893.03(1)(c)191.,~~ or substituted
 2333 | phenethylamine, as described in s. 893.03(1)(c)191. ~~s.~~
 2334 | ~~893.03(1)(c)192.;~~

2335 | b. Mixture containing any substance described in sub-
 2336 | subparagraph a.; or

2337 | c. Salt, isomer, ester, or ether or salt of an isomer,
 2338 | ester, or ether of a substance described in sub-subparagraph a.,

2339 |
 2340 | commits a felony of the first degree, which felony shall be
 2341 | known as "trafficking in phenethylamines," punishable as
 2342 | provided in s. 775.082, s. 775.083, or s. 775.084.

2343 | 2. If the quantity involved under subparagraph 1.:

2344 | a. Is 10 grams or more, but less than 200 grams, such
 2345 | person shall be sentenced to a mandatory minimum term of
 2346 | imprisonment of 3 years and shall be ordered to pay a fine of
 2347 | \$50,000.

2348 | b. Is 200 grams or more, but less than 400 grams, such
 2349 | person shall be sentenced to a mandatory minimum term of
 2350 | imprisonment of 7 years and shall be ordered to pay a fine of

2351 \$100,000.

2352 c. Is 400 grams or more, such person shall be sentenced to
 2353 a mandatory minimum term of imprisonment of 15 years and shall
 2354 be ordered to pay a fine of \$250,000.

2355 3. A person who knowingly manufactures or brings into this
 2356 state 30 kilograms or more of a substance described in sub-
 2357 subparagraph 1.a., a mixture described in sub-subparagraph 1.b.,
 2358 or a salt, isomer, ester, or ether or a salt of an isomer,
 2359 ester, or ether described in sub-subparagraph 1.c., and who
 2360 knows that the probable result of such manufacture or
 2361 importation would be the death of any person commits capital
 2362 manufacture or importation of phenethylamines, a capital felony
 2363 punishable as provided in ss. 775.082 and 921.142. A person
 2364 sentenced for a capital felony under this paragraph shall also
 2365 be sentenced to pay the maximum fine under subparagraph 2.

2366 (k)~~(1)~~1. Any person who knowingly sells, purchases,
 2367 manufactures, delivers, or brings into this state, or who is
 2368 knowingly in actual or constructive possession of, 1 gram or
 2369 more of lysergic acid diethylamide (LSD) as described in s.
 2370 893.03(1)(c), or of any mixture containing lysergic acid
 2371 diethylamide (LSD), commits a felony of the first degree, which
 2372 felony shall be known as "trafficking in lysergic acid
 2373 diethylamide (LSD)," punishable as provided in s. 775.082, s.
 2374 775.083, or s. 775.084. If the quantity involved:

2375 a. Is 1 gram or more, but less than 5 grams, such person

2376 shall be sentenced to a mandatory minimum term of imprisonment
 2377 of 3 years, and the defendant shall be ordered to pay a fine of
 2378 \$50,000.

2379 b. Is 5 grams or more, but less than 7 grams, such person
 2380 shall be sentenced to a mandatory minimum term of imprisonment
 2381 of 7 years, and the defendant shall be ordered to pay a fine of
 2382 \$100,000.

2383 c. Is 7 grams or more, such person shall be sentenced to a
 2384 mandatory minimum term of imprisonment of 15 calendar years and
 2385 pay a fine of \$500,000.

2386 2. Any person who knowingly manufactures or brings into
 2387 this state 7 grams or more of lysergic acid diethylamide (LSD)
 2388 as described in s. 893.03(1)(c), or any mixture containing
 2389 lysergic acid diethylamide (LSD), and who knows that the
 2390 probable result of such manufacture or importation would be the
 2391 death of any person commits capital manufacture or importation
 2392 of lysergic acid diethylamide (LSD), a capital felony punishable
 2393 as provided in ss. 775.082 and 921.142. Any person sentenced for
 2394 a capital felony under this paragraph shall also be sentenced to
 2395 pay the maximum fine provided under subparagraph 1.

2396 (1)~~(m)~~1. A person who knowingly sells, purchases,
 2397 manufactures, delivers, or brings into this state, or who is
 2398 knowingly in actual or constructive possession of, 280 grams or
 2399 more of a:

2400 a. Substance described in s. 893.03(1)(c)29., 45.-49.,

2401 113.-141., 150.-155., 165.-172., or 175.-185. s.
 2402 ~~893.03(1)(c)30., 46.-50., 114.-142., 151.-156., 166.-173., or~~
 2403 ~~176.-186.~~ or a synthetic cannabinoid, as described in s.
 2404 893.03(1)(c)189. s. ~~893.03(1)(c)190.;~~ or
 2405 b. Mixture containing any substance described in sub-
 2406 subparagraph a.,
 2407
 2408 commits a felony of the first degree, which felony shall be
 2409 known as "trafficking in synthetic cannabinoids," punishable as
 2410 provided in s. 775.082, s. 775.083, or s. 775.084.
 2411 2. If the quantity involved under subparagraph 1.:
 2412 a. Is 280 grams or more, but less than 500 grams, such
 2413 person shall be sentenced to a mandatory minimum term of
 2414 imprisonment of 3 years, and the defendant shall be ordered to
 2415 pay a fine of \$50,000.
 2416 b. Is 500 grams or more, but less than 1,000 grams, such
 2417 person shall be sentenced to a mandatory minimum term of
 2418 imprisonment of 7 years, and the defendant shall be ordered to
 2419 pay a fine of \$100,000.
 2420 c. Is 1,000 grams or more, but less than 30 kilograms,
 2421 such person shall be sentenced to a mandatory minimum term of
 2422 imprisonment of 15 years, and the defendant shall be ordered to
 2423 pay a fine of \$200,000.
 2424 d. Is 30 kilograms or more, such person shall be sentenced
 2425 to a mandatory minimum term of imprisonment of 25 years, and the

2426 | defendant shall be ordered to pay a fine of \$750,000.

2427 | (m)~~(n)~~1. A person who knowingly sells, purchases,
 2428 | manufactures, delivers, or brings into this state, or who is
 2429 | knowingly in actual or constructive possession of, 14 grams or
 2430 | more of:

2431 | a. A substance described in s. 893.03(1)(c)163., 173., or
 2432 | 174. ~~s. 893.03(1)(c)164., 174., or 175.,~~ a n-benzyl
 2433 | phenethylamine compound, as described in s. 893.03(1)(c)192. ~~s.~~
 2434 | ~~893.03(1)(c)193.;~~ or

2435 | b. A mixture containing any substance described in sub-
 2436 | subparagraph a.,
 2437 |
 2438 | commits a felony of the first degree, which felony shall be
 2439 | known as "trafficking in n-benzyl phenethylamines," punishable
 2440 | as provided in s. 775.082, s. 775.083, or s. 775.084.

2441 | 2. If the quantity involved under subparagraph 1.:

2442 | a. Is 14 grams or more, but less than 100 grams, such
 2443 | person shall be sentenced to a mandatory minimum term of
 2444 | imprisonment of 3 years, and the defendant shall be ordered to
 2445 | pay a fine of \$50,000.

2446 | b. Is 100 grams or more, but less than 200 grams, such
 2447 | person shall be sentenced to a mandatory minimum term of
 2448 | imprisonment of 7 years, and the defendant shall be ordered to
 2449 | pay a fine of \$100,000.

2450 | c. Is 200 grams or more, such person shall be sentenced to

2451 a mandatory minimum term of imprisonment of 15 years, and the
2452 defendant shall be ordered to pay a fine of \$500,000.

2453 3. A person who knowingly manufactures or brings into this
2454 state 400 grams or more of a substance described in sub-
2455 subparagraph 1.a. or a mixture described in sub-subparagraph
2456 1.b., and who knows that the probable result of such manufacture
2457 or importation would be the death of any person commits capital
2458 manufacture or importation of a n-benzyl phenethylamine
2459 compound, a capital felony punishable as provided in ss. 775.082
2460 and 921.142. A person sentenced for a capital felony under this
2461 paragraph shall also be sentenced to pay the maximum fine under
2462 subparagraph 2.

2463 Section 14. Section 893.13501, Florida Statutes, is
2464 created to read:

2465 893.13501 Retroactive effect of amendments to ss. 893.03,
2466 89.013, and 893.135.-

2467 (1) It is the intent of the Legislature to retroactively
2468 apply changes to ss. 893.03, 89.013, and 893.135 made by HB 291
2469 which are applicable to offenders who committed offenses on or
2470 after the effective date of those provisions as originally
2471 enacted. A person who committed an offense and is currently in
2472 the custody of the Department of Corrections or subject to any
2473 form of supervision shall be resentenced as provided in
2474 subsection (2)

2475 (2) Sentence review under this section must occur in the

2476 following manner:

2477 (a) The Department of Corrections shall notify the person
2478 described in subsection (1) of his or her eligibility to request
2479 a sentence review hearing.

2480 (b) The person seeking sentence review under this section
2481 may submit an application to the court of original jurisdiction
2482 requesting that a sentence review hearing be held. The
2483 sentencing court retains original jurisdiction for the duration
2484 of the sentence for this purpose.

2485 (c) A person who is eligible for a sentence review hearing
2486 under this section is entitled to be represented by counsel. The
2487 court shall appoint a public defender to represent the person if
2488 he or she cannot afford an attorney.

2489 (d) Upon receiving an application from the eligible
2490 person, the court of original sentencing jurisdiction shall hold
2491 a sentence review hearing to determine if the eligible person
2492 meets the criteria for resentencing or release under this
2493 section.

2494 1. If the person has no further charges remaining, the
2495 person shall be released immediately.

2496 2. If the court determines at the sentence review hearing
2497 that the eligible person meets the criteria in this section for
2498 resentencing, the court must resentence the person as provided
2499 in this section; however, the new sentence may not exceed the
2500 person's original sentence with credit for time served.

2501 3. If the court determines that such person does not meet
 2502 the criteria for resentencing under this section, the court must
 2503 provide written reasons why such person does not meet such
 2504 criteria.

2505 (e) A person sentenced or resentenced pursuant to this
 2506 section is eligible to receive any gain-time pursuant to s.
 2507 944.275 which he or she was previously ineligible to receive due
 2508 to the original offense that is now subject to resentencing.

2509 (3) This section does not apply to any offense which had
 2510 violence or a threat of violence as an element of the offense.

2511 Section 15. Paragraphs (b), (e), (g), and (h) of
 2512 subsection (3) of section 921.0022, Florida Statutes, are
 2513 amended to read:

2514 921.0022 Criminal Punishment Code; offense severity
 2515 ranking chart.—

2516 (3) OFFENSE SEVERITY RANKING CHART

2517 (b) LEVEL 2

2518

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

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| 2520 | 379.2431 (1) (e) 4. | 3rd | Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act. |
| 2521 | 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. |
| 2522 | 517.07 (2) | 3rd | Failure to furnish a prospectus meeting requirements. |
| 2523 | 590.28 (1) | 3rd | Intentional burning of lands. |
| 2524 | 784.05 (3) | 3rd | Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death. |
| 2525 | 787.04 (1) | 3rd | In violation of court order, take, entice, etc., minor beyond state limits. |

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| 2526 | 806.13(1)(b)3. | 3rd | Criminal mischief; damage \$1,000 or more to public communication or any other public service. |
| 2527 | 810.061(2) | 3rd | Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary. |
| 2528 | 810.09(2)(e) | 3rd | Trespassing on posted commercial horticulture property. |
| 2529 | 812.014(2)(c)1. | 3rd | Grand theft, 3rd degree; \$750 or more but less than \$5,000. |
| 2530 | 812.014(2)(d) | 3rd | Grand theft, 3rd degree; \$100 or more but less than \$750, taken from unenclosed curtilage of dwelling. |
| 2531 | 812.015(7) | 3rd | Possession, use, or attempted use of an antishoplifting or |

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| | | | inventory control device countermeasure. |
| 2532 | 817.234 (1) (a) 2. | 3rd | False statement in support of insurance claim. |
| 2533 | 817.481 (3) (a) | 3rd | Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300. |
| 2534 | 817.52 (3) | 3rd | Failure to redeliver hired vehicle. |
| 2535 | 817.54 | 3rd | With intent to defraud, obtain mortgage note, etc., by false representation. |
| 2536 | 817.60 (5) | 3rd | Dealing in credit cards of another. |
| 2537 | 817.60 (6) (a) | 3rd | Forgery; purchase goods, services with false card. |
| 2538 | 817.61 | 3rd | Fraudulent use of credit cards |

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| | | | over \$100 or more within 6 months. |
| 2539 | 826.04 | 3rd | Knowingly marries or has sexual intercourse with person to whom related. |
| 2540 | 831.01 | 3rd | Forgery. |
| 2541 | 831.02 | 3rd | Uttering forged instrument; utters or publishes alteration with intent to defraud. |
| 2542 | 831.07 | 3rd | Forging bank bills, checks, drafts, or promissory notes. |
| 2543 | 831.08 | 3rd | Possessing 10 or more forged notes, bills, checks, or drafts. |
| 2544 | 831.09 | 3rd | Uttering forged notes, bills, checks, drafts, or promissory notes. |
| 2545 | 831.11 | 3rd | Bringing into the state forged |

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| | | | bank bills, checks, drafts, or notes. |
| 2546 | 832.05 (3) (a) | 3rd | Cashing or depositing item with intent to defraud. |
| 2547 | 843.08 | 3rd | False personation. |
| 2548 | 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) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs other than cannabis. |
| 2549 | 893.147 (2) | 3rd | Manufacture or delivery of drug paraphernalia. |
| 2550 | | | |
| 2551 | (e) LEVEL 5 | | |
| 2552 | | | |
| | Florida | Felony | |
| | Statute | Degree | Description |
| 2553 | 316.027 (2) (a) | 3rd | Accidents involving personal injuries other than serious |

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| | | | bodily injury, failure to stop; leaving scene. |
| 2554 | 316.1935 (4) (a) | 2nd | Aggravated fleeing or eluding. |
| 2555 | 316.80 (2) | 2nd | Unlawful conveyance of fuel; obtaining fuel fraudulently. |
| 2556 | 322.34 (6) | 3rd | Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury. |
| 2557 | 327.30 (5) | 3rd | Vessel accidents involving personal injury; leaving scene. |
| 2558 | 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 |

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| | | | 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. |
| 2559 | 379.367 (4) | 3rd | Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy. |
| 2560 | 379.407 (5) (b) 3. | 3rd | Possession of 100 or more undersized spiny lobsters. |
| 2561 | 381.0041 (11) (b) | 3rd | Donate blood, plasma, or organs knowing HIV positive. |
| 2562 | 440.10 (1) (g) | 2nd | Failure to obtain workers' compensation coverage. |
| 2563 | 440.105 (5) | 2nd | Unlawful solicitation for the purpose of making workers' |

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| 2564 | 440.381 (2) | 3rd | <p>compensation claims.</p> <p>Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.</p> |
| 2565 | 624.401 (4) (b) 2. | 2nd | <p>Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.</p> |
| 2566 | 626.902 (1) (c) | 2nd | <p>Representing an unauthorized insurer; repeat offender.</p> |
| 2567 | 790.01 (2) | 3rd | <p>Carrying a concealed firearm.</p> |
| 2568 | 790.162 | 2nd | <p>Threat to throw or discharge destructive device.</p> |
| 2569 | 790.163 (1) | 2nd | <p>False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.</p> |

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| 2570 | 790.221 (1) | 2nd | Possession of short-barreled shotgun or machine gun. |
| 2571 | 790.23 | 2nd | Felons in possession of firearms, ammunition, or electronic weapons or devices. |
| 2572 | 796.05 (1) | 2nd | Live on earnings of a prostitute; 1st offense. |
| 2573 | 800.04 (6) (c) | 3rd | Lewd or lascivious conduct; offender less than 18 years of age. |
| 2574 | 800.04 (7) (b) | 2nd | Lewd or lascivious exhibition; offender 18 years of age or older. |
| 2575 | 806.111 (1) | 3rd | Possess, manufacture, or dispense fire bomb with intent to damage any structure or property. |
| 2576 | 812.0145 (2) (b) | 2nd | Theft from person 65 years of |

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| 2577 | | | age or older; \$10,000 or more but less than \$50,000. |
| | 812.015 | 3rd | Retail theft; property stolen is valued at \$750 or more and one or more specified acts. |
| | (8) (a) & (c) - (e) | | |
| 2578 | | | |
| | 812.019 (1) | 2nd | Stolen property; dealing in or trafficking in. |
| 2579 | | | |
| | 812.131 (2) (b) | 3rd | Robbery by sudden snatching. |
| 2580 | | | |
| | 812.16 (2) | 3rd | Owning, operating, or conducting a chop shop. |
| 2581 | | | |
| | 817.034 (4) (a) 2. | 2nd | Communications fraud, value \$20,000 to \$50,000. |
| 2582 | | | |
| | 817.234 (11) (b) | 2nd | Insurance fraud; property value \$20,000 or more but less than \$100,000. |
| 2583 | | | |
| | 817.2341 (1), (2) (a) & (3) (a) | 3rd | Filing false financial statements, making false entries of material fact or |

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| 2584 | 817.568 (2) (b) | 2nd | <p>false statements regarding property values relating to the solvency of an insuring entity.</p> <p>Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.</p> |
| 2585 | 817.611 (2) (a) | 2nd | <p>Traffic in or possess 5 to 14 counterfeit credit cards or related documents.</p> |
| 2586 | 817.625 (2) (b) | 2nd | <p>Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.</p> |
| 2587 | 825.1025 (4) | 3rd | <p>Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.</p> |

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| 2588 | 827.071 (4) | 2nd | Possess with intent to promote any photographic material, motion picture, etc., which includes sexual conduct by a child. |
| 2589 | 827.071 (5) | 3rd | Possess, control, or intentionally view any photographic material, motion picture, etc., which includes sexual conduct by a child. |
| 2590 | 828.12 (2) | 3rd | Tortures any animal with intent to inflict intense pain, serious physical injury, or death. |
| 2591 | 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. |
| 2592 | 843.01 | 3rd | Resist officer with violence to |

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| | | | person; resist arrest with violence. |
| 2593 | 847.0135 (5) (b) | 2nd | Lewd or lascivious exhibition using computer; offender 18 years or older. |
| 2594 | 847.0137 (2) & (3) | 3rd | Transmission of pornography by electronic device or equipment. |
| 2595 | 847.0138 (2) & (3) | 3rd | Transmission of material harmful to minors to a minor by electronic device or equipment. |
| 2596 | 874.05 (1) (b) | 2nd | Encouraging or recruiting another to join a criminal gang; second or subsequent offense. |
| 2597 | 874.05 (2) (a) | 2nd | Encouraging or recruiting person under 13 years of age to join a criminal gang. |
| 2598 | 893.13 (1) (a) 1. | 2nd | Sell, manufacture, or deliver cocaine (or other s. |

| | | | |
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| 2599 | 893.13(1)(c)2. | 2nd | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs). |
| 2600 | 893.13(1)(d)1. | 1st | Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center. |
| 2601 | 893.13(1)(e)2. | 2nd | Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university. |

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| 2602 | 893.13(1)(f)1. | 1st | <p>cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.</p> <p>Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.</p> |
| 2603 | <u>893.13(3)(b)</u> 893.13(4)(b) | 2nd | <p>Use or hire of minor; deliver to minor other controlled substance.</p> |
| 2604 | 893.1351(1) | 3rd | <p>Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.</p> |
| 2605 | | | |

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| 2606 | (g) LEVEL 7 | | |
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| 2607 | Florida | Felony | |
| 2608 | Statute | Degree | Description |
| 2609 | 316.027 (2) (c) | 1st | Accident involving death, failure to stop; leaving scene. |
| 2610 | 316.193 (3) (c) 2. | 3rd | DUI resulting in serious bodily injury. |
| 2611 | 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. |
| 2612 | 327.35 (3) (c) 2. | 3rd | Vessel BUI resulting in serious bodily injury. |
| 2612 | 402.319 (2) | 2nd | Misrepresentation and negligence or intentional act |

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| | | | resulting in great bodily harm, permanent disfiguration, permanent disability, or death. |
| 2613 | 409.920 (2) (b) 1.a. | 3rd | Medicaid provider fraud; \$10,000 or less. |
| 2614 | 409.920 (2) (b) 1.b. | 2nd | Medicaid provider fraud; more than \$10,000, but less than \$50,000. |
| 2615 | 456.065 (2) | 3rd | Practicing a health care profession without a license. |
| 2616 | 456.065 (2) | 2nd | Practicing a health care profession without a license which results in serious bodily injury. |
| 2617 | 458.327 (1) | 3rd | Practicing medicine without a license. |
| 2618 | 459.013 (1) | 3rd | Practicing osteopathic medicine without a license. |
| 2619 | | | |

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| 2620 | 460.411 (1) | 3rd | Practicing chiropractic medicine without a license. |
| 2621 | 461.012 (1) | 3rd | Practicing podiatric medicine without a license. |
| 2622 | 462.17 | 3rd | Practicing naturopathy without a license. |
| 2623 | 463.015 (1) | 3rd | Practicing optometry without a license. |
| 2624 | 464.016 (1) | 3rd | Practicing nursing without a license. |
| 2625 | 465.015 (2) | 3rd | Practicing pharmacy without a license. |
| 2626 | 466.026 (1) | 3rd | Practicing dentistry or dental hygiene without a license. |
| 2627 | 467.201 | 3rd | Practicing midwifery without a license. |
| | 468.366 | 3rd | Delivering respiratory care |

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| 2628 | | | services without a license. |
| | 483.828 (1) | 3rd | Practicing as clinical laboratory personnel without a license. |
| 2629 | | | |
| | 483.901 (7) | 3rd | Practicing medical physics without a license. |
| 2630 | | | |
| | 484.013 (1) (c) | 3rd | Preparing or dispensing optical devices without a prescription. |
| 2631 | | | |
| | 484.053 | 3rd | Dispensing hearing aids without a license. |
| 2632 | | | |
| | 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. |
| 2633 | | | |
| | 560.123 (8) (b) 1. | 3rd | Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a |

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| 2634 | 560.125 (5) (a) | 3rd | <p>money services business.</p> <p>Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.</p> |
| 2635 | 655.50 (10) (b) 1. | 3rd | <p>Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.</p> |
| 2636 | 775.21 (10) (a) | 3rd | <p>Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.</p> |
| 2637 | 775.21 (10) (b) | 3rd | <p>Sexual predator working where children regularly congregate.</p> |
| 2638 | 775.21 (10) (g) | 3rd | <p>Failure to report or providing false information about a sexual predator; harbor or</p> |

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| 2639 | 782.051 (3) | 2nd | <p>conceal a sexual predator.</p> <p>Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.</p> |
| 2640 | 782.07 (1) | 2nd | <p>Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).</p> |
| 2641 | 782.071 | 2nd | <p>Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).</p> |
| 2642 | 782.072 | 2nd | <p>Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).</p> |
| 2643 | 784.045 (1) (a) 1. | 2nd | <p>Aggravated battery;</p> |

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| 2644 | | | intentionally causing great bodily harm or disfigurement. |
| | 784.045 (1) (a) 2. | 2nd | Aggravated battery; using deadly weapon. |
| 2645 | | | |
| | 784.045 (1) (b) | 2nd | Aggravated battery; perpetrator aware victim pregnant. |
| 2646 | | | |
| | 784.048 (4) | 3rd | Aggravated stalking; violation of injunction or court order. |
| 2647 | | | |
| | 784.048 (7) | 3rd | Aggravated stalking; violation of court order. |
| 2648 | | | |
| | 784.07 (2) (d) | 1st | Aggravated battery on law enforcement officer. |
| 2649 | | | |
| | 784.074 (1) (a) | 1st | Aggravated battery on sexually violent predators facility staff. |
| 2650 | | | |
| | 784.08 (2) (a) | 1st | Aggravated battery on a person 65 years of age or older. |
| 2651 | | | |

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| 2652 | 784.081 (1) | 1st | Aggravated battery on specified official or employee. |
| 2653 | 784.082 (1) | 1st | Aggravated battery by detained person on visitor or other detainee. |
| 2654 | 784.083 (1) | 1st | Aggravated battery on code inspector. |
| 2655 | 787.06 (3) (a) 2. | 1st | Human trafficking using coercion for labor and services of an adult. |
| 2656 | 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. |
| 2657 | 790.07 (4) | 1st | Specified weapons violation subsequent to previous conviction of s. 790.07 (1) or (2). |

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| 2658 | 790.16 (1) | 1st | Discharge of a machine gun under specified circumstances. |
| 2659 | 790.165 (2) | 2nd | Manufacture, sell, possess, or deliver hoax bomb. |
| 2660 | 790.165 (3) | 2nd | Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony. |
| 2661 | 790.166 (3) | 2nd | Possessing, selling, using, or attempting to use a hoax weapon of mass destruction. |
| 2662 | 790.166 (4) | 2nd | Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony. |
| | 790.23 | 1st, PBL | Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04. |

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| 2663 | 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. |
| 2664 | 796.05 (1) | 1st | Live on earnings of a prostitute; 2nd offense. |
| 2665 | 796.05 (1) | 1st | Live on earnings of a prostitute; 3rd and subsequent offense. |
| 2666 | 800.04 (5) (c) 1. | 2nd | Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age. |
| 2667 | 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. |
| 2668 | | | |

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| 2669 | 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. |
| 2670 | 806.01 (2) | 2nd | Maliciously damage structure by fire or explosive. |
| 2671 | 810.02 (3) (a) | 2nd | Burglary of occupied dwelling; unarmed; no assault or battery. |
| 2672 | 810.02 (3) (b) | 2nd | Burglary of unoccupied dwelling; unarmed; no assault or battery. |
| 2673 | 810.02 (3) (d) | 2nd | Burglary of occupied conveyance; unarmed; no assault or battery. |
| 2674 | 810.02 (3) (e) | 2nd | Burglary of authorized emergency vehicle. |
| | 812.014 (2) (a) 1. | 1st | Property stolen, valued at |

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| | | | \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft. |
| 2675 | 812.014 (2) (b) 2. | 2nd | Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree. |
| 2676 | 812.014 (2) (b) 3. | 2nd | Property stolen, emergency medical equipment; 2nd degree grand theft. |
| 2677 | 812.014 (2) (b) 4. | 2nd | Property stolen, law enforcement equipment from authorized emergency vehicle. |
| 2678 | 812.0145 (2) (a) | 1st | Theft from person 65 years of age or older; \$50,000 or more. |
| 2679 | 812.019 (2) | 1st | Stolen property; initiates, organizes, plans, etc., the theft of property and traffics |

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| | | | in stolen property. |
| 2680 | 812.131 (2) (a) | 2nd | Robbery by sudden snatching. |
| 2681 | 812.133 (2) (b) | 1st | Carjacking; no firearm, deadly weapon, or other weapon. |
| 2682 | 817.034 (4) (a) 1. | 1st | Communications fraud, value greater than \$50,000. |
| 2683 | 817.234 (8) (a) | 2nd | Solicitation of motor vehicle accident victims with intent to defraud. |
| 2684 | 817.234 (9) | 2nd | Organizing, planning, or participating in an intentional motor vehicle collision. |
| 2685 | 817.234 (11) (c) | 1st | Insurance fraud; property value \$100,000 or more. |
| 2686 | 817.2341 (2) (b) & (3) (b) | 1st | Making false entries of material fact or false statements regarding property values relating to the solvency |

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| 2687 | 817.535 (2) (a) | 3rd | of an insuring entity which are a significant cause of the insolvency of that entity. |
| 2688 | 817.611 (2) (b) | 2nd | Filing false lien or other unauthorized document. |
| 2689 | 825.102 (3) (b) | 2nd | Traffic in or possess 15 to 49 counterfeit credit cards or related documents. |
| 2690 | 825.103 (3) (b) | 2nd | Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement. |
| 2691 | 827.03 (2) (b) | 2nd | Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000. |
| 2692 | | | Neglect of a child causing great bodily harm, disability, or disfigurement. |

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| 2693 | 827.04 (3) | 3rd | Impregnation of a child under 16 years of age by person 21 years of age or older. |
| 2694 | 837.05 (2) | 3rd | Giving false information about alleged capital felony to a law enforcement officer. |
| 2695 | 838.015 | 2nd | Bribery. |
| 2696 | 838.016 | 2nd | Unlawful compensation or reward for official behavior. |
| 2697 | 838.021 (3) (a) | 2nd | Unlawful harm to a public servant. |
| 2698 | 838.22 | 2nd | Bid tampering. |
| 2699 | 843.0855 (2) | 3rd | Impersonation of a public officer or employee. |
| 2700 | 843.0855 (3) | 3rd | Unlawful simulation of legal process. |
| | 843.0855 (4) | 3rd | Intimidation of a public |

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| 2701 | | | officer or employee. |
| | 847.0135 (3) | 3rd | Solicitation of a child, via a computer service, to commit an unlawful sex act. |
| 2702 | | | |
| | 847.0135 (4) | 2nd | Traveling to meet a minor to commit an unlawful sex act. |
| 2703 | | | |
| | 872.06 | 2nd | Abuse of a dead human body. |
| 2704 | | | |
| | 874.05 (2) (b) | 1st | Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense. |
| 2705 | | | |
| | 874.10 | 1st, PBL | Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity. |
| 2706 | | | |
| | 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), |

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| 2707 | 893.13(1)(e)1. | 1st | <p>(2)(a), (2)(b), or (2)(c)5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.</p> |
| 2708 | <p><u>893.13(3)(a)</u> 893.13(4)(a)</p> | 1st | <p>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)5., within 1,000 feet of property used for religious services or a specified business site.</p> |
| 2709 | 893.135(1)(a)1. | 1st | <p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p> |
| 2710 | | | |

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| 2711 | <p><u>893.135</u></p> <p><u>(1) (a) 1.a.</u></p> <p>893.135</p> <p>(1) (b) 1.a.</p> | 1st | <p>Trafficking in cocaine, more than 28 grams, less than 200 grams.</p> |
| 2712 | <p><u>893.135</u></p> <p><u>(1) (b) 1.a.</u></p> <p>893.135</p> <p>(1) (c) 1.a.</p> | 1st | <p>Trafficking in illegal drugs, more than 4 grams, less than 14 grams.</p> |
| 2713 | <p><u>893.135</u></p> <p><u>(1) (b) 2.a.</u></p> <p>893.135</p> <p>(1) (c) 2.a.</p> | 1st | <p>Trafficking in hydrocodone, 28 grams or more, less than 50 grams.</p> |
| 2714 | <p><u>893.135</u></p> <p><u>(1) (b) 2.b.</u></p> <p>893.135</p> <p>(1) (c) 2.b.</p> | 1st | <p>Trafficking in hydrocodone, 50 grams or more, less than 100 grams.</p> |
| 2715 | <p><u>893.135</u></p> <p><u>(1) (b) 3.a.</u></p> <p>893.135</p> <p>(1) (c) 3.a.</p> | 1st | <p>Trafficking in oxycodone, 7 grams or more, less than 14 grams.</p> |

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| 2716 | <p><u>893.135</u></p> <p><u>(1) (b) 3.b.</u></p> <p>893.135</p> <p>(1) (c) 3.b.</p> | 1st | <p>Trafficking in oxycodone, 14 grams or more, less than 25 grams.</p> |
| 2717 | <p><u>893.135</u></p> <p><u>(1) (b) 4.b. (I)</u></p> <p>893.135</p> <p>(1) (c) 4.b. (I)</p> | 1st | <p>Trafficking in fentanyl, 4 grams or more, less than 14 grams.</p> |
| 2718 | <p><u>893.135</u></p> <p><u>(1) (c) 1.a.</u></p> <p>893.135</p> <p>(1) (d) 1.a.</p> | 1st | <p>Trafficking in phencyclidine, 28 grams or more, less than 200 grams.</p> |
| 2719 | <p><u>893.135 (1) (d) 1.</u></p> <p>893.135 (1) (e) 1.</p> | 1st | <p>Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.</p> |
| 2720 | <p><u>893.135 (1) (e) 1.</u></p> <p>893.135 (1) (f) 1.</p> | 1st | <p>Trafficking in amphetamine, 14 grams or more, less than 28 grams.</p> |
| 2720 | <p><u>893.135</u></p> <p><u>(1) (h) 1.a.</u></p> | 1st | <p>Trafficking in flunitrazepam, 4 grams or more, less than 14</p> |

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| 2721 | 893.135 (1) (g) 1.a. | grams. | |
| 2722 | <u>893.135</u> <u>(1) (g) 1.a.</u> 893.135 (1) (h) 1.a. | 1st Trafficking in gamma- hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms. | |
| 2723 | <u>893.135</u> <u>(1) (i) 1.a.</u> 893.135 (1) (j) 1.a. | 1st Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms. | |
| 2724 | <u>893.135</u> <u>(1) (j) 2.a.</u> 893.135 (1) (k) 2.a. | 1st Trafficking in Phenethylamines, 10 grams or more, less than 200 grams. | |
| 2725 | <u>893.135</u> <u>(1) (l) 2.a.</u> 893.135 (1) (m) 2.a. | 1st Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams. | |
| | <u>893.135</u> <u>(1) (l) 2.b.</u> | 1st Trafficking in synthetic cannabinoids, 500 grams or | |

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| 2726 | 893.135 (1) (m) 2.b. | | more, less than 1,000 grams. |
| 2727 | <u>893.135</u> <u>(1) (m) 2.a.</u> 893.135 (1) (n) 2.a. | 1st | Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams. |
| 2728 | 893.1351 (2) | 2nd | Possession of place for trafficking in or manufacturing of controlled substance. |
| 2729 | 896.101 (5) (a) | 3rd | Money laundering, financial transactions exceeding \$300 but less than \$20,000. |
| 2730 | 896.104 (4) (a) 1. | 3rd | Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000. |
| 2730 | 943.0435 (4) (c) | 2nd | Sexual offender vacating permanent residence; failure to comply with reporting |

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| 2731 | 943.0435 (8) | 2nd | <p>requirements.</p> <p>Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.</p> |
| 2732 | 943.0435 (9) (a) | 3rd | <p>Sexual offender; failure to comply with reporting requirements.</p> |
| 2733 | 943.0435 (13) | 3rd | <p>Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.</p> |
| 2734 | 943.0435 (14) | 3rd | <p>Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.</p> |
| 2735 | 944.607 (9) | 3rd | <p>Sexual offender; failure to comply with reporting requirements.</p> |

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| 2736 | 944.607(10)(a) | 3rd | Sexual offender; failure to submit to the taking of a digitized photograph. |
| 2737 | 944.607(12) | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender. |
| 2738 | 944.607(13) | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 2739 | 985.4815(10) | 3rd | Sexual offender; failure to submit to the taking of a digitized photograph. |
| 2740 | 985.4815(12) | 3rd | Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender. |
| 2741 | | | |

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| 2742 | 985.4815 (13) | 3rd | Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information. |
| 2743 | (h) LEVEL 8 | | |
| 2744 | Florida Statute | Felony Degree | Description |
| 2745 | 316.193 (3) (c) 3.a. | 2nd | DUI manslaughter. |
| 2746 | 316.1935 (4) (b) | 1st | Aggravated fleeing or attempted eluding with serious bodily injury or death. |
| 2747 | 327.35 (3) (c) 3. | 2nd | Vessel BUI manslaughter. |
| 2748 | 499.0051 (6) | 1st | Knowing trafficking in contraband prescription drugs. |
| 2749 | 499.0051 (7) | 1st | Knowing forgery of prescription labels or prescription drug |

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| 2750 | 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. |
| 2751 | 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. |
| 2752 | 655.50 (10) (b) 2. | 2nd | Failure to report financial transactions totaling or exceeding \$20,000, but less than \$100,000 by financial institutions. |
| 2753 | 777.03 (2) (a) | 1st | Accessory after the fact, capital felony. |
| 2754 | 782.04 (4) | 2nd | Killing of human without design when engaged in act or attempt |

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| | | | 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. |
| 2755 | 782.051 (2) | 1st | Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04 (3). |
| 2756 | 782.071 (1) (b) | 1st | Committing vehicular homicide and failing to render aid or give information. |
| 2757 | 782.072 (2) | 1st | Committing vessel homicide and failing to render aid or give information. |
| 2758 | 787.06 (3) (a) 1. | 1st | Human trafficking for labor and services of a child. |
| 2759 | 787.06 (3) (b) | 1st | Human trafficking using |

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| 2760 | 787.06(3)(c)2. | 1st | coercion for commercial sexual activity of an adult. |
| 2761 | 787.06(3)(e)1. | 1st | Human trafficking using coercion for labor and services of an unauthorized alien adult. |
| 2762 | 787.06(3)(f)2. | 1st | Human trafficking for labor and services by the transfer or transport of a child from outside Florida to within the state. |
| 2763 | 790.161(3) | 1st | Human trafficking using coercion for commercial sexual activity by the transfer or transport of any adult from outside Florida to within the state. |
| 2764 | 794.011(5)(a) | 1st | Discharging a destructive device which results in bodily harm or property damage. |
| | | | Sexual battery; victim 12 years |

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| 2765 | 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. |
| 2766 | 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. |
| 2767 | 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. |
| 2768 | | | 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. |

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| 2769 | 794.08 (3) | 2nd | Female genital mutilation, removal of a victim younger than 18 years of age from this state. |
| 2770 | 800.04 (4) (b) | 2nd | Lewd or lascivious battery. |
| 2771 | 800.04 (4) (c) | 1st | Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense. |
| 2772 | 806.01 (1) | 1st | Maliciously damage dwelling or structure by fire or explosive, believing person in structure. |
| 2773 | 810.02 (2) (a) | 1st, PBL | Burglary with assault or battery. |
| 2774 | 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 |

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| | | | property damage. |
| 2775 | 812.014 (2) (a) 2. | 1st | Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree. |
| 2776 | 812.13 (2) (b) | 1st | Robbery with a weapon. |
| 2777 | 812.135 (2) (c) | 1st | Home-invasion robbery, no firearm, deadly weapon, or other weapon. |
| 2778 | 817.505 (4) (c) | 1st | Patient brokering; 20 or more patients. |
| 2779 | 817.535 (2) (b) | 2nd | Filing false lien or other unauthorized document; second or subsequent offense. |
| 2780 | 817.535 (3) (a) | 2nd | Filing false lien or other unauthorized document; property owner is a public officer or employee. |
| 2781 | 817.535 (4) (a) 1. | 2nd | Filing false lien or other |

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| 2782 | 817.535 (5) (a) | 2nd | <p>unauthorized document; defendant is incarcerated or under supervision.</p> |
| 2783 | 817.568 (6) | 2nd | <p>Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.</p> |
| 2784 | 817.611 (2) (c) | 1st | <p>Fraudulent use of personal identification information of an individual under the age of 18.</p> |
| 2785 | 825.102 (2) | 1st | <p>Traffic in or possess 50 or more counterfeit credit cards or related documents.</p> |
| 2786 | 825.1025 (2) | 2nd | <p>Aggravated abuse of an elderly person or disabled adult.</p> <p>Lewd or lascivious battery upon an elderly person or disabled adult.</p> |

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| 2787 | 825.103 (3) (a) | 1st | Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more. |
| 2788 | 837.02 (2) | 2nd | Perjury in official proceedings relating to prosecution of a capital felony. |
| 2789 | 837.021 (2) | 2nd | Making contradictory statements in official proceedings relating to prosecution of a capital felony. |
| 2790 | 860.121 (2) (c) | 1st | Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm. |
| 2791 | 860.16 | 1st | Aircraft piracy. |
| 2792 | 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) . |

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| 2793 | 893.13 (2) (b) | 1st | Purchase in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b). |
| 2794 | 893.13 (6) (c) | 1st | Possess in excess of 10 grams of any substance specified in s. 893.03(1) (a) or (b). |
| 2795 | 893.135 (1) (a) 2. | 1st | Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs. |
| 2796 | <u>893.135</u> <u>(1) (a) 1.b.</u> 893.135 (1) (b) 1.b. | 1st | Trafficking in cocaine, more than 200 grams, less than 400 grams. |
| 2797 | <u>893.135</u> <u>(1) (b) 1.b.</u> 893.135 (1) (c) 1.b. | 1st | Trafficking in illegal drugs, more than 14 grams, less than 28 grams. |
| 2798 | <u>893.135</u> <u>(1) (b) 2.c.</u> | 1st | Trafficking in hydrocodone, 100 grams or more, less than 300 |

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| 2799 | 893.135 (1) (c) 2.e. | | grams. |
| 2800 | <u>893.135</u> <u>(1) (b) 3.c.</u> | 1st | Trafficking in oxycodone, 25 grams or more, less than 100 grams. |
| 2801 | 893.135 (1) (c) 3.e. | | grams. |
| 2802 | <u>893.135</u> <u>(1) (b) 4.b. (II)</u> | 1st | Trafficking in fentanyl, 14 grams or more, less than 28 grams. |
| 2803 | 893.135 (1) (c) 4.b. (II) | | grams. |
| 2804 | <u>893.135</u> <u>(1) (c) 1.b.</u> | 1st | Trafficking in phencyclidine, 200 grams or more, less than 400 grams. |
| 2805 | 893.135 (1) (d) 1.b. | | grams. |
| 2806 | <u>893.135</u> <u>(1) (d) 1.b.</u> | 1st | Trafficking in methaqualone, 5 kilograms or more, less than 25 kilograms. |
| 2807 | 893.135 (1) (c) 1.b. | | kilograms. |
| 2808 | <u>893.135</u> <u>(1) (e) 1.b.</u> | 1st | Trafficking in amphetamine, 28 grams or more, less than 200 |

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| 2804 | 893.135 (1) (f) 1.b. | grams. | |
| 2805 | <u>893.135</u> <u>(1) (f) 1.b.</u> | 1st Trafficking in flunitrazepam, 14 grams or more, less than 28 grams. | |
| 2806 | 893.135 (1) (g) 1.b. | grams. | |
| 2807 | <u>893.135</u> <u>(1) (g) 1.b.</u> | 1st Trafficking in gamma- hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms. | |
| 2808 | 893.135 (1) (h) 1.b. | kilograms. | |
| 2809 | <u>893.135</u> <u>(1) (i) 1.b.</u> | 1st Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms. | |
| 2810 | 893.135 (1) (j) 1.b. | kilograms. | |
| 2811 | <u>893.135</u> <u>(1) (j) 2.b.</u> | 1st Trafficking in Phenethylamines, 200 grams or more, less than 400 grams. | |
| 2812 | 893.135 (1) (k) 2.b. | 400 grams. | |
| 2813 | <u>893.135</u> <u>(1) (l) 2.c.</u> | 1st Trafficking in synthetic cannabinoids, 1,000 grams or | |

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| 2809 | 893.135 (1) (m) 2.c. | | more, less than 30 kilograms. |
| 2810 | <u>893.135</u> <u>(1) (m) 2.b.</u> 893.135 (1) (n) 2.b. | 1st | Trafficking in n-benzyl phenethylamines, 100 grams or more, less than 200 grams. |
| 2811 | 893.1351 (3) | 1st | Possession of a place used to manufacture controlled substance when minor is present or resides there. |
| 2812 | 895.03 (1) | 1st | Use or invest proceeds derived from pattern of racketeering activity. |
| 2813 | 895.03 (2) | 1st | Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property. |
| 2813 | 895.03 (3) | 1st | Conduct or participate in any enterprise through pattern of racketeering activity. |

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

2815

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.

2816

2817 Section 16. Except as otherwise expressly provided in this
 2818 act, this act shall take effect July 1, 2022.