

By Senator Yarborough

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A bill to be entitled

An act relating to gambling; amending s. 16.71, F.S.; deleting obsolete provisions; deleting language concerning factors to be considered in appointments to the Florida Gaming Control Commission; amending s. 551.104, F.S.; revising hiring and procurement policy and reporting requirements for slot machine gaming licensure; amending s. 838.12, F.S.; prohibiting betting on athletic contests with knowledge that the results are prearranged or predetermined; providing criminal penalties; amending s. 843.08, F.S.; prohibiting false personation of personnel of the Florida Gaming Control Commission; providing criminal penalties; amending s. 849.01, F.S.; revising criminal penalties for offenses involving keeping a gambling house; amending s. 849.02, F.S.; increasing criminal penalties for specified offenses by agents or employees of a keeper of a gambling house; amending s. 849.03, F.S.; revising criminal penalties for offenses involving renting a house for gambling purposes; amending s. 849.08, F.S.; defining the terms "Internet gambling" and "Internet sports wagering"; prohibiting Internet gambling and Internet sports wagering and related offenses; providing criminal penalties; providing an exception; amending s. 849.086, F.S.; prohibiting specified actions relating to manipulation of card games; providing criminal penalties; amending s. 849.11, F.S.; prohibiting certain offenses related to games of chance using the Internet; providing

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30 criminal penalties; amending s. 849.13, F.S.;

31 providing enhanced criminal penalties for second or

32 subsequent violations of certain provisions; amending

33 s. 849.14, F.S.; revising criminal penalties for

34 betting or wagering on certain activities; amending s.

35 849.15, F.S.; defining terms; providing criminal

36 penalties for specified offenses relating to the

37 manufacture, possession, and sale of slot machines or

38 devices; creating s. 849.155, F.S.; prohibiting

39 trafficking in slot machines, devices, or parts

40 thereof; providing criminal penalties; providing for

41 the deposit of fines into a specified trust fund for

42 specified purposes; creating s. 849.157, F.S.;

43 prohibiting the making of a false or misleading

44 statement regarding the legality of slot machines or

45 devices for specified purposes; providing criminal

46 penalties; repealing s. 849.23, F.S., relating to

47 penalties for violations of specified sections;

48 creating s. 849.47, F.S.; defining the term "illegal

49 gambling"; prohibiting the transportation of a

50 specified number of people, for the purpose of

51 facilitating illegal gambling; providing criminal

52 penalties; creating s. 849.48, F.S.; defining the term

53 "illegal gambling"; prohibiting specified gambling or

54 gaming advertisements; providing criminal penalties;

55 creating s. 849.49, F.S.; prohibiting counties,

56 municipalities, and other political subdivisions from

57 enacting or enforcing any ordinance or rule regarding

58 the regulation of gaming, gambling, lotteries, or any

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

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

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

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

(2) MEMBERSHIP.—

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

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

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

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

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

551.104 License to conduct slot machine gaming.—

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

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

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

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

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

4. Ensuring that opportunities for employment are offered 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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with intent to influence him or her or them to lose or cause to be lost any game, contest, match, race or sport, or to limit his or her or their or any person's or any team's margin of victory in any game, contest, match, race, or sport, or to fix or throw any game, contest, match, race or sport, commits ~~shall be guilty~~ of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

(3) A person who stakes, bets, or wagers any money or other thing of value upon the result of any professional or amateur 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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a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, a person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In determining whether a defendant has violated this section, the court or jury may consider any relevant evidence, including, but not limited to, whether the defendant used lights in violation of s. 316.2397 or s. 843.081.

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

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

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

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

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

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

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

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

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

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

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

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

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

849.08 Gambling.—

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

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

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

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

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

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

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

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

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

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

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

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

849.086 Cardrooms authorized.—

(12) PROHIBITED ACTIVITIES.—

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

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

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

849.11 Plays at games of chance by lot.—

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

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

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

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

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

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

849.14 Unlawful to bet on result of trial or contest of skill, etc.—A person who ~~Whoever~~ stakes, bets, or wagers any 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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3 and 4 of that chapter of the Congress of the United States entitled "An act to prohibit transportation of gaming devices in interstate and foreign commerce," approved January 2, 1951, being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C. ss. 1171-1177, shall be deemed legal shipments thereof into this state provided the destination of such shipments is an eligible facility as defined in s. 551.102 or the facility of a slot machine manufacturer or slot machine distributor as provided in s. 551.109(2)(a).

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

849.155 Trafficking in slot machines, devices, or parts.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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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purpose of promoting or facilitating illegal gambling.

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

(c) A person who violates this subsection commits:

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

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

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

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

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

903.046 Purpose of and criteria for bail determination.—

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

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

Section 21. Paragraphs (a), (c), (e), and (g) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:
 921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(a) LEVEL 1

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.

443.071(1)

3rd

False statement or
representation to obtain or
increase reemployment
assistance benefits.

509.151(1)

3rd

Defraud an innkeeper, food or
lodging value \$1,000 or more.

517.302(1)

3rd

Violation of the Florida
Securities and Investor
Protection Act.

713.69

3rd

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

812.014(3)(c)

3rd

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

815.04(4)(a)

3rd

Offense against intellectual
property (i.e., computer
programs, data).

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817.52(2)

3rd

Hiring with intent to defraud,
motor vehicle services.

817.569(2)

3rd

Use of public record or public
records information or
providing false information to
facilitate commission of a
felony.

826.01

3rd

Bigamy.

828.122(3)

3rd

Fighting or baiting animals.

831.04(1)

3rd

Any erasure, alteration, etc.,
of any replacement deed, map,
plat, or other document listed
in s. 92.28.

831.31(1)(a)

3rd

Sell, deliver, or possess
counterfeit controlled
substances, all but s.
893.03(5) drugs.

832.041(1)

3rd

Stopping payment with intent to
defraud \$150 or more.

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.

838.15(2) 3rd Commercial bribe receiving.

838.16 3rd Commercial bribery.

843.18 3rd Fleeing by boat to elude a law
enforcement officer.

847.011(1)(a) 3rd Sell, distribute, etc.,
obscene, lewd, etc., material
(2nd conviction).

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.

~~849.23 3rd Gambling-related machines;
"common offender" as to
property rights.~~

849.25(2) 3rd Engaging in bookmaking.

860.08 3rd Interfere with a railroad
signal.

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

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

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

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

(c) LEVEL 3

Florida Statute	Felony Degree	Description
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119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
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316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
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316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
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316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in
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patrol vehicle with siren and
lights activated.

319.30(4)

3rd

Possession by junkyard of motor
vehicle with identification
number plate removed.

319.33(1)(a)

3rd

Alter or forge any certificate
of title to a motor vehicle or
mobile home.

319.33(1)(c)

3rd

Procure or pass title on stolen
vehicle.

319.33(4)

3rd

With intent to defraud,
possess, sell, etc., a blank,
forged, or unlawfully obtained
title or registration.

327.35(2)(b)

3rd

Felony BUI.

328.05(2)

3rd

Possess, sell, or counterfeit
fictitious, stolen, or
fraudulent titles or bills of
sale of vessels.

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 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
618	379.2431 (1) (e) 6.	3rd	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 (1) (e) 7.	3rd	Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.
620	400.9935 (4) (a) or (b)	3rd	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 (8)(b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.

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

817.236 3rd Filing a false motor vehicle
insurance application.

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

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

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

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

838.12 (3) 3rd Betting on a predetermined or
prearranged professional or
amateur game, contest, match,
race, or sport.

654

847.01385 3rd Harmful communication to a
minor.

655

849.01 3rd Keeping a gambling house.

656

849.02 (2) 3rd Agents working as employees of
keeper of gambling house; 2nd
offense.

657

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849.03 (1)3rdRenting house for gambling
purposes.849.08 (4)3rdOperating, conducting,
promoting, aiding, assisting,
abetting, or influencing
Internet gambling and Internet
sports wagering.849.11 (2)3rdOffenses relating to games of
chance.849.143rdBetting on result of trial or
contest of skill, etc.849.15 (3) (b)3rdManufacture, sale, or
possession of slot machine; by
person of authority or with
prior conviction.849.157 (1)3rdMaking false or misleading
statements to facilitate sale
of slot machines or devices.849.25 (2)3rdEngaging in bookmaking.849.47 (3) (a) &
(b)3rdTransporting persons to
facilitate illegal gambling;
minor, person 65 years of age

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or older, or 12 or more
persons.

849.48(2)(c) 3rd Illegal gambling advertising.

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

870.01(2) 3rd Riot.

870.01(4) 3rd Inciting a riot.

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).

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.

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.

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

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

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

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

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

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

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.

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.

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.

918.13(1)

3rd

Tampering with or fabricating
physical evidence.

944.47

3rd

(1)(a)1. & 2.

Introduce contraband to
correctional facility.

944.47(1)(c)

2nd

Possess contraband while upon
the grounds of a correctional
institution.

985.721

3rd

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

(e) LEVEL 5

Florida
Statute

Felony
Degree

Description

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 2nd Misuse of emergency
(14) (b) 2. 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 3rd Retail theft; property stolen
(8) (a) & (c) - is valued at \$750 or more and
(e) 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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812.16(2)

3rd

Owning, operating, or
conducting a chop shop.

726

817.034(4)(a)2.

2nd

Communications fraud, value
\$20,000 to \$50,000.

727

817.234(11)(b)

2nd

Insurance fraud; property value
\$20,000 or more but less than
\$100,000.

728

817.2341(1),
(2)(a) &
(3)(a)

3rd

Filing false financial
statements, making false
entries of material fact or
false statements regarding
property values relating to the
solvency of an insuring entity.

729

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.

730

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

3rd

Transmission of pornography by
electronic device or equipment.

(2) & (3)

739

847.0138

3rd

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

(2) & (3)

740

849.02(3)2nd

Agents working as employees of
keeper of gambling house; 3rd
or subsequent offense.

741

849.03(2)2nd

Renting house for gambling
purposes; 2nd offense.

742

849.15(3)(c)2nd

Manufacture, sale, or
possession of a slot machine;
by a person of authority of
five or more machines or two or
more prior convictions.

743

849.157(2)2nd

Making false or misleading
statements to facilitate sale
of slot machines or devices;

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five or more machines.

744

849.25 (3)2ndBookmaking; 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.

893.1351(1)

3rd

Ownership, lease, or rental for
trafficking in or manufacturing
of controlled substance.

(g) LEVEL 7

Florida
Statute

Felony
Degree

Description

316.027(2)(c)

1st

Accident involving death,
failure to stop; leaving scene.

316.193(3)(c)2.

3rd

DUI resulting in serious bodily
injury.

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.

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

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

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

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

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

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

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

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.

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

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

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

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

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

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

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

849.1551stTrafficking in slot machines or
devices or any parts thereof.

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

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

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

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

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

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

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

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893.135
(1) (m) 2.a.

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

883

893.135
(1) (m) 2.b.

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

884

893.135
(1) (n) 2.a.

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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requirements.

889

943.0435(8)

2nd

Sexual offender; remains in
state after indicating intent
to leave; failure to comply
with reporting requirements.

890

943.0435(9)(a)

3rd

Sexual offender; failure to
comply with reporting
requirements.

891

943.0435(13)

3rd

Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

892

943.0435(14)

3rd

Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

893

944.607(9)

3rd

Sexual offender; failure to
comply with reporting
requirements.

894

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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amended to read:

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

(1) "Criminal activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by indictment or information under the following provisions:

1. Section 210.18, relating to evasion of payment of cigarette taxes.
2. Section 414.39, relating to public assistance fraud.
3. Section 440.105 or s. 440.106, relating to workers' compensation.
4. Part IV of chapter 501, relating to telemarketing.
5. Chapter 517, relating to securities transactions.
6. Section 550.235 or s. 550.3551, relating to dogracing and horseracing.
7. Chapter 550, relating to jai alai frontons.
8. Chapter 552, relating to the manufacture, distribution, and use of explosives.
9. Chapter 562, relating to beverage law enforcement.
10. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.
11. Chapter 687, relating to interest and usurious practices.
12. Section 721.08, s. 721.09, or s. 721.13, relating to 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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32. Chapter 893, relating to drug abuse prevention and control.

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

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

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

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

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

2. Chapter 550, relating to jai alai frontons.

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

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

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

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

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

(a) In violation of any one of the following provisions of 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.