

By Senator Yarborough

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59 activities described in specified provisions;
60 providing exceptions; amending s. 903.046, F.S.;
61 providing for consideration of the amount of currency
62 seized connected to or involved in specified gambling
63 or gaming offenses when determining whether to release
64 a defendant prior to trial; amending s. 921.0022,
65 F.S.; ranking offenses for purposes of the offense
66 severity ranking chart of the Criminal Punishment
67 Code; amending ss. 772.102 and 895.02, F.S.;
68 conforming provisions to changes made by the act;
69 providing an effective date.

70

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

72

73 Section 1. Paragraph (a) of subsection (2) of section
74 16.71, Florida Statutes, is amended to read:

75 16.71 Florida Gaming Control Commission; creation;
76 meetings; membership.—

77 (2) MEMBERSHIP.—

78 (a) The commission shall consist of five members appointed
79 by the Governor, and subject to confirmation by the Senate, for
80 terms of 4 years. ~~Members of the commission must be appointed by~~
81 ~~January 1, 2022. The Governor shall consider appointees who~~
82 ~~reflect Florida's racial, ethnic, and gender diversity. Of the~~
83 ~~initial five members appointed by the Governor, and immediately~~
84 ~~upon appointment, the Governor shall appoint one of the members~~
85 ~~as the initial chair and one of the members as the initial vice~~
86 ~~chair. At the end of the initial chair's and vice chair's terms~~
87 Pursuant to subparagraph 1., the commission shall elect one of

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88 the members of the commission as chair and one of the members of
89 the commission as vice chair.

90 1. For the purpose of providing staggered terms, of the
91 initial appointments, two members shall be appointed to 4-year
92 terms, two members shall be appointed to 3-year terms, and one
93 member shall be appointed to a 2-year term.

94 2. Of the five members, at least one member must have at
95 least 10 years of experience in law enforcement and criminal
96 investigations, at least one member must be a certified public
97 accountant licensed in this state with at least 10 years of
98 experience in accounting and auditing, and at least one member
99 must be an attorney admitted and authorized to practice law in
100 this state for at least the preceding 10 years.

101 Section 2. Paragraph (i) of subsection (4) of section
102 551.104, Florida Statutes, is amended to read:

103 551.104 License to conduct slot machine gaming.—

104 (4) As a condition of licensure and to maintain continued
105 authority for the conduct of slot machine gaming, the slot
106 machine licensee shall:

107 (i) Create and file with the commission a written policy
108 for:

109 1. Creating opportunities to purchase from vendors in this
110 state, ~~including minority vendors~~.

111 2. Creating opportunities for employment of residents of
112 this state, ~~including minority residents~~.

113 3. Ensuring opportunities for construction services from a
114 small business as defined in s. 288.703 ~~minority contractors~~.

115 4. Ensuring that opportunities for employment are offered
116 on an equal, nondiscriminatory basis.

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117 5. Training for employees on responsible gaming and working
118 with a compulsive or addictive gambling prevention program to
119 further its purposes as provided for in s. 551.118.

120 6. The implementation of a drug-testing program that
121 includes, but is not limited to, requiring each employee to sign
122 an agreement that he or she understands that the slot machine
123 facility is a drug-free workplace.

124
125 The slot machine licensee shall use the Internet-based job-
126 listing system of the Department of Commerce in advertising
127 employment opportunities. ~~Each slot machine licensee shall~~
128 ~~provide an annual report to the Florida Gaming Control~~
129 ~~Commission containing information indicating compliance with~~
130 ~~this paragraph in regard to minority persons.~~

131 Section 3. Section 838.12, Florida Statutes, is amended to
132 read:

133 838.12 Bribery in athletic contests.—

134 (1) Whoever gives, promises, offers or conspires to give,
135 promise or offer, to anyone who participates or expects to
136 participate in any professional or amateur game, contest, match,
137 race or sport; or to any umpire, referee, judge or other
138 official of such game, contest, match, race or sport; or to any
139 owner, manager, coach or trainer of, or to any relative of, or
140 to any person having any direct, indirect, remote or possible
141 connection with, any team, individual, participant or
142 prospective participant in any such professional or amateur
143 game, contest, match, race or sport, or the officials aforesaid,
144 any bribe, money, goods, present, reward or any valuable thing
145 whatsoever, or any promise, contract or agreement whatsoever,

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146 with intent to influence him or her or them to lose or cause to
147 be lost any game, contest, match, race or sport, or to limit his
148 or her or their or any person's or any team's margin of victory
149 in any game, contest, match, race, or sport, or to fix or throw
150 any game, contest, match, race or sport, commits shall be guilty
151 ~~of~~ a felony of the third degree, punishable as provided in s.
152 775.082, s. 775.083, or s. 775.084.

153 (2) Any participant or prospective participant in any
154 professional or amateur game, contest, match, race or sport; or
155 any umpire, referee, judge or other official of such game,
156 contest, match, race or sport; or any owner, manager, coach or
157 trainer of, or any relative of, or any person having any direct,
158 indirect, remote or possible connection with, any team,
159 individual, participant or prospective participant in any such
160 professional or amateur game, contest, match, race or sport, or
161 the officials aforesaid; who in any way solicits, receives or
162 accepts, or agrees to receive or accept, or who conspires to
163 receive or accept, any bribe, money, goods, present, reward or
164 any valuable thing whatsoever, or any promise, contract or
165 agreement whatsoever, with intent to lose or cause to be lost
166 any game, contest, match, race or sport, or to limit his, her,
167 their or any person's or any team's margin of victory in any
168 game, contest, match, race or sport, or to fix or throw any
169 game, contest, match, race or sport, commits shall be guilty of
170 a felony of the third degree, punishable as provided in s.
171 775.082, s. 775.083, or s. 775.084.

172 (3) A person who stakes, bets, or wagers any money or other
173 thing of value upon the result of any professional or amateur
174 game, contest, match, race, or sport with knowledge that the

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175 results of such professional or amateur game, contest, match,
176 race, or sport are prearranged or predetermined as described in
177 subsection (1) or subsection (2) commits a felony of the third
178 degree, punishable as provided in s. 775.082, s. 775.083, or s.
179 775.084.

180 Section 4. Section 843.08, Florida Statutes, is amended to
181 read:

182 843.08 False personation.—A person who falsely assumes or
183 pretends to be a firefighter, a sheriff, an officer of the
184 Florida Highway Patrol, an officer of the Fish and Wildlife
185 Conservation Commission, an officer of the Department of
186 Environmental Protection, an officer of the Department of
187 Financial Services, any personnel or representative of the
188 Division of Criminal Investigations, any personnel or
189 representative of the Florida Gaming Control Commission, an
190 officer of the Department of Corrections, a correctional
191 probation officer, a deputy sheriff, a state attorney or an
192 assistant state attorney, a statewide prosecutor or an assistant
193 statewide prosecutor, a state attorney investigator, a coroner,
194 a police officer, a lottery special agent or lottery
195 investigator, a beverage enforcement agent, a school guardian as
196 described in s. 30.15(1)(k), a security officer licensed under
197 chapter 493, any member of the Florida Commission on Offender
198 Review or any administrative aide or supervisor employed by the
199 commission, any personnel or representative of the Department of
200 Law Enforcement, or a federal law enforcement officer as defined
201 in s. 901.1505, and takes upon himself or herself to act as
202 such, or to require any other person to aid or assist him or her
203 in a matter pertaining to the duty of any such officer, commits

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204 a felony of the third degree, punishable as provided in s.
205 775.082, s. 775.083, or s. 775.084. However, a person who
206 falsely personates any such officer during the course of the
207 commission of a felony commits a felony of the second degree,
208 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
209 If the commission of the felony results in the death or personal
210 injury of another human being, the person commits a felony of
211 the first degree, punishable as provided in s. 775.082, s.
212 775.083, or s. 775.084. In determining whether a defendant has
213 violated this section, the court or jury may consider any
214 relevant evidence, including, but not limited to, whether the
215 defendant used lights in violation of s. 316.2397 or s. 843.081.

216 Section 5. Section 849.01, Florida Statutes, is amended to
217 read:

218 849.01 Keeping gambling houses, etc.—Whoever by herself or
219 himself, her or his servant, clerk or agent, or in any other
220 manner has, keeps, exercises or maintains a gaming table or
221 room, or gaming implements or apparatus, or house, booth, tent,
222 shelter or other place for the purpose of gaming or gambling or
223 in any place of which she or he may directly or indirectly have
224 charge, control or management, either exclusively or with
225 others, procures, suffers or permits any person to play for
226 money or other valuable thing at any game whatever, whether
227 heretofore prohibited or not, commits a felony ~~misdemeanor~~ of
228 the third ~~second~~ degree, punishable as provided in s. 775.082,
229 or s. 775.083, or s. 775.084.

230 Section 6. Section 849.02, Florida Statutes, is amended to
231 read:

232 849.02 Agents or employees of keeper of gambling house.—A

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233 person who ~~Whoever~~ acts as servant, clerk, agent, or employee of
234 any person in the violation of s. 849.01 commits:

235 (1) For a first offense, a misdemeanor of the first degree,
236 punishable as provided in s. 775.082 or s. 775.083.

237 (2) For a second offense, a felony of the third degree,
238 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

239 (3) For a third or subsequent offense, a felony of the
240 second degree, punishable as provided in s. 775.082, s. 775.083,
241 or s. 775.084 shall be punished in the manner and to the extent
242 therein mentioned.

243 Section 7. Section 849.03, Florida Statutes, is amended to
244 read:

245 849.03 Renting house for gambling purposes.—A person who
246 ~~Whoever~~, whether as owner or agent, knowingly rents to another a
247 house, room, booth, tent, shelter or place for the purpose of
248 gaming commits:

249 (1) For a first offense, a felony of the third degree,
250 punishable as provided in s. 775.082, s. 775.083, or s. 775.084
251 ~~shall be punished in the manner and to the extent mentioned in~~
252 ~~s. 849.01.~~

253 (2) For a second or subsequent offense, a felony of the
254 second degree, punishable as provided in s. 775.082, s. 775.083,
255 or s. 775.084.

256 Section 8. Section 849.08, Florida Statutes, is amended to
257 read:

258 849.08 Gambling.—

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

260 (a) "Internet gambling" means to play or engage in any game
261 in which money or other thing of value is awarded based on

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262 chance, regardless of any application of skill, and which is
263 available on the Internet and accessible on a mobile device,
264 computer terminal, or other similar access device and simulates
265 casino-style gaming, including, but not limited to, slot
266 machines, video poker, and table games.

267 (b) "Internet sports wagering" means to stake, bet, or
268 wager any money or other thing of value upon the result of any
269 trial or contest of skill, speed, power, or endurance of human
270 or beast, which is available on the Internet and accessible on a
271 mobile device, computer terminal, or other similar access
272 device.

273 (2) A person who Whoever plays or engages in Internet
274 gambling or any game at cards, keno, roulette, faro, or other
275 game of chance, at any place, by any device whatever, for money
276 or other thing of value, commits shall be guilty of a
277 misdemeanor of the second degree, punishable as provided in s.
278 775.082 or s. 775.083.

279 (3) A person who plays or engages in Internet sports
280 wagering commits:

281 (a) For a first violation, a misdemeanor of the second
282 degree, punishable as provided in s. 775.082 or s. 775.083.

283 (b) For a second or subsequent violation, a misdemeanor of
284 the first degree, punishable as provided in s. 775.082 or s.
285 775.083.

286 (4) A person who operates, conducts, or promotes Internet
287 gambling or Internet sports wagering, or receives in any manner
288 whatsoever any money or other thing of value offered for the
289 purpose of Internet gambling or Internet sports wagering, or who
290 knowingly becomes the custodian or depositary of any money or

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291 other thing of value so offered, or who aids, assists, abets, or
292 influences in any manner in any of such acts, all of which are
293 hereby forbidden, commits a felony of the third degree,
294 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

295 (5) This section does not apply to participation in, or the
296 conduct of, any gaming activities authorized under s.
297 285.710(13) and conducted pursuant to a gaming compact ratified
298 and approved under s. 285.710(3).

299 Section 9. Paragraph (e) is added to subsection (12) of
300 section 849.086, Florida Statutes, to read:

301 849.086 Cardrooms authorized.—

302 (12) PROHIBITED ACTIVITIES.—

303 (e)1. No person may manipulate or attempt to manipulate the
304 playing cards, outcome, or payoff of a card game in a licensed
305 cardroom by physical tampering or by use of any object,
306 instrument, or device, whether mechanical, electrical, magnetic,
307 or involving other means.

308 2. A person who violates subparagraph 1. commits a felony
309 of the third degree, punishable as provided in s. 775.082, s.
310 775.083, or s. 775.084.

311 Section 10. Section 849.11, Florida Statutes, is amended to
312 read:

313 849.11 Plays at games of chance by lot.—

314 (1) A person who Whoever sets up, promotes or plays in
315 person or uses the Internet at any game of chance by lot or with
316 dice, cards, numbers, hazards or any other gambling device
317 whatever for, or for the disposal of money or other thing of
318 value or under the pretext of a sale, gift or delivery thereof,
319 or for any right, share or interest therein, commits shall be

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320 ~~guilty of~~ a misdemeanor of the second degree, punishable as
321 provided in s. 775.082 or s. 775.083.

322 (2) A person who sets up, operates, conducts, promotes, or
323 receives in any manner whatsoever anything of value being
324 offered for the purpose of conduct prohibited in subsection (1),
325 or whoever knowingly becomes the custodian or depositary of any
326 money or other thing of value so offered, or whoever aids,
327 assists, abets, or influences in any manner in any of such acts,
328 commits a felony of the third degree, punishable as provided in
329 s. 775.082, s. 775.083, or s. 775.084.

330 Section 11. Section 849.13, Florida Statutes, is amended to
331 read:

332 ~~849.13 Punishment on Second or subsequent conviction.—A~~
333 person who commits a second or subsequent violation of the same
334 ~~Whoever, after being convicted of an offense forbidden by law in~~
335 connection with lotteries for which there is no penalty
336 specified for a second or subsequent violation shall have the
337 offense reclassified to an offense of the next higher, commits
338 ~~the like offense, shall be guilty of a misdemeanor of the first~~
339 degree, punishable as provided in s. 775.082, or s. 775.083, or
340 s. 775.084. For purposes of sentencing under chapter 921, a
341 felony offense that is reclassified under this section is ranked
342 one level above the ranking under s. 921.0022 or s. 921.0023 of
343 the felony offense committed.

344 Section 12. Section 849.14, Florida Statutes, is amended to
345 read:

346 ~~849.14 Unlawful to bet on result of trial or contest of~~
347 skill, etc.—A person who Whoever stakes, bets, or wagers any
348 money or other thing of value upon the result of any trial or

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349 contest of skill, speed or power or endurance of human or beast,
350 or whoever receives in any manner whatsoever any money or other
351 thing of value staked, bet, or wagered, or offered for the
352 purpose of being staked, bet, or wagered, by or for any other
353 person upon any such result, or whoever knowingly becomes the
354 custodian or depositary of any money or other thing of value so
355 staked, bet, or wagered upon any such result, or whoever aids,
356 or assists, or abets, or influences in any manner in any of such
357 acts all of which are hereby forbidden, commits a felony of the
358 third degree, punishable as provided in s. 775.082, or s.
359 775.083, or s. 775.084.

360 Section 13. Section 849.15, Florida Statutes, is amended to
361 read:

362 849.15 Manufacture, sale, possession, etc., of slot
363 machines or devices prohibited.—

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

365 (a) "Conviction" means a determination of guilt that is the
366 result of a plea or a trial, regardless of whether adjudication
367 is withheld or a plea of nolo contendere is entered.

368 (b) "Person of authority" means a person who, at any
369 business, establishment, premises, or other location at which a
370 slot machine or device is offered for play, has:

371 1. Actual authority to act on behalf of the business,
372 establishment, premises, or other location where a slot machine
373 or device is offered for play; or

374 2. Any ownership interest in the business, establishment,
375 premises, or other location. The term "ownership interest"
376 includes being an officer, director, or managing member of the
377 business, establishment, premises, or other location.

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378 (2)-(1) It is unlawful:

379 (a) To manufacture, own, store, keep, possess, sell, rent,
380 lease, let on shares, lend or give away, transport, or expose
381 for sale or lease, or to offer to sell, rent, lease, let on
382 shares, lend or give away, or permit the operation of, or for
383 any person to permit to be placed, maintained, or used or kept
384 in any room, space, or building owned, leased or occupied by the
385 person or under the person's management or control, any slot
386 machine or device or any part thereof; or

387 (b) To make or to permit to be made with any person any
388 agreement with reference to any slot machine or device, pursuant
389 to which the user thereof, as a result of any element of chance
390 or other outcome unpredictable to him or her, may become
391 entitled to receive any money, credit, allowance, or thing of
392 value or additional chance or right to use such machine or
393 device, or to receive any check, slug, token or memorandum
394 entitling the holder to receive any money, credit, allowance or
395 thing of value.

396 (3) (a) Except as provided in paragraphs (b) and (c), a
397 person who violates subsection (2) commits a misdemeanor of the
398 first degree, punishable as provided in s. 775.082 or s.
399 775.083.

400 (b) A person commits a felony of the third degree,
401 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
402 if he or she violates subsection (2), and:

403 1. At the time of the violation, the person was a person of
404 authority; or

405 2. The person has one prior conviction for a violation of
406 this section.

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407 (c) A person commits a felony of the second degree,
408 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
409 if he or she violates subsection (2), and:

410 1.a. At the time of the violation, the person was a person
411 of authority; and

412 b. The violation involves five or more slot machines or
413 devices; or

414 2. The person has two or more prior convictions for a
415 violation of this section.

416 (4) (2) Pursuant to section 2 of that chapter of the
417 Congress of the United States entitled "An act to prohibit
418 transportation of gaming devices in interstate and foreign
419 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.
420 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State
421 of Florida, acting by and through the duly elected and qualified
422 members of its Legislature, does hereby in this section, and in
423 accordance with and in compliance with the provisions of section
424 2 of such chapter of Congress, declare and proclaim that any
425 county of the State of Florida within which slot machine gaming
426 is authorized pursuant to chapter 551 is exempt from the
427 provisions of section 2 of that chapter of the Congress of the
428 United States entitled "An act to prohibit transportation of
429 gaming devices in interstate and foreign commerce," designated
430 as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All
431 shipments of gaming devices, including slot machines, into any
432 county of this state within which slot machine gaming is
433 authorized pursuant to chapter 551 and the registering,
434 recording, and labeling of which have been duly performed by the
435 manufacturer or distributor thereof in accordance with sections

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436 3 and 4 of that chapter of the Congress of the United States
437 entitled "An act to prohibit transportation of gaming devices in
438 interstate and foreign commerce," approved January 2, 1951,
439 being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.
440 ss. 1171-1177, shall be deemed legal shipments thereof into this
441 state provided the destination of such shipments is an eligible
442 facility as defined in s. 551.102 or the facility of a slot
443 machine manufacturer or slot machine distributor as provided in
444 s. 551.109(2)(a).

445 Section 14. Section 849.155, Florida Statutes, is created
446 to read:

447 849.155 Trafficking in slot machines, devices, or parts.—
448 (1) Any person who knowingly sells, purchases,
449 manufactures, transports, delivers, or brings into this state
450 more than 15 slot machines or devices or any parts thereof
451 commits a felony of the first degree, punishable as provided in
452 s. 775.082, s. 775.083, or s. 775.084. If the quantity of slot
453 machines or devices or any parts thereof involved is:

454 (a) More than 15 slot machines or devices or any parts
455 thereof, but less than 25 slot machines or devices or any parts
456 thereof, such person must be fined \$100,000.

457 (b) Twenty-five slot machines or devices or any parts
458 thereof or more, but less than 50 slot machines or devices or
459 any parts thereof, such person must be fined \$250,000.

460 (c) Fifty slot machines or devices or any parts thereof or
461 more, such person must be fined \$500,000.

462 (2) Notwithstanding any other law, all fines imposed and
463 collected pursuant to subsection (1) must be deposited into the
464 Pari-mutuel Wagering Trust Fund and may be used for the

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465 enforcement of chapters 546, 550, 551, and this chapter by the
466 Florida Gaming Control Commission.

467 Section 15. Section 849.157, Florida Statutes, is created
468 to read:

469 849.157 Making a false or misleading statement regarding
470 the legality of slot machines or devices to facilitate sale.—

471 (1) Except as provided in subsection (2), a person who
472 knowingly and willfully makes a materially false or misleading
473 statement or who knowingly and willfully disseminates false or
474 misleading information regarding the legality of a slot machine
475 or device for the purpose of facilitating the sale or delivery
476 of a slot machine or device for any money or other valuable
477 consideration commits a felony of the third degree, punishable
478 as provided in s. 775.082, s. 775.083, or s. 775.084.

479 (2) A person who violates subsection (1) when such a
480 violation involves the sale or delivery, or attempted sale or
481 delivery, of five or more slot machines or devices commits a
482 felony of the second degree, punishable as provided in s.
483 775.082, s. 775.083, or s. 775.084.

484 Section 16. Section 849.23, Florida Statutes, is repealed.

485 Section 17. Section 849.47, Florida Statutes, is created to
486 read:

487 849.47 Transporting or procuring the transportation of
488 persons to facilitate illegal gambling.—

489 (1) As used in this section, the term "illegal gambling"
490 means any criminal violation of chapter 546, chapter 550,
491 chapter 551, or this chapter which occurs at any business,
492 establishment, premises, or other location.

493 (2) Except as provided in subsection (3), a person who

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494 knowingly and willfully transports, or procures the
495 transportation of, five or more other persons into or within
496 this state when he or she knows or reasonably should know that
497 such transportation is for the purpose of facilitating illegal
498 gambling commits a misdemeanor of the first degree, punishable
499 as provided in s. 775.082 or s. 775.083.

500 (3) (a) A person who transports, or procures the
501 transportation of, a minor or a person 65 years of age or older
502 commits a felony of the third degree, punishable as provided in
503 s. 775.082, s. 775.083, or s. 775.084.

504 (b) A person who transports, or procures the transportation
505 of, 12 or more persons in violation of subsection (2) commits a
506 felony of the third degree, punishable as provided in s.
507 775.082, s. 775.083, or s. 775.084.

508 Section 18. Section 849.48, Florida Statutes, is created to
509 read:

510 849.48 Gambling or gaming advertisements; prohibited.—
511 (1) As used in this section, the term "illegal gambling"
512 means any criminal violation of chapter 546, chapter 550,
513 chapter 551, or this chapter which occurs at any business,
514 establishment, premises, or other location.

515 (2) (a) Except as otherwise specifically authorized by law,
516 a person may not knowingly and intentionally make, publish,
517 disseminate, circulate, or place before the public, or cause,
518 directly or indirectly, to be made, published, disseminated,
519 circulated, or placed before the public in this state, in any
520 manner, whether in person or by the use, at least in part, of
521 the Internet, any advertisement, circular, bill, poster,
522 pamphlet, list, schedule, announcement, or notice for the

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523 purpose of promoting or facilitating illegal gambling.

524 (b) Except as otherwise specifically authorized by law, a
525 person may not set up any type or plate for any type of
526 advertisement, circular, bill, poster, pamphlet, list, schedule,
527 announcement, or notice when he or she knows or reasonably
528 should know that such material will be used for the purpose of
529 promoting or facilitating illegal gambling.

530 (c) A person who violates this subsection commits:

531 1. For a first offense, a misdemeanor of the first degree,
532 punishable as provided in s. 775.082 or s. 775.083.

533 2. For a second or subsequent offense, a felony of the
534 third degree, punishable as provided in s. 775.082, s. 775.083,
535 or s. 775.084.

536 Section 19. Section 849.49, Florida Statutes, is created to
537 read:

538 849.49 Preemption.—A county, municipality, or other
539 political subdivision of the state may not enact or enforce any
540 ordinance or local rule relating to gaming, gambling, lotteries,
541 or any activities described in s. 546.10 or this chapter, except
542 as otherwise expressly provided by the State Constitution,
543 general law, or special law.

544 Section 20. Present paragraphs (i) through (m) of
545 subsection (2) of section 903.046, Florida Statutes, are
546 redesignated as paragraphs (j) through (n), respectively, and a
547 new paragraph (i) is added to that subsection, to read:

548 903.046 Purpose of and criteria for bail determination.—

549 (2) When determining whether to release a defendant on bail
550 or other conditions, and what that bail or those conditions may
551 be, the court shall consider:

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552 (i) The amount of currency seized which is connected to or
553 involved in a violation of chapter 546, chapter 550, chapter
554 551, or chapter 849.

555 Section 21. Paragraphs (a), (c), (e), and (g) of subsection
556 (3) of section 921.0022, Florida Statutes, are amended to read:

557 921.0022 Criminal Punishment Code; offense severity ranking
558 chart.—

559 (3) OFFENSE SEVERITY RANKING CHART

560 (a) LEVEL 1

561

562

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
104.0616(2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less

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than \$20,000.

567	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
568	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
569	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
570	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
571	322.212 (1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
572	322.212(4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.
573	322.212(5)(a)	3rd	False application for driver license or identification card.
574			

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414.39(3)(a) 3rd Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

575

443.071(1) 3rd False statement or representation to obtain or increase reemployment assistance benefits.

576

509.151(1) 3rd Defraud an innkeeper, food or lodging value \$1,000 or more.

577

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

578

713.69 3rd Tenant removes property upon which lien has accrued, value \$1,000 or more.

579

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

580

815.04(4)(a) 3rd Offense against intellectual property (i.e., computer programs, data).

581

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582 817.52(2) 3rd Hiring with intent to defraud, motor vehicle services.

582 817.569(2) 3rd Use of public record or public records information or providing false information to facilitate commission of a felony.

583 826.01 3rd Bigamy.

584 828.122(3) 3rd Fighting or baiting animals.

585 831.04(1) 3rd Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.

586 831.31(1) (a) 3rd Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.

587 832.041(1) 3rd Stopping payment with intent to defraud \$150 or more.

588 832.05(2) (b) & (4) (c) 3rd Knowing, making, issuing worthless checks \$150 or more or obtaining property in return

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for worthless check \$150 or more.

589	838.15(2)	3rd	Commercial bribe receiving.
590	838.16	3rd	Commercial bribery.
591	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
592	847.011(1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
593	849.09(1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
594	849.23	3rd	 Gambling-related machines; "common offender" as to property rights.
595	849.25(2)	3rd	Engaging in bookmaking.
596	860.08	3rd	Interfere with a railroad signal.
597			

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598 860.13(1) (a) 3rd Operate aircraft while under
the influence.

599 893.13(2) (a) 2. 3rd Purchase of cannabis.

600 893.13(6) (a) 3rd Possession of cannabis (more
than 20 grams).

601 934.03(1) (a) 3rd Intercepts, or procures any
other person to intercept, any
wire or oral communication.

602 (c) LEVEL 3

603 Florida Statute Felony Description
604 Degree

605 119.10(2) (b) 3rd Unlawful use of confidential
information from police
reports.

606 316.066 3rd Unlawfully obtaining or using
(3) (b) - (d) confidential crash reports.

607 316.193(2) (b) 3rd Felony DUI, 3rd conviction.

608 316.1935(2) 3rd Fleeing or attempting to elude
law enforcement officer in

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patrol vehicle with siren and lights activated.

609

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

610

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

611

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

612

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

613

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

614

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

615

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

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616

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

617

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

618

379.2431 3rd (1) (e) 6. Possessing any marine turtle species or hatchling, or parts thereof, or the nest of any marine turtle species described in the Marine Turtle Protection Act.

619

379.2431 3rd (1) (e) 7. Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

620

400.9935 (4) (a) 3rd or (b) Operating a clinic, or offering services requiring licensure,

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without a license.

621

400.9935 (4) (e) 3rd Filing a false license application or other required information or failing to report information.

622

440.1051 (3) 3rd False report of workers' compensation fraud or retaliation for making such a report.

623

501.001 (2) (b) 2nd Tampers with a consumer product or the container using materially false/misleading information.

624

624.401 (4) (a) 3rd Transacting insurance without a certificate of authority.

625

624.401 (4) (b) 1. 3rd Transacting insurance without a certificate of authority; premium collected less than \$20,000.

626

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

627

697.08 3rd Equity skimming.

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628

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

629

794.053 3rd Lewd or lascivious written solicitation of a person 16 or 17 years of age by a person 24 years of age or older.

630

800.045(3) 3rd Possess, control, or intentionally view any photographic material, motion picture, etc., which includes a lewd or lascivious image.

631

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

632

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

633

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

634

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635 810.145(2)(c) 3rd Digital voyeurism; 19 years of
age or older.

636 812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

637 812.0145(2)(c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

638 812.015(8)(b) 3rd Retail theft with intent to
sell; conspires with others.

639 812.081(2) 3rd Theft of a trade secret.

640 815.04(4)(b) 2nd Computer offense devised to
defraud or obtain property.

641 817.034(4)(a)3. 3rd Engages in scheme to defraud
(Florida Communications Fraud
Act), property valued at less
than \$20,000.

642 817.233 3rd Burning to defraud insurer.

643 817.234 3rd Unlawful solicitation of
(8)(b) & (c) persons involved in motor
vehicle accidents.

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644 817.234(11)(a) 3rd Insurance fraud; property value less than \$20,000.

645 817.236 3rd Filing a false motor vehicle insurance application.

646 817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

647 817.413(2) 3rd Sale of used goods of \$1,000 or more as new.

648 817.49(2)(b)1. 3rd Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.

649 831.28(2)(a) 3rd Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.

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

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650	836.13(2)	3rd	Generating an altered sexual depiction of an identifiable person without consent.
651	836.13(4)	3rd	Promoting, or possessing with intent to promote, an altered sexual depiction of an identifiable person without consent.
652	838.021(3) (b)	3rd	Threatens unlawful harm to public servant.
653	<u>838.12(3)</u>	<u>3rd</u>	<u>Betting on a predetermined or prearranged professional or amateur game, contest, match, race, or sport.</u>
654	847.01385	3rd	Harmful communication to a minor.
655	<u>849.01</u>	<u>3rd</u>	<u>Keeping a gambling house.</u>
656	<u>849.02(2)</u>	<u>3rd</u>	<u>Agents working as employees of keeper of gambling house; 2nd offense.</u>
657			

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658 849.03(1) 3rd Renting house for gambling purposes.

659 849.08(4) 3rd Operating, conducting, promoting, aiding, assisting, abetting, or influencing Internet gambling and Internet sports wagering.

660 849.11(2) 3rd Offenses relating to games of chance.

661 849.14 3rd Betting on result of trial or contest of skill, etc.

662 849.15(3) (b) 3rd Manufacture, sale, or possession of slot machine; by person of authority or with prior conviction.

663 849.157(1) 3rd Making false or misleading statements to facilitate sale of slot machines or devices.

664 849.25(2) 3rd Engaging in bookmaking.

665 849.47(3) (a) & (b) 3rd Transporting persons to facilitate illegal gambling; minor, person 65 years of age

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or older, or 12 or more
persons.

665 849.48(2)(c)

3rd

Illegal gambling advertising.

666 860.15(3)

3rd

Overcharging for repairs and
parts.

667 870.01(2)

3rd

Riot.

668 870.01(4)

3rd

Inciting a riot.

669 893.13(1)(a)2.

3rd

Sell, manufacture, or deliver
cannabis (or other s.893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs).

670 893.13(1)(d)2.

2nd

Sell, manufacture, or deliver
s. 893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs
within 1,000 feet of
university.

671 893.13(1)(f)2.

2nd

Sell, manufacture, or deliver

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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 public
housing facility.

672

893.13(4) (c) 3rd Use or hire of minor; deliver
to minor other controlled
substances.

673

893.13(6) (a) 3rd Possession of any controlled
substance other than felony
possession of cannabis.

674

893.13(7) (a) 8. 3rd Withhold information from
practitioner regarding previous
receipt of or prescription for
a controlled substance.

675

893.13(7) (a) 9. 3rd Obtain or attempt to obtain
controlled substance by fraud,
forgery, misrepresentation,
etc.

676

893.13(7) (a) 10. 3rd Affix false or forged label to
package of controlled
substance.

677

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678 893.13(7)(a)11. 3rd Furnish false or fraudulent material information on any document or record required by chapter 893.

679 893.13(8)(a)1. 3rd Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

680 893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

681 893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.

893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of

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writing the prescription is a monetary benefit for the practitioner.

682

918.13(1) 3rd Tampering with or fabricating physical evidence.

683

944.47 3rd Introduce contraband to correctional facility.

684

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

685

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

686

687 (e) LEVEL 5

688

689

Florida Statute	Felony Degree	Description
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690

316.027(2) (a) 3rd Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.

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691

316.1935(3)(a) 2nd 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.

692

316.80(2) 2nd Unlawful conveyance of fuel; obtaining fuel fraudulently.

693

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

694

327.30(5)(a)2. 3rd Vessel accidents involving personal injuries other than serious bodily injury; leaving scene.

695

365.172 (14)(b)2. 2nd Misuse of emergency communications system resulting in death.

696

379.365(2)(c)1. 3rd Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or

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sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is suspended or revoked.

697

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

698

379.407(5)(b)3. 3rd Possession of 100 or more undersized spiny lobsters.

699

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

700

440.10(1)(g) 2nd Failure to obtain workers' compensation coverage.

701

440.105(5) 2nd Unlawful solicitation for the

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purpose of making workers' compensation claims.

702

440.381(2) 3rd Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.

703

624.401(4)(b)2. 2nd Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.

704

626.902(1)(c) 2nd Representing an unauthorized insurer; repeat offender.

705

790.01(3) 3rd Unlawful carrying of a concealed firearm.

706

790.162 2nd Threat to throw or discharge destructive device.

707

790.163(1) 2nd False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.

708

790.221(1) 2nd Possession of short-barreled

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shotgun or machine gun.

709

790.23 2nd Felons in possession of firearms, ammunition, or electronic weapons or devices.

710

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

711

800.04(6) (c) 3rd Lewd or lascivious conduct; offender less than 18 years of age.

712

800.04(7) (b) 2nd Lewd or lascivious exhibition; offender 18 years of age or older.

713

806.111(1) 3rd Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.

714

810.145(4) 3rd Commercial digital voyeurism dissemination.

715

810.145(7) (a) 2nd Digital voyeurism; 2nd or subsequent offense.

716

810.145(8) (a) 2nd Digital voyeurism; certain

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minor victims.

717	812.014 (2) (d)3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
718	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
719	812.015 (8) (a) & (c)- (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
720	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
721	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
722	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
723	812.081 (3)	2nd	Trafficking in trade secrets.
724	812.131 (2) (b)	3rd	Robbery by sudden snatching.
725			

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726 812.16(2) 3rd Owning, operating, or
conducting a chop shop.

727 817.034(4)(a)2. 2nd Communications fraud, value
\$20,000 to \$50,000.

728 817.234(11)(b) 2nd Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

729 817.2341(1), 3rd Filing false financial
(2)(a) & statements, making false
(3)(a) entries of material fact or
false statements regarding
property values relating to the
solvency of an insuring entity.

817.568(2)(b) 2nd Fraudulent use of personal
identification information;
value of benefit, services
received, payment avoided, or
amount of injury or fraud,
\$5,000 or more or use of
personal identification
information of 10 or more
persons.

817.611(2)(a) 2nd Traffic in or possess 5 to 14
counterfeit credit cards or

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related documents.

731	817.625 (2) (b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
732	825.1025 (4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
733	828.12 (2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
734	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
735	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.
736	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with

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violence.

737	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
738	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
739	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
740	<u>849.02 (3)</u>	<u>2nd</u>	<u>Agents working as employees of keeper of gambling house; 3rd or subsequent offense.</u>
741	<u>849.03 (2)</u>	<u>2nd</u>	<u>Renting house for gambling purposes; 2nd offense.</u>
742	<u>849.15 (3) (c)</u>	<u>2nd</u>	<u>Manufacture, sale, or possession of a slot machine; by a person of authority of five or more machines or two or more prior convictions.</u>
743	<u>849.157 (2)</u>	<u>2nd</u>	<u>Making false or misleading statements to facilitate sale of slot machines or devices;</u>

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five or more machines.

744

849.25 (3) 2nd Bookmaking; second or subsequent offense.

745

874.05 (1) (b) 2nd Encouraging or recruiting another to join a criminal gang; second or subsequent offense.

746

874.05 (2) (a) 2nd Encouraging or recruiting person under 13 years of age to join a criminal gang.

747

893.13 (1) (a) 1. 2nd Sell, manufacture, or deliver cocaine (or other s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5. drugs).

748

893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 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

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park or publicly owned recreational facility or community center.

749

893.13(1)(d)1. 1st Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.

750

893.13(1)(e)2. 2nd Sell, manufacture, or deliver cannabis or other drug prohibited under s.

893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)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.

751

893.13(1)(f)1. 1st 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.

752

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893.13(4) (b) 2nd Use or hire of minor; deliver to minor other controlled substance.

753

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

754

755 (g) LEVEL 7

756

757

Florida Statute	Felony Degree	Description
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758

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

759

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

760

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.

761

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327.35(3)(a)3.b. 3rd Vessel BUI resulting in serious bodily injury.

762 402.319(2) 2nd Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.

763 409.920 3rd Medicaid provider fraud; (2)(b)1.a. \$10,000 or less.

764 409.920 2nd Medicaid provider fraud; more (2)(b)1.b. than \$10,000, but less than \$50,000.

765 456.065(2) 3rd Practicing a health care profession without a license.

766 456.065(2) 2nd Practicing a health care profession without a license which results in serious bodily injury.

767 458.327(1) 3rd Practicing medicine without a license.

768 459.013(1) 3rd Practicing osteopathic medicine without a license.

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769	460.411(1)	3rd	Practicing chiropractic medicine without a license.
770	461.012(1)	3rd	Practicing podiatric medicine without a license.
771	462.17	3rd	Practicing naturopathy without a license.
772	463.015(1)	3rd	Practicing optometry without a license.
773	464.016(1)	3rd	Practicing nursing without a license.
774	465.015(2)	3rd	Practicing pharmacy without a license.
775	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
776	467.201	3rd	Practicing midwifery without a license.
777	468.366	3rd	Delivering respiratory care services without a license.
778	483.828(1)	3rd	Practicing as clinical

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laboratory personnel without a license.

779

483.901(7) 3rd Practicing medical physics without a license.

780

484.013(1)(c) 3rd Preparing or dispensing optical devices without a prescription.

781

484.053 3rd Dispensing hearing aids without a license.

782

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.

783

560.123(8)(b)1. 3rd Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.

784

560.125(5)(a) 3rd Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.

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785

655.50(10)(b)1. 3rd Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.

786

775.21(10)(a) 3rd Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.

787

775.21(10)(b) 3rd Sexual predator working where children regularly congregate.

788

775.21(10)(g) 3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.

789

782.051(3) 2nd Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.

790

782.07(1) 2nd Killing of a human being by the act, procurement, or culpable negligence of another

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(manslaughter).

791

782.071 2nd Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).

792

782.072 2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).

793

784.045(1)(a)1. 2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.

794

784.045(1)(a)2. 2nd Aggravated battery; using deadly weapon.

795

784.045(1)(b) 2nd Aggravated battery; perpetrator aware victim pregnant.

796

784.048(4) 3rd Aggravated stalking; violation of injunction or court order.

797

784.048(7) 3rd Aggravated stalking; violation of court order.

798

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799 784.07 (2) (d) 1st Aggravated battery on law enforcement officer.

800 784.074 (1) (a) 1st Aggravated battery on sexually violent predators facility staff.

801 784.08 (2) (a) 1st Aggravated battery on a person 65 years of age or older.

802 784.081 (1) 1st Aggravated battery on specified official or employee.

803 784.082 (1) 1st Aggravated battery by detained person on visitor or other detainee.

804 784.083 (1) 1st Aggravated battery on code inspector.

805 787.025 (2) (b) 2nd Luring or enticing a child; second or subsequent offense.

806 787.025 (2) (c) 2nd Luring or enticing a child with a specified prior conviction.

787.06 (3) (a) 2. 1st Human trafficking using coercion for labor and services of an adult.

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807	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.
808	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
809	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
810	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
811	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.
812	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
813	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax

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

814

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

815

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.

816

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

817

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

818

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

819

800.04(5)(c)2. 2nd Lewd or lascivious molestation; victim 12 years of age or older

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but younger than 16 years of age; offender 18 years of age or older.

820

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.

821

806.01(2) 2nd Maliciously damage structure by fire or explosive.

822

810.02(3)(a) 2nd Burglary of occupied dwelling; unarmed; no assault or battery.

823

810.02(3)(b) 2nd Burglary of unoccupied dwelling; unarmed; no assault or battery.

824

810.02(3)(d) 2nd Burglary of occupied conveyance; unarmed; no assault or battery.

825

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

826

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.

827

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

828

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

829

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

830

812.014(2)(g) 2nd Grand theft; second degree; firearm with previous conviction of s.
812.014(2)(c)5.

831

812.0145(2)(a) 1st Theft from person 65 years of age or older; \$50,000 or more.

832

812.019(2) 1st Stolen property; initiates, organizes, plans, etc., the

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theft of property and traffics
in stolen property.

833 812.131(2)(a) 2nd Robbery by sudden snatching.

834 812.133(2)(b) 1st Carjacking; no firearm, deadly
weapon, or other weapon.

835 817.034(4)(a)1. 1st Communications fraud, value
greater than \$50,000.

836 817.234(8)(a) 2nd Solicitation of motor vehicle
accident victims with intent to
defraud.

837 817.234(9) 2nd Organizing, planning, or
participating in an intentional
motor vehicle collision.

838 817.234(11)(c) 1st Insurance fraud; property value
\$100,000 or more.

839 817.2341 1st Making false entries of
(2)(b) & material fact or false
(3)(b) statements regarding property
values relating to the solvency
of an insuring entity which are
a significant cause of the
insolvency of that entity.

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840	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
841	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
842	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
843	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
844	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
845	825.103 (3) (b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
846	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.

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847

827.04 (3) 3rd Impregnation of a child under 16 years of age by person 21 years of age or older.

848

827.071 (2) & (3) 2nd Use or induce a child in a sexual performance, or promote or direct such performance.

849

827.071 (4) 2nd Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.

850

837.05 (2) 3rd Giving false information about alleged capital felony to a law enforcement officer.

851

838.015 2nd Bribery.

852

838.016 2nd Unlawful compensation or reward for official behavior.

853

838.021 (3) (a) 2nd Unlawful harm to a public servant.

854

838.22 2nd Bid tampering.

855

843.0855 (2) 3rd Impersonation of a public

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officer or employee.

856	843.0855 (3)	3rd	Unlawful simulation of legal process.
857	843.0855 (4)	3rd	Intimidation of a public officer or employee.
858	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
859	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
860	<u>849.155</u>	1st	<u>Trafficking in slot machines or devices or any parts thereof.</u>
861	872.06	2nd	Abuse of a dead human body.
862	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
863	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

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864

893.13(1)(c)1. 1st Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)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.

865

893.13(1)(e)1. 1st Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5., within 1,000 feet of property used for religious services or a specified business site.

866

893.13(4)(a) 1st Use or hire of minor; deliver to minor other controlled substance.

867

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

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868	893.135 (1) (b) 1.a.	1st	Trafficking in cocaine, more than 28 grams, less than 200 grams.
869	893.135 (1) (c) 1.a.	1st	Trafficking in illegal drugs, more than 4 grams, less than 14 grams.
870	893.135 (1) (c) 2.a.	1st	Trafficking in hydrocodone, 28 grams or more, less than 50 grams.
871	893.135 (1) (c) 2.b.	1st	Trafficking in hydrocodone, 50 grams or more, less than 100 grams.
872	893.135 (1) (c) 3.a.	1st	Trafficking in oxycodone, 7 grams or more, less than 14 grams.
873	893.135 (1) (c) 3.b.	1st	Trafficking in oxycodone, 14 grams or more, less than 25 grams.
874	893.135 (1) (c) 4.b. (I)	1st	Trafficking in fentanyl, 4 grams or more, less than 14 grams.
875			

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876 893.135 1st Trafficking in phencyclidine,
(1) (d) 1.a. 28 grams or more, less than 200
grams.

877 893.135 (1) (e) 1. 1st Trafficking in methaqualone,
200 grams or more, less than 5
kilograms.

878 893.135 (1) (f) 1. 1st Trafficking in amphetamine, 14
grams or more, less than 28
grams.

879 893.135 1st Trafficking in flunitrazepam, 4
(1) (g) 1.a. grams or more, less than 14
grams.

880 893.135 1st Trafficking in gamma-
(1) (h) 1.a. hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

881 893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.a. 1 kilogram or more, less than 5
kilograms.

882 893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.a. 10 grams or more, less than 200
grams.

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883 893.135 1st Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.

883 893.135 1st Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.

884 893.135 1st Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.

885 893.1351 (2) 2nd Possession of place for trafficking in or manufacturing of controlled substance.

886 896.101 (5) (a) 3rd Money laundering, financial transactions exceeding \$300 but less than \$20,000.

887 896.104 (4) (a)1. 3rd Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.

888 943.0435 (4) (c) 2nd Sexual offender vacating permanent residence; failure to comply with reporting

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889 requirements.

890 943.0435 (8) 2nd Sexual offender; remains in
state after indicating intent
to leave; failure to comply
with reporting requirements.

891 943.0435 (9) (a) 3rd Sexual offender; failure to
comply with reporting
requirements.

892 943.0435 (13) 3rd Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

893 943.0435 (14) 3rd Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

894 944.607 (9) 3rd Sexual offender; failure to
comply with reporting
requirements.

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

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895

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

896

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

897

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

898

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

899

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

900

901 Section 22. Paragraph (a) of subsection (1) and paragraph
902 (a) of subsection (2) of section 772.102, Florida Statutes, are

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903 amended to read:

904 772.102 Definitions.—As used in this chapter, the term:

905 (1) "Criminal activity" means to commit, to attempt to
906 commit, to conspire to commit, or to solicit, coerce, or
907 intimidate another person to commit:908 (a) Any crime that is chargeable by indictment or
909 information under the following provisions:910 1. Section 210.18, relating to evasion of payment of
911 cigarette taxes.

912 2. Section 414.39, relating to public assistance fraud.

913 3. Section 440.105 or s. 440.106, relating to workers'
914 compensation.

915 4. Part IV of chapter 501, relating to telemarketing.

916 5. Chapter 517, relating to securities transactions.

917 6. Section 550.235 or s. 550.3551, relating to dogracing
918 and horseracing.

919 7. Chapter 550, relating to jai alai frontons.

920 8. Chapter 552, relating to the manufacture, distribution,
921 and use of explosives.

922 9. Chapter 562, relating to beverage law enforcement.

923 10. Section 624.401, relating to transacting insurance
924 without a certificate of authority, s. 624.437(4)(c)1., relating
925 to operating an unauthorized multiple-employer welfare
926 arrangement, or s. 626.902(1)(b), relating to representing or
927 aiding an unauthorized insurer.928 11. Chapter 687, relating to interest and usurious
929 practices.930 12. Section 721.08, s. 721.09, or s. 721.13, relating to
931 real estate timeshare plans.

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932 13. Chapter 782, relating to homicide.

933 14. Chapter 784, relating to assault and battery.

934 15. Chapter 787, relating to kidnapping or human
935 trafficking.

936 16. Chapter 790, relating to weapons and firearms.

937 17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,
938 relating to prostitution.

939 18. Chapter 806, relating to arson.

940 19. Section 810.02(2)(c), relating to specified burglary of
941 a dwelling or structure.

942 20. Chapter 812, relating to theft, robbery, and related
943 crimes.

944 21. Chapter 815, relating to computer-related crimes.

945 22. Chapter 817, relating to fraudulent practices, false
946 pretenses, fraud generally, and credit card crimes.

947 23. Section 827.071, relating to commercial sexual
948 exploitation of children.

949 24. Chapter 831, relating to forgery and counterfeiting.

950 25. Chapter 832, relating to issuance of worthless checks
951 and drafts.

952 26. Section 836.05, relating to extortion.

953 27. Chapter 837, relating to perjury.

954 28. Chapter 838, relating to bribery and misuse of public
955 office.

956 29. Chapter 843, relating to obstruction of justice.

957 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
958 s. 847.07, relating to obscene literature and profanity.

959 31. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
960 849.25, relating to gambling.

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961 32. Chapter 893, relating to drug abuse prevention and
962 control.

963 33. Section 914.22 or s. 914.23, relating to witnesses,
964 victims, or informants.

965 34. Section 918.12, s. 918.125, or s. 918.13, relating to
966 tampering with or harassing court officials, retaliating against
967 court officials, and tampering with evidence.

968 (2) "Unlawful debt" means any money or other thing of value
969 constituting principal or interest of a debt that is legally
970 unenforceable in this state in whole or in part because the debt
971 was incurred or contracted:

972 (a) In violation of any one of the following provisions of
973 law:

974 1. Section 550.235 or s. 550.3551, relating to dogracing
975 and horseracing.

976 2. Chapter 550, relating to jai alai frontons.

977 3. Section 687.071, relating to criminal usury and loan
978 sharking.

979 4. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
980 849.25, relating to gambling.

981 Section 23. Paragraph (a) of subsection (12) of section
982 895.02, Florida Statutes, is amended to read:

983 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

984 (12) "Unlawful debt" means any money or other thing of
985 value constituting principal or interest of a debt that is
986 legally unenforceable in this state in whole or in part because
987 the debt was incurred or contracted:

988 (a) In violation of any one of the following provisions of
989 law:

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990 1. Section 550.235 or s. 550.3551, relating to dogracing
991 and horseracing.

992 2. Chapter 550, relating to jai alai frontons.

993 3. Section 551.109, relating to slot machine gaming.

994 4. Chapter 687, relating to interest and usury.

995 5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
996 849.25, relating to gambling.

997 Section 24. This act shall take effect October 1, 2026.