

By the Committees on Rules; and Regulated Industries; and
Senator Martin

595-03402-26

20261580c2

1 A bill to be entitled
2 An act relating to illegal gaming; repealing s.
3 849.23, F.S., relating to penalties and violations
4 related to illegal gambling; amending s. 16.71, F.S.;
5 requiring that the Florida Gaming Control Commission,
6 rather than the chair of the commission, appoint an
7 inspector general; authorizing the commission to
8 delegate any of the duties and powers of an agency
9 head to a commissioner, with an exception; amending s.
10 16.712, F.S.; revising the information to be included
11 in the commission's annual report to the Governor and
12 the Legislature; amending s. 16.713, F.S.; authorizing
13 a person who is ineligible for employment with the
14 commission to submit a waiver request to the
15 commission asking to be considered eligible for
16 employment if the person possesses certain expertise
17 or experience; requiring the commission to consider
18 such requests on a case-by-case basis and to approve
19 or deny such requests; providing that such person is
20 eligible for employment with the commission if the
21 waiver request is approved by the commission;
22 providing applicability; providing the standard of
23 review for such waiver requests; authorizing the
24 commission to adopt rules; amending s. 16.715, F.S.;
25 revising the standards of conduct for current and
26 former commissioners and employees of the commission;
27 revising the persons who may not hold permits or
28 licenses relating to gaming within a certain
29 timeframe; prohibiting such persons from accepting

595-03402-26

20261580c2

30 employment or compensation from or engaging in any
31 business activity with certain persons or entities for
32 a specified timeframe; authorizing certain employees
33 to request that the commission waive certain
34 postemployment restrictions for a certain purpose;
35 requiring the commission to consider and approve or
36 deny each waiver request on a case-by-case basis;
37 authorizing the commission to adopt rules; amending s.
38 20.055, F.S.; conforming a provision to changes made
39 by the act; amending s. 546.10, F.S.; authorizing
40 certain veterans' service organizations to petition
41 the commission for a declaratory statement to
42 determine whether a game or machine is authorized by
43 law before such organizations purchase or install such
44 game or machine; prohibiting the purchase or
45 installation of a game or machine awaiting such
46 declaratory statement until the declaratory statement
47 has been issued; authorizing veterans' service
48 organizations that have a game or machine already
49 installed on their premises to petition the commission
50 for a declaratory statement to determine whether a
51 game or machine is authorized by law; prohibiting such
52 veterans' service organizations from petitioning the
53 commission if the game, machine, premises, or
54 organization is the subject of an ongoing criminal
55 investigation; requiring the commission to issue the
56 declaratory statement or deny the petition for a
57 declaratory statement within a specified timeframe;
58 prohibiting the commission from denying a veterans'

595-03402-26

20261580c2

59 service organization's petition that is validly
60 requested; providing that a petition is deemed
61 complete if the petition includes certain information;
62 providing that the declaratory statement is valid only
63 for the game or machine for which it was requested;
64 providing that a declaratory statement is invalid if
65 the specifications of the game or machine have
66 changed; providing that the declaratory statement is
67 binding on the commission and may be introduced in
68 subsequent proceedings as evidence of a good faith
69 effort to comply with certain provisions; providing
70 construction; amending s. 551.107, F.S.; requiring the
71 commission to consider and approve or deny waiver
72 requests on a case-by-case basis; providing the
73 standard of review for certain actions of the
74 commission; making technical changes; amending s.
75 551.114, F.S.; authorizing a slot machine licensee to
76 apply to the commission to change the location of its
77 designated slot machine gaming area under certain
78 circumstances; requiring the licensed pari-mutuel
79 permitholder to submit to the commission a survey
80 indicating specified information; providing that the
81 commission is responsible for approving or denying the
82 application to change the location of the designated
83 slot machine gaming area; requiring a slot machine
84 licensee to apply to the commission using forms
85 adopted by the commission; requiring the commission to
86 examine the application and approve or deny the
87 application within a specified timeframe; authorizing

595-03402-26

20261580c2

88 the commission to adopt rules; amending s. 782.04,
89 F.S.; revising the underlying felonies for felony
90 murder of the second degree to include keeping a
91 gambling house; amending s. 838.12, F.S.; providing
92 criminal penalties for persons who stake, bet, or
93 wager any money or other thing of value upon the
94 result of certain games, contests, matches, races, or
95 sports if such persons have knowledge that the outcome
96 of the games, contests, matches, races, or sports is
97 prearranged or predetermined; making technical
98 changes; amending s. 843.08, F.S.; revising a
99 prohibition on false personation of certain persons to
100 include any personnel or representative of the
101 commission; amending ss. 849.01 and 849.02, F.S.;
102 revising the criminal penalties for persons who keep a
103 gambling house or are agents or employees of a keeper
104 of a gambling house, respectively; defining the term
105 "course of conduct"; prohibiting a person from
106 knowingly or recklessly benefit or participate in a
107 course of conduct in furtherance of illegal gambling;
108 creating s. 849.021, F.S.; defining the terms
109 "government employee" and "political subdivision";
110 prohibiting a government employee from knowingly
111 certifying, licensing, approving, aiding,
112 facilitating, or concealing the operation of a
113 gambling house; providing criminal penalties;
114 providing applicability; creating s. 849.023, F.S.;
115 defining terms; providing that violations of certain
116 laws are deemed immediate and serious dangers to

595-03402-26

20261580c2

117 public health, safety, and welfare; authorizing the
118 Department of Business and Professional Regulation,
119 the commission, or the Office of Financial Regulation
120 to summarily suspend the license of certain persons
121 violating such laws; authorizing a licensee or an
122 applicant to retain, apply for, or be reissued a
123 license if the license-issuing agency finds that such
124 licensee has removed the controlling person violating
125 such laws from the business; providing that a licensee
126 is subject to a specified fine; amending s. 849.03,
127 F.S.; revising the criminal penalties for persons who
128 rent or lease a house for gambling purposes; defining
129 the term "knowingly"; amending s. 849.08, F.S.;

130 defining terms; providing criminal penalties for
131 persons who play, engage in, operate, conduct, or
132 promote Internet gambling or Internet sports wagering;
133 providing applicability; amending s. 849.086, F.S.;

134 revising the prohibited activities of licensed
135 cardrooms; providing criminal penalties for violations
136 of such prohibitions; republishing s. 849.09, F.S.,
137 relating to the prohibition against lotteries;

138 amending s. 849.11, F.S.; providing criminal penalties
139 for persons who play in person, or by the use of the
140 Internet, certain games of chance; providing criminal
141 penalties for persons who set up, operate, conduct,
142 promote, or receive any money or other thing of value
143 for certain prohibited conduct; amending s. 849.13,
144 F.S.; revising the criminal penalties for persons
145 convicted of a second or subsequent violation in

595-03402-26

20261580c2

146 connection with lotteries; reclassifying certain
147 criminal violations to the next level higher in the
148 Criminal Punishment Code's offense severity ranking
149 chart; amending s. 849.14, F.S.; making technical
150 changes; amending s. 849.15, F.S.; defining terms;
151 revising criminal penalties relating to persons owning
152 or operating slot machines or devices; providing that
153 all shipments of legal slot machines into Indian lands
154 are deemed legal shipments under certain
155 circumstances; creating s. 849.155, F.S.; providing
156 criminal penalties for persons who knowingly sell,
157 purchase, manufacture, transport, deliver, or bring
158 into this state more than a specified number of slot
159 machines or devices or any parts thereof; defining the
160 term "parts thereof"; providing for fines for
161 specified violations; providing that any county in
162 which slot machine gaming is authorized is exempt from
163 certain federal provisions; providing that all
164 shipments of slot machines into any county in this
165 state are deemed legal shipments if specified
166 requirements are met; providing that all shipments of
167 legal gaming devices into Indian lands located within
168 this state are deemed legal shipments under certain
169 circumstances; requiring that any fines imposed and
170 collected be deposited into the Pari-mutuel Wagering
171 Trust Fund to be used for a specified purpose;
172 creating s. 849.157, F.S.; prohibiting persons from
173 knowingly and willfully making or disseminating
174 materially false or misleading statements or

595-03402-26

20261580c2

175 information regarding the legality of a slot machine
176 or device to facilitate the sale of such slot machine
177 or device; providing criminal penalties; amending s.
178 849.18, F.S.; revising the circumstances under which a
179 judge may order a slot machine, apparatus, or device
180 seized; authorizing the commission to destroy a seized
181 machine, apparatus, or device after a specified
182 timeframe if no arrests or criminal charges have been
183 filed and no person files a claim for such machine,
184 apparatus, or device; creating s. 849.181, F.S.;

185 providing legislative intent; defining terms;
186 authorizing a criminal justice agency having custody
187 of excess slot machines related to a legal proceeding
188 or ongoing criminal investigation to destroy such
189 machines if the criminal justice agency takes certain
190 actions; requiring that written descriptions of such
191 slot machines be made under oath by the investigating
192 law enforcement officer before the slot machines are
193 destroyed; requiring that photographs and video
194 recordings of such slot machines be authenticated by
195 the photographer's or videographer's signature;
196 requiring that a law enforcement officer create
197 written and sworn documentation of certain information
198 regarding a destroyed slot machine; providing that
199 such photographs or video recordings may be deemed
200 competent evidence and may be admissible in a
201 prosecution to the same extent as if such slot
202 machines were introduced as evidence; providing
203 severability; creating s. 849.47, F.S.; defining the

595-03402-26

20261580c2

204 term "illegal gambling"; prohibiting persons from
205 knowingly and willfully transporting, or procuring the
206 transportation of, certain persons into this state for
207 the purpose of illegal gambling; providing criminal
208 penalties; creating s. 849.48, F.S.; defining the term
209 "illegal gambling"; prohibiting persons from
210 advertising illegal gambling or setting up any type or
211 plate for any type for advertising illegal gambling;
212 providing criminal penalties; providing exceptions;
213 creating s. 849.49, F.S.; providing legislative
214 findings and intent; prohibiting counties,
215 municipalities, or other political subdivisions from
216 enacting or enforcing any ordinance or local rule
217 relating to certain gaming and gambling activities;
218 providing applicability; creating s. 849.51, F.S.;
219 providing legislative findings; creating the Limited
220 Slot Machine Surrender Program within the commission;
221 providing the purpose of the program; providing that
222 the surrender of any slot machine to the commission is
223 irrevocable and final; providing that an individual or
224 organization that surrenders a slot machine pursuant
225 to the program is immune from criminal prosecution;
226 requiring that the program begin and end within
227 specified timeframes; requiring the commission to
228 advertise the program before a specified timeframe;
229 providing that a person or entity that surrenders a
230 gaming device does not have any rights to the property
231 in any of the devices surrendered; authorizing the
232 commission to enter into memoranda of understanding

595-03402-26

20261580c2

233 with other criminal justice agencies to administer the
234 program; amending s. 903.046, F.S.; revising the
235 circumstances a court must consider when determining
236 whether to release a defendant on bail or other
237 conditions; amending s. 921.0022, F.S.; revising the
238 ranking of certain offenses on the offense severity
239 ranking chart of the Criminal Punishment Code;
240 amending ss. 772.102, 849.17, 849.18, 849.20, 849.21,
241 849.22, and 895.02, F.S.; conforming provisions to
242 changes made by the act; providing effective dates.
243

244 Be It Enacted by the Legislature of the State of Florida:
245

246 Section 1. Section 849.23, Florida Statutes, is repealed.

247 Section 2. Subsection (5) of section 16.71, Florida
248 Statutes, is amended to read:

249 16.71 Florida Gaming Control Commission; creation;
250 meetings; membership.—

251 (5) INSPECTOR GENERAL.—~~The chair of the~~ commission shall
252 appoint an inspector general who shall perform the duties of an
253 inspector general under s. 20.055. Except for the appointment of
254 an inspector general under s. 20.055(3)(a)1., the commission may
255 delegate any of the duties and powers of an agency head under s.
256 20.055 to a commissioner serving on the commission.

257 Section 3. Paragraph (h) of subsection (3) of section
258 16.712, Florida Statutes, is amended, and paragraphs (i) and (j)
259 are added to that subsection, to read:

260 16.712 Florida Gaming Control Commission authorizations,
261 duties, and responsibilities.—

595-03402-26

20261580c2

262 (3) By December 1 of each year, the commission shall make
263 an annual report to the Governor, the President of the Senate,
264 and the Speaker of the House of Representatives. The report
265 must, at a minimum, include all of the following:

266 (h) A summary of actions taken and investigations conducted
267 by the commission, including the number of investigations that
268 led to criminal charges being filed and the resolution of such
269 criminal cases.

270 (i) The number of complaints received by the commission,
271 categorized by subject matter or type of complaint, and a
272 summary of the action taken by the commission on each complaint.

273 (j) A list of property seized by the commission during the
274 course of its investigations, and the disposition of such
275 property, including a list of forfeiture actions.

276 Section 4. Paragraph (d) is added to subsection (2) of
277 section 16.713, Florida Statutes, to read:

278 16.713 Florida Gaming Control Commission; appointment and
279 employment restrictions.—

280 (2) PROHIBITIONS FOR EMPLOYEES AND COMMISSIONERS; PERSONS
281 INELIGIBLE FOR APPOINTMENT TO AND EMPLOYMENT WITH THE
282 COMMISSION.—

283 (d)1. A person who is ineligible for employment with the
284 commission under this subsection may submit a waiver request to
285 the commission to be considered eligible for employment as a
286 career service or other-personal-services employee if such
287 person possesses industry expertise in pari-mutuel wagering,
288 cardrooms, or slot machine operations.

289 2. The commission shall consider waiver requests on a case-
290 by-case basis and shall approve or deny each request. If the

595-03402-26

20261580c2

291 commission approves the waiver request, the person is eligible
292 for employment with the commission. This paragraph does not
293 apply to persons seeking appointment to the commission. The
294 standard of review applicable to the commission under this
295 subsection is whether the commission's action was an abuse of
296 discretion. The commission may adopt rules to implement the
297 provisions of this subsection.

298

299 For the purposes of this subsection, the term "relative" means a
300 spouse, father, mother, son, daughter, grandfather, grandmother,
301 brother, sister, uncle, aunt, cousin, nephew, niece, father-in-
302 law, mother-in-law, son-in-law, daughter-in-law, brother-in-law,
303 sister-in-law, stepfather, stepmother, stepson, stepdaughter,
304 stepbrother, stepsister, half brother, or half sister.

305 Section 5. Paragraph (b) of subsection (1) and paragraph
306 (c) of subsection (2) of section 16.715, Florida Statutes, are
307 amended to read:

308 16.715 Florida Gaming Control Commission standards of
309 conduct; ex parte communications.—

310 (1) STANDARDS OF CONDUCT.—

311 (b)1. A commissioner or employee of the commission may not
312 accept anything from any business entity that, either directly
313 or indirectly, owns or controls any person regulated by the
314 commission or from any business entity that, either directly or
315 indirectly, is an affiliate or subsidiary of any person
316 regulated by the commission.

317 2. A commissioner or an employee may attend conferences,
318 along with associated meals and events that are generally
319 available to all conference participants, without payment of any

595-03402-26

20261580c2

320 fees in addition to the conference fee. Additionally, while
321 attending a conference, a commissioner or an employee may attend
322 meetings, meals, or events that are not sponsored, in whole or
323 in part, by any representative of any person regulated by the
324 commission and that are limited to commissioners or employees
325 only, committee members, or speakers if the commissioner or
326 employee is a member of a committee of the association of
327 regulatory agencies which organized the conference or is a
328 speaker at the conference. It is not a violation of this
329 subparagraph for a commissioner or an employee to attend a
330 conference for which conference participants who are employed by
331 a person regulated by the commission have paid a higher
332 conference registration fee than the commissioner or employee,
333 or to attend a meal or event that is generally available to all
334 conference participants without payment of any fees in addition
335 to the conference fee and that is sponsored, in whole or in
336 part, by a person regulated by the commission.

337 3. While employed, ~~and for 2 years after service as a~~
338 ~~commissioner or for 2 years after employment with the~~
339 ~~commission~~, a commissioner or an employee may not accept any
340 form of employment with or engage in any business activity with
341 any business entity that, either directly or indirectly, owns or
342 controls any person regulated by the commission; any person
343 regulated by the commission; or any business entity that, either
344 directly or indirectly, is an affiliate or subsidiary of any
345 person regulated by the commission.

346 4. While employed, and for 2 years after service as a
347 commissioner or for 2 years after employment with the
348 commission, a commissioner, an employee, or a relative living in

595-03402-26

20261580c2

349 the same household as a commissioner or an employee may not have
350 any financial interest, other than shares in a mutual fund, in
351 any person regulated by the commission; in any business entity
352 that, either directly or indirectly, owns or controls any person
353 regulated by the commission; or in any business entity that,
354 either directly or indirectly, is an affiliate or a subsidiary
355 of any person regulated by the commission. If a commissioner, an
356 employee, or a relative living in the same household as a
357 commissioner or an employee acquires any financial interest
358 prohibited by this subsection during the commissioner's term of
359 office or the employee's employment with the commission as a
360 result of events or actions beyond the commissioner's, the
361 employee's, or the relative's control, he or she must ~~shall~~
362 immediately sell such financial interest. For the purposes of
363 this subsection, the term "relative" has the same meaning as in
364 s. 16.713(2)(b).

365 5. A commissioner or an employee may not accept anything
366 from a party in a proceeding currently pending before the
367 commission.

368 6. A commissioner may not serve as the representative of
369 any political party or on any executive committee or other
370 governing body of a political party; serve as an executive
371 officer or employee of any political party, committee,
372 organization, or association; receive remuneration for
373 activities on behalf of any candidate for public office; engage
374 on behalf of any candidate for public office in the solicitation
375 of votes or other activities on behalf of such candidacy; or
376 become a candidate for election to any public office without
377 first resigning from office.

595-03402-26

20261580c2

378 7. A commissioner, during his or her term of office, may
379 not make any public comment regarding the merits of any
380 proceeding under ss. 120.569 and 120.57 currently pending before
381 the commission.

382 8. A commissioner or an employee may not act in an
383 unprofessional manner at any time during the performance of
384 official duties.

385 9. A commissioner or an employee shall ~~must~~ avoid
386 impropriety in all activities and shall ~~must~~ act at all times in
387 a manner that promotes public confidence in the integrity and
388 impartiality of the commission.

389 10. A commissioner or an employee may not directly or
390 indirectly, through staff or other means, solicit anything of
391 value from any person regulated by the commission, or from any
392 business entity that, whether directly or indirectly, is an
393 affiliate or a subsidiary of any person regulated by the
394 commission, or from any party appearing in a proceeding
395 considered by the commission in the last 2 years.

396 11. A commissioner may not lobby the Governor or any agency
397 of the state, members or employees of the Legislature, or any
398 county or municipal government or governmental agency except to
399 represent the commission in an official capacity.

400 (2) FORMER COMMISSIONERS AND EMPLOYEES.—

401 (c) A person employed by the commission and classified as
402 Senior Management Service, Selected Exempt Service, or career
403 service may not, for the 2 years immediately following the date
404 of termination or resignation from employment with the
405 commission:

406 1. Hold a permit or license issued under chapter 550, or a

595-03402-26

20261580c2

407 license issued under chapter 551 or chapter 849; be an officer,
408 official, or employee of such permitholder or licensee; or be an
409 ultimate equitable owner, as defined in s. 550.002(37), of such
410 permitholder or licensee; ~~or~~

411 2. Accept employment or compensation from, or engage in any
412 business activity with, a business entity that, directly or
413 indirectly, owns or controls a person regulated by the
414 commission; any person regulated by the commission; any business
415 entity that, directly or indirectly, is an affiliate or
416 subsidiary of a person regulated by the commission; or any
417 business entity or trade association that has been a party to a
418 commission proceeding within the 2 years preceding the
419 employee's resignation or termination of employment from the
420 commission; or

421 3. Be a bingo game operator or an employee of a bingo game
422 operator.

423
424 Notwithstanding any other law, an employee classified as career
425 service may request that the commission waive the postemployment
426 restrictions of subparagraph 1., but only for the purpose of
427 obtaining an occupational license under s. 550.105, s. 551.107,
428 or s. 849.086(6); or for any other postemployment restrictions
429 under subparagraph 2. or subparagraph 3. If the commission
430 approves the request, the employee is exempt from paragraph (d).
431 The commission shall consider and approve or deny waiver
432 requests on a case-by-case basis. The commission may adopt rules
433 to implement this paragraph.

434 Section 6. Paragraph (a) of subsection (1) of section
435 20.055, Florida Statutes, is amended to read:

595-03402-26

20261580c2

436 20.055 Agency inspectors general.—

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

438 (a) "Agency head" means the Governor, a Cabinet officer, or
439 a secretary or executive director as those terms are defined in
440 s. 20.03, the chair of the Public Service Commission, the
441 Director of the Office of Insurance Regulation of the Financial
442 Services Commission, the Director of the Office of Financial
443 Regulation of the Financial Services Commission, the board of
444 directors of the Florida Housing Finance Corporation, the
445 commissioners ~~chair~~ of the Florida Gaming Control Commission,
446 and the Chief Justice of the State Supreme Court.

447 Section 7. Subsection (10) of section 546.10, Florida
448 Statutes, is added to read:

449 546.10 Amusement games or machines.—

450 (10)(a)1. Before purchasing or installing a game or machine
451 on the premises of any veterans' service organization granted a
452 federal charter under Title 36, U.S.C., or a division,
453 department, post, or chapter of such organization, for which an
454 alcoholic beverage license has been issued, the organization may
455 petition the Florida Gaming Control Commission for a declaratory
456 statement under s. 120.565 on whether the operation of such game
457 or machine is authorized under this section or is a violation of
458 this section or chapter 849. A game or machine awaiting such
459 declaratory statement from the commission may not be purchased
460 or installed until the declaratory statement is issued.

461 2. A veterans' service organization as described in
462 subparagraph 1. which has a game or machine already installed on
463 its premises may petition the commission for a declaratory
464 statement under s. 120.565 on whether the operation of such game

595-03402-26

20261580c2

465 or machine is authorized under this section or is a violation of
466 this section or chapter 849. If the game, machine, premises, or
467 organization is the subject of an ongoing criminal
468 investigation, the organization may not petition the commission
469 for a declaratory statement under this subsection.

470 3. The commission must issue a declaratory statement or
471 deny the petition within 60 days after completing its
472 investigation of the game or machine subject to the statement or
473 90 days after receiving a complete petition requesting such
474 statement, whichever is earlier. The commission may not deny a
475 petition that is validly requested pursuant to this subsection
476 and s. 120.565.

477 (b) A petition for a declaratory statement made pursuant to
478 paragraph (a) is deemed complete if it provides the information
479 required for the commission to issue the declaratory statement
480 and is accompanied by the specifications, including all
481 pertinent information and documentation and access to hardware
482 and associated software by the commission's contracted testing
483 lab, for the type of game or machine that the organization will
484 purchase or install or has already installed on the premises.
485 The declaratory statement issued under this subsection is valid
486 only for the game or machine for which it is requested and is
487 invalid if the specifications for the game or the machine have
488 been changed.

489 (c) A declaratory statement issued under this subsection is
490 binding on the commission and may be introduced in any
491 subsequent proceedings relating to the game or machine for which
492 the declaratory statement is requested as evidence of a good
493 faith effort to comply with this section or chapter 849.

595-03402-26

20261580c2

494 (d) This subsection does not prevent the commission or any
495 other criminal justice agency as defined in s. 943.045 from
496 detecting, apprehending, and arresting a person for any alleged
497 violation of this chapter, chapter 24, part II of chapter 285,
498 chapter 550, chapter 551, or chapter 849, or any rule adopted
499 pursuant thereto, or of any law of this state.

500 (e) This subsection does not require an owner or an
501 operator of an amusement game or machine under this section to
502 request or obtain a declaratory statement in order to operate
503 pursuant to this section.

504 Section 8. Paragraph (b) of subsection (6) of section
505 551.107, Florida Statutes, is amended to read:

506 551.107 Slot machine occupational license; findings;
507 application; fee.-

508 (6)

509 (b) The commission may deny, revoke, or refuse to renew any
510 slot machine occupational license if the applicant for such
511 license or the licensee has been convicted of a felony or
512 misdemeanor in this state, in any other state, or under the laws
513 of the United States if such felony or misdemeanor is related to
514 gambling or bookmaking as described in s. 849.25. The
515 restrictions excluding offenders under this section ~~authorized~~
516 ~~in this paragraph~~ may be waived by the commission if the
517 applicant establishes that she or he is of good moral character,
518 that she or he has been rehabilitated, and that the crime she or
519 he was convicted of is not related to slot machine gaming and is
520 not a capital offense. The commission shall consider and approve
521 or deny waiver requests on a case-by-case basis. The standard of
522 review applicable to the commission under this paragraph is

595-03402-26

20261580c2

523 whether the commission's action was an abuse of discretion.

524 Section 9. Subsection (4) of section 551.114, Florida
525 Statutes, is amended to read:

526 551.114 Slot machine gaming areas.—

527 (4) (a) Designated slot machine gaming areas must be located
528 at the address specified in the licensed permit holder's slot
529 machine license issued for fiscal year 2020-2021.

530 (b) Notwithstanding paragraph (a), a slot machine licensee
531 may apply to the commission to change the location of its
532 designated slot machine gaming area if all of the following
533 apply:

534 1. The location of the designated slot machine gaming area
535 is in the same county as the address specified in the licensed
536 permit holder's slot machine license issued for fiscal year 2020-
537 2021.

538 2. The location of the designated slot machine gaming area
539 is within 1,320 feet on a straight line of any outermost
540 boundary of the licensed permit holder's designated slot machine
541 gaming area as of January 1, 2026.

542 3. The designated slot machine gaming area is at a location
543 where the licensed permit holder is authorized to conduct pari-
544 mutuel wagering activities pursuant to the licensed
545 permit holder's valid pari-mutuel permit.

546 4. The location is owned by the licensed pari-mutuel
547 permit holder.

548 5. The location is approved under the zoning regulations of
549 the county or municipality where the permitted slot machine
550 gaming area is to be located as a planned development use,
551 consistent with the comprehensive plan.

595-03402-26

20261580c2

552 6. The location does not violate any of the provisions of
553 any tribal-state gaming compact with a federally recognized
554 Indian tribe located within this state pursuant to the Indian
555 Gaming Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168, and 25
556 U.S.C. ss. 2701 et seq.

557 (c) Before submitting an application to the commission to
558 change the location of the designated slot machine gaming area,
559 the licensed pari-mutuel permitholder must submit a survey
560 indicating the existing location of the designated slot machine
561 gaming area and the proposed location of the new designated slot
562 machine gaming area.

563 (d) The commission is responsible for approving or denying
564 the application to change the location of the designated slot
565 machine gaming area. A slot machine licensee must apply to the
566 commission using forms adopted by the commission. The commission
567 shall examine the application and approve or deny the change of
568 location of the designated slot machine gaming area within the
569 timeframes required by s. 120.60. The commission may adopt rules
570 to implement this subsection.

571 Section 10. Subsection (3) of section 782.04, Florida
572 Statutes, is amended to read:

573 782.04 Murder.—

574 (3) When a human being is killed during the perpetration
575 of, or during the attempt to perpetrate, any:

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

577 (b) Arson,

578 (c) Sexual battery,

579 (d) Robbery,

580 (e) Burglary,

595-03402-26

20261580c2

581 (f) Kidnapping,
582 (g) Escape,
583 (h) Aggravated child abuse,
584 (i) Aggravated abuse of an elderly person or disabled
585 adult,
586 (j) Aircraft piracy,
587 (k) Unlawful throwing, placing, or discharging of a
588 destructive device or bomb,
589 (l) Carjacking,
590 (m) Home-invasion robbery,
591 (n) Aggravated stalking,
592 (o) Murder of another human being,
593 (p) Aggravated fleeing or eluding with serious bodily
594 injury or death,
595 (q) Resisting an officer with violence to his or her
596 person, ~~or~~
597 (r) Felony that is an act of terrorism or is in furtherance
598 of an act of terrorism, including a felony under s. 775.30, s.
599 775.32, s. 775.33, s. 775.34, or s. 775.35, or
600 (s) Keeping a gambling house under s. 849.01,
601
602 by a person other than the person engaged in the perpetration of
603 or in the attempt to perpetrate such felony, the person
604 perpetrating or attempting to perpetrate such felony commits
605 murder in the second degree, which constitutes a felony of the
606 first degree, punishable by imprisonment for a term of years not
607 exceeding life or as provided in s. 775.082, s. 775.083, or s.
608 775.084.
609 Section 11. Subsections (1) and (2) of section 838.12,

595-03402-26

20261580c2

610 Florida Statutes, are amended, and subsection (3) is added to
611 that section, to read:

612 838.12 Bribery in athletic contests.—

613 (1) A person who ~~Whoever~~ gives, promises, offers or
614 conspires to give, promise or offer, to anyone who participates
615 or expects to participate in any professional or amateur game,
616 contest, match, race or sport; or to any umpire, referee, judge
617 or other official of such game, contest, match, race or sport;
618 or to any owner, manager, coach or trainer of, or to any
619 relative of, or to any person having any direct, indirect,
620 remote or possible connection with, any team, individual,
621 participant or prospective participant in any such professional
622 or amateur game, contest, match, race or sport, or the officials
623 aforesaid, any bribe, money, goods, present, reward or any
624 valuable thing whatsoever, or any promise, contract or agreement
625 whatsoever, with intent to influence him or her or them to lose
626 or cause to be lost any game, contest, match, race or sport, or
627 to limit his or her or their or any person's or any team's
628 margin of victory in any game, contest, match, race, or sport,
629 or to fix or throw any game, contest, match, race or sport,
630 commits ~~shall be guilty of~~ a felony of the third degree,
631 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

632 (2) Any participant or prospective participant in any
633 professional or amateur game, contest, match, race or sport; or
634 any umpire, referee, judge or other official of such game,
635 contest, match, race or sport; or any owner, manager, coach or
636 trainer of, or any relative of, or any person having any direct,
637 indirect, remote or possible connection with, any team,
638 individual, participant or prospective participant in any such

595-03402-26

20261580c2

639 professional or amateur game, contest, match, race or sport, or
640 the officials aforesaid; who in any way solicits, receives or
641 accepts, or agrees to receive or accept, or who conspires to
642 receive or accept, any bribe, money, goods, present, reward or
643 any valuable thing whatsoever, or any promise, contract or
644 agreement whatsoever, with intent to lose or cause to be lost
645 any game, contest, match, race or sport, or to limit his, her,
646 their or any person's or any team's margin of victory in any
647 game, contest, match, race or sport, or to fix or throw any
648 game, contest, match, race or sport, commits ~~shall be guilty of~~
649 a felony of the third degree, punishable as provided in s.
650 775.082, s. 775.083, or s. 775.084.

651 (3) A person who stakes, bets, or wagers any money or other
652 thing of value upon the result of any professional or amateur
653 game, contest, match, race, or sport with knowledge that the
654 outcome of such professional or amateur game, contest, match,
655 race, or sport is prearranged or predetermined as described in
656 subsection (1) or subsection (2) commits a felony of the third
657 degree, punishable as provided in s. 775.082, s. 775.083, or s.
658 775.084.

659 Section 12. Section 843.08, Florida Statutes, is amended to
660 read:

661 843.08 False personation.—A person who falsely assumes or
662 pretends to be a firefighter, a sheriff, an officer of the
663 Florida Highway Patrol, an officer of the Fish and Wildlife
664 Conservation Commission, an officer of the Department of
665 Environmental Protection, an officer of the Department of
666 Financial Services, any personnel or representative of the
667 Florida Gaming Control Commission, any personnel or

595-03402-26

20261580c2

668 representative of the Division of Criminal Investigations, an
669 officer of the Department of Corrections, a correctional
670 probation officer, a deputy sheriff, a state attorney or an
671 assistant state attorney, a statewide prosecutor or an assistant
672 statewide prosecutor, a state attorney investigator, a coroner,
673 a police officer, a lottery special agent or lottery
674 investigator, a beverage enforcement agent, a school guardian as
675 described in s. 30.15(1)(k), a security officer licensed under
676 chapter 493, any member of the Florida Commission on Offender
677 Review or any administrative aide or supervisor employed by the
678 commission, any personnel or representative of the Department of
679 Law Enforcement, or a federal law enforcement officer as defined
680 in s. 901.1505, and takes upon himself or herself to act as
681 such, or to require any other person to aid or assist him or her
682 in a matter pertaining to the duty of any such officer, commits
683 a felony of the third degree, punishable as provided in s.
684 775.082, s. 775.083, or s. 775.084. However, a person who
685 falsely personates any such officer during the course of the
686 commission of a felony commits a felony of the second degree,
687 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
688 If the commission of the felony results in the death or personal
689 injury of another human being, the person commits a felony of
690 the first degree, punishable as provided in s. 775.082, s.
691 775.083, or s. 775.084. In determining whether a defendant has
692 violated this section, the court or jury may consider any
693 relevant evidence, including, but not limited to, whether the
694 defendant used lights in violation of s. 316.2397 or s. 843.081.

695 Section 13. Section 849.01, Florida Statutes, is amended to
696 read:

595-03402-26

20261580c2

697 849.01 Keeping gambling houses, etc.—

698 (1) A person who, ~~Whoever~~ by herself or himself, her or his
699 ~~servant,~~ clerk or agent, or in any other manner has, keeps,
700 exercises, or maintains a gaming table or room, or gaming
701 implements or apparatus, or house, booth, tent, shelter, or
702 other place for the purpose of gaming or gambling or in any
703 place of which she or he may directly or indirectly have charge,
704 control, or management, either exclusively or with others,
705 procures, suffers, or permits any person to play for money or
706 other valuable thing at any game whatever, ~~whether heretofore~~
707 ~~prohibited or not,~~ commits the offense of keeping a gambling
708 house.

709 (2) (a) For a first offense, a person who violates
710 subsection (1) commits a felony misdemeanor of the third second
711 degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or
712 s. 775.084.

713 (b) For a second or subsequent offense, a person who
714 violates subsection (1) commits a felony of the second degree,
715 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

716 (3) As used in this subsection, the term "course of
717 conduct" means a pattern of conduct composed of a series of acts
718 over a period of time, however short, which evidences a
719 continuity of purpose.

720 (a) A person may not knowingly, or in reckless disregard of
721 the fact:

722 1. Benefit financially or receive anything of value,
723 whether or not as a legal entity, in furtherance of a violation
724 of subsection (1); or

725 2. Participate in a course of conduct in providing any

595-03402-26

20261580c2

726 service, product, or material benefit in the furtherance of a
727 violation of subsection (1).

728 (b) A person who violates paragraph (a) commits a felony of
729 the third degree, punishable as provided in s. 775.082, s.
730 775.083, or s. 775.084.

731 (c) A person found in violation of paragraph (a) shall be
732 ordered to pay a fine of \$50,000 for each violation.

733 (4) Notwithstanding subsection (2), a person who violates
734 subsection (1) commits a felony of the second degree, punishable
735 as provided in s. 775.082, s. 775.083, or s. 775.084, if, during
736 the commission of an offense under this section, an individual
737 suffers great bodily harm, permanent disability, or permanent
738 disfigurement.

739 Section 14. Section 849.02, Florida Statutes, is amended to
740 read:

741 849.02 Agents or employees of keeper of gambling house.—

742 (1) A person who ~~Whoever~~ acts as servant, clerk, agent, or
743 employee of any person in the violation of s. 849.01 commits:

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

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

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

752 (2) (a) Notwithstanding subsection (1), if the clerk, agent,
753 or employee is authorized to bind the gambling house in
754 violation of s. 849.01 or act on behalf of any person in the

595-03402-26

20261580c2

755 violation of s. 849.01, he or she commits a felony of the third
756 degree, punishable as provided in s. 775.082, s. 775.083, or s.
757 755.084.

758 (b) For a second or subsequent offense, a person commits a
759 felony of the second degree, punishable as provided in s.
760 775.082, s. 775.083, or s. 775.084.

761 Section 15. Section 849.021, Florida Statutes, is created
762 to read:

763 849.021 Government employee misconduct.-

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

765 (a) "Government employee" means any person employed by, or
766 acting on behalf of, the state or any political subdivision
767 thereof.

768 (b) "Political subdivision" means a county, municipality,
769 department, commission, district, board, or other public body,
770 whether corporate or otherwise, created by or under state law.

771 (2) A government employee may not knowingly certify,
772 license, approve, aid, facilitate, or conceal the operation of a
773 gambling house in violation of s. 849.01.

774 (3) A person who violates subsection (2) commits:

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

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

780 (4) This section does not apply to any person who is acting
781 in the scope of his or her employment and, in good faith,
782 reports suspected violations of chapter 849 to law enforcement
783 or regulatory agencies.

595-03402-26

20261580c2

784 Section 16. Section 849.023, Florida Statutes, is created
785 to read:

786 849.023 Licensure disqualifying offenses; corporate
787 shielding prohibited.—

788 (1) DEFINITIONS.—As used in this section, the term:

789 (a) “Commission” means the Florida Gaming Control
790 Commission.

791 (b) “Controlling person” means:

792 1. A corporate officer or director, or, if a limited
793 liability company, a manager, of the licensee or applicant for a
794 license;

795 2. A general partner, member, or owner of more than 5
796 percent of any equity interest, direct or indirect, in the
797 licensee or applicant; or

798 3. An owner of any interest in the licensee or applicant,
799 including any immediate family member of the owner, or holder of
800 any debt, mortgage, contract, or concession from the licensee or
801 applicant, who by virtue thereof is able to control the business
802 of the licensee or applicant.

803 (c) “Conviction” means a determination of guilt which is
804 the result of a plea or trial, regardless of whether
805 adjudication is withheld or a plea of nolo contendere is
806 entered.

807 (d) “License” has the same meaning as in s. 120.52 and is
808 issued by:

809 1. The Department of Business and Professional Regulation
810 pursuant to chapter 509, chapter 561, chapter 562, chapter 563,
811 chapter 564, chapter 565, chapter 567, chapter 568, or chapter
812 569;

595-03402-26

20261580c2

813 2. The commission pursuant to chapter 550, chapter 551, or
814 s. 849.086; or

815 3. The Office of Financial Regulation pursuant to chapter
816 560.

817 (e) "Licensee" means a holder of a license.

818 (f) "Owner" means a sole member or owner of 100 percent of
819 any equity interest, direct or indirect, in the licensee or
820 applicant.

821 (2) PENALTIES.—

822 (a)1. Notwithstanding subsection (1), pursuant to s.
823 120.60(6), a violation of s. 849.01, s. 849.03, or s. 849.15 is
824 deemed an immediate and serious danger to public health, safety,
825 and welfare, and the Department of Business and Professional
826 Regulation, the commission, or the Office of Financial
827 Regulation may summarily suspend the license of any person found
828 in violation of s. 849.01, s. 849.03, or 849.15, or of any
829 business entity if its controlling person or sole owner is found
830 to be in violation of s. 849.01, s. 849.03, or s. 849.15.

831 2. In addition to any other penalty provided by law, a
832 licensee or an applicant may have a license revoked or any
833 application thereof denied or not reissued if the licensee or
834 applicant, the controlling person of the licensee or applicant,
835 or the sole owner of the licensee or applicant is convicted of a
836 violation of s. 849.01, s. 849.03, or s. 849.15.

837 3. Notwithstanding subparagraph 2., a licensee or applicant
838 may retain, apply for, or be reissued a license if the license-
839 issuing agency finds that such licensee has removed the
840 controlling person from the business.

841 (b) Notwithstanding paragraph (a), a licensee is subject to

595-03402-26

20261580c2

842 a fine of up to \$75,000 for a violation of s. 849.01, s. 849.03,
843 or s. 849.15.

844 Section 17. Section 849.03, Florida Statutes, is amended to
845 read:

846 849.03 Renting or leasing house for gambling purposes.—

847 (1) A person who ~~Whoever~~, whether as owner or agent,
848 knowingly rents or leases to another a house, room, booth, tent,
849 shelter, or place for the purpose of gaming commits:

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

852 (b) For a second or subsequent offense, a felony of the
853 second degree, punishable as provided in s. 775.082, s. 775.083,
854 or s. 775.084 shall be punished in the manner and to the extent
855 mentioned in s. 849.01.

856 (2) For purposes of this section, the term "knowingly"
857 means having general or reasonable knowledge of, or reasonable
858 belief or grounds for belief that, a violation of s. 849.01 is
859 occurring.

860 Section 18. Section 849.08, Florida Statutes, is amended to
861 read:

862 849.08 Gambling.—

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

864 (a) "Internet gambling" means to play or engage in a game
865 in which money or other thing of value is awarded based on
866 chance, regardless of any application of skill, which game is
867 available on the Internet and accessible on a mobile device,
868 computer terminal, or other similar access device and simulates
869 casino-style gaming, including, but not limited to, slot
870 machines, video poker, and table games.

595-03402-26

20261580c2

871 (b) "Internet sports wagering" means to stake, bet, or
872 wager money or other thing of value upon the result of any trial
873 or contest of skill, speed, power, or endurance of human or
874 beast, other than pari-mutuel wagering conducted pursuant to
875 chapter 550, which is available on the Internet and accessible
876 on a mobile device, computer terminal, or other similar access
877 device.

878 (2) A person who ~~whoever~~ plays or engages in Internet
879 gambling or any game at cards, keno, roulette, faro, or other
880 game of chance, at any place, by any device whatever, for money
881 or other thing of value, commits shall be guilty of a
882 misdemeanor of the second degree, punishable as provided in s.
883 775.082 or s. 775.083.

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

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

888 (b) For a second or subsequent violation, a misdemeanor of
889 the first degree, punishable as provided in s. 775.082 or s.
890 775.083.

891 (4) A person who operates, conducts, or promotes Internet
892 gambling or Internet sports wagering, or receives in any manner
893 money or other thing of value offered for the purpose of
894 Internet gambling or Internet sports wagering, or who knowingly
895 becomes the custodian or depositary of any money or other thing
896 of value so offered, or who aids, assists, abets, or influences
897 in any manner in any such acts, commits a felony of the third
898 degree, punishable as provided in s. 775.082, s. 775.083, or s.
899 775.084.

595-03402-26

20261580c2

900 (5) This section does not apply to participation in, or the
901 conduct of, any gaming activities authorized under s.
902 285.710(13) and conducted pursuant to a gaming compact ratified
903 and approved under s. 285.710(3).

904 Section 19. Paragraph (e) is added to subsection (12) of
905 section 849.086, Florida Statutes, to read:

906 849.086 Cardrooms authorized.—

907 (12) PROHIBITED ACTIVITIES.—

908 (e) A person who manipulates or attempts to manipulate the
909 playing cards, outcome, or payoff of a card game in a licensed
910 cardroom by physical tampering or by use of any object,
911 instrument, or device, whether mechanical, electrical, magnetic,
912 or involving other means, commits a felony of the third degree,
913 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

914 Section 20. Section 849.09, Florida Statutes, is
915 republished to read:

916 849.09 Lottery prohibited; exceptions.—

917 (1) It is unlawful for any person in this state to:

918 (a) Set up, promote, or conduct any lottery for money or
919 for anything of value;

920 (b) Dispose of any money or other property of any kind
921 whatsoever by means of any lottery;

922 (c) Conduct any lottery drawing for the distribution of a
923 prize or prizes by lot or chance, or advertise any such lottery
924 scheme or device in any newspaper or by circulars, posters,
925 pamphlets, radio, telegraph, telephone, or otherwise;

926 (d) Aid or assist in the setting up, promoting, or
927 conducting of any lottery or lottery drawing, whether by
928 writing, printing, or in any other manner whatsoever, or be

595-03402-26

20261580c2

929 interested in or connected in any way with any lottery or
930 lottery drawing;

931 (e) Attempt to operate, conduct, or advertise any lottery
932 scheme or device;

933 (f) Have in her or his possession any lottery wheel,
934 implement, or device whatsoever for conducting any lottery or
935 scheme for the disposal by lot or chance of anything of value;

936 (g) Sell, offer for sale, or transmit, in person or by mail
937 or in any other manner whatsoever, any lottery ticket, coupon,
938 or share, or any share in or fractional part of any lottery
939 ticket, coupon, or share, whether such ticket, coupon, or share
940 represents an interest in a live lottery not yet played or
941 whether it represents, or has represented, an interest in a
942 lottery that has already been played;

943 (h) Have in her or his possession any lottery ticket, or
944 any evidence of any share or right in any lottery ticket, or in
945 any lottery scheme or device, whether such ticket or evidence of
946 share or right represents an interest in a live lottery not yet
947 played or whether it represents, or has represented, an interest
948 in a lottery that has already been played;

949 (i) Aid or assist in the sale, disposal, or procurement of
950 any lottery ticket, coupon, or share, or any right to any
951 drawing in a lottery;

952 (j) Have in her or his possession any lottery
953 advertisement, circular, poster, or pamphlet, or any list or
954 schedule of any lottery prizes, gifts, or drawings; or

955 (k) Have in her or his possession any so-called "run down
956 sheets," tally sheets, or other papers, records, instruments, or
957 paraphernalia designed for use, either directly or indirectly,

595-03402-26

20261580c2

958 in, or in connection with, the violation of the laws of this
959 state prohibiting lotteries and gambling.

960
961 Provided, that nothing in this section shall prohibit
962 participation in any nationally advertised contest, drawing,
963 game or puzzle of skill or chance for a prize or prizes unless
964 it can be construed as a lottery under this section; and,
965 provided further, that this exemption for national contests
966 shall not apply to any such contest based upon the outcome or
967 results of any horserace, harness race, dograce, or jai alai
968 game.

969 (2) Any person who is convicted of violating any of the
970 provisions of paragraph (a), paragraph (b), paragraph (c), or
971 paragraph (d) of subsection (1) is guilty of a felony of the
972 third degree, punishable as provided in s. 775.082, s. 775.083,
973 or s. 775.084.

974 (3) Any person who is convicted of violating any of the
975 provisions of paragraph (e), paragraph (f), paragraph (g),
976 paragraph (i), or paragraph (k) of subsection (1) is guilty of a
977 misdemeanor of the first degree, punishable as provided in s.
978 775.082 or s. 775.083. Any person who, having been convicted of
979 violating any provision thereof, thereafter violates any
980 provision thereof is guilty of a felony of the third degree,
981 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
982 The provisions of this section do not apply to bingo as provided
983 for in s. 849.0931.

984 (4) Any person who is convicted of violating any of the
985 provisions of paragraph (h) or paragraph (j) of subsection (1)
986 is guilty of a misdemeanor of the first degree, punishable as

595-03402-26

20261580c2

987 provided in s. 775.082 or s. 775.083. Any person who, having
988 been convicted of violating any provision thereof, thereafter
989 violates any provision thereof is guilty of a felony of the
990 third degree, punishable as provided in s. 775.082, s. 775.083,
991 or s. 775.084.

992 Section 21. Section 849.11, Florida Statutes, is amended to
993 read:

994 849.11 Plays at games of chance by lot.-

995 (1) A person who ~~Whoever sets up, promotes or plays in~~
996 person or by the use, in whole or in part, of the Internet, at
997 any game of chance by lot or with dice, cards, numbers, hazards
998 or any other gambling device whatever for, or for the disposal
999 of money or other thing of value or under the pretext of a sale,
1000 gift or delivery thereof, or for any right, share or interest
1001 therein, commits shall be guilty of a misdemeanor of the second
1002 degree, punishable as provided in s. 775.082 or s. 775.083.

1003 (2) A person who sets up, operates, conducts, promotes, or
1004 receives in any manner any money or other thing of value offered
1005 for the purpose of conduct prohibited in subsection (1), or who
1006 knowingly becomes the custodian or depository of any money or
1007 other thing of value so offered, or who aids, assists, abets, or
1008 influences in any manner in any such acts, commits a felony of
1009 the third degree, punishable as provided in s. 775.082, s.
1010 775.083, or s. 775.084.

1011 Section 22. Section 849.13, Florida Statutes, is amended to
1012 read:

1013 849.13 Punishment on second or subsequent conviction.-A
1014 person who is convicted of a second or subsequent violation of
1015 the same ~~Whoever, after being convicted of an offense forbidden~~

595-03402-26

20261580c2

1016 ~~by law~~ in connection with lotteries for which there is no
1017 penalty specified for a second or subsequent violation shall
1018 have the offense reclassified to an offense of the next higher
1019 degree, commits the like offense, shall be guilty of a
1020 misdemeanor of the first degree, punishable as provided in s.
1021 775.082, ~~or~~ s. 775.083, or s. 775.084. For purposes of
1022 sentencing under chapter 921, a felony offense that is
1023 reclassified under this section is ranked one level above the
1024 ranking under s. 921.0022 or s. 921.0023 of the felony offense
1025 committed.

1026 Section 23. Section 849.14, Florida Statutes, is amended to
1027 read:

1028 849.14 Unlawful to bet on result of trial or contest of
1029 skill, etc.—A person who ~~Whoever~~ stakes, bets, or wagers any
1030 money or other thing of value upon the result of any trial or
1031 contest of skill, speed or power or endurance of human or beast,
1032 or who ~~whoever~~ receives in any manner whatsoever any money or
1033 other thing of value staked, bet, or wagered, or offered for the
1034 purpose of being staked, bet, or wagered, by or for any other
1035 person upon any such result, or who ~~whoever~~ knowingly becomes
1036 the custodian or depositary of any money or other thing of value
1037 so staked, bet, or wagered upon any such result, or who ~~whoever~~
1038 aids, or assists, or abets, or influences in any manner in any
1039 of such acts ~~all of which are hereby forbidden,~~ commits a felony
1040 of the third degree, punishable as provided in s. 775.082, ~~or~~ s.
1041 775.083, or s. 775.084.

1042 Section 24. Section 849.15, Florida Statutes, is amended to
1043 read:

1044 849.15 Manufacture, sale, possession, etc., of slot

595-03402-26

20261580c2

1045 machines or devices prohibited.-

1046 (1) As used in this section, the term:

1047 (a) "Conviction" means a determination of guilt which is
1048 the result of a plea or trial, regardless of whether
1049 adjudication is withheld or a plea of nolo contendere is
1050 entered.

1051 (b) "Part thereof" means any equipment, subassembly, or
1052 other part of a slot machine or device, whether attached to the
1053 slot machine or device or separate therefrom, which was used,
1054 attempted to be used, or intended to be used in connection with
1055 the play or operation of the slot machine or device.

1056 (c) "Person of authority" means a person who, at any
1057 business, establishment, premises, or other location at which a
1058 slot machine or device is offered for play, has:

1059 1. Actual authority to act on behalf of such business,
1060 establishment, premises, or other location; or

1061 2. Any ownership interest in such business, establishment,
1062 premises, or other location. For purposes of this paragraph, the
1063 term "ownership interest" includes an officer, a director, or a
1064 managing member of the business, establishment, premises, or
1065 other location.

1066 (2) It is unlawful:

1067 (a) To manufacture, own, store, keep, possess, sell, rent,
1068 lease, let on shares, lend or give away, transport, or expose
1069 for sale or lease, or to offer to sell, rent, lease, let on
1070 shares, lend or give away, or permit the operation of, or for
1071 any person to permit to be placed, maintained, or used or kept
1072 in any room, space, or building owned, leased or occupied by the
1073 person or under the person's management or control, any slot

595-03402-26

20261580c2

1074 machine or device or any part thereof, ~~or~~

1075 (b) To make or to permit to be made with any person any
1076 agreement with reference to any slot machine or device, pursuant
1077 to which the user thereof, as a result of any element of chance
1078 or other outcome unpredictable to him or her, may become
1079 entitled to receive any money, credit, allowance, or thing of
1080 value or additional chance or right to use such machine or
1081 device, or to receive any check, slug, token or memorandum
1082 entitling the holder to receive any money, credit, allowance or
1083 thing of value.

1084 (3) (a) Except as provided in paragraphs (b) and (c), a
1085 person who violates subsection (2) commits a misdemeanor of the
1086 first degree, punishable as provided in s. 775.082 or s.
1087 775.083.

1088 (b) A person commits a felony of the third degree,
1089 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1090 if he or she violates subsection (2), and:

1091 1. At the time of the violation, the person was a person of
1092 authority; or

1093 2. The person has one prior conviction for a violation of
1094 this section.

1095 (c) A person commits a felony of the second degree,
1096 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
1097 if he or she violates subsection (2), and:

1098 1.a. At the time of the violation, the person was a person
1099 of authority; and

1100 b. The violation involves five or more slot machines or
1101 devices; or

1102 2. The person has two or more prior convictions for a

595-03402-26

20261580c2

1103 violation of this section.

1104 (4)~~(2)~~ Pursuant to section 2 of that chapter of the
1105 Congress of the United States entitled "An act to prohibit
1106 transportation of gaming devices in interstate and foreign
1107 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.
1108 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State
1109 of Florida, acting by and through the duly elected and qualified
1110 members of its Legislature, does hereby in this section, and in
1111 accordance with and in compliance with the provisions of section
1112 2 of such chapter of Congress, declare and proclaim that any
1113 county of the State of Florida within which slot machine gaming
1114 is authorized pursuant to chapter 551 is exempt from the
1115 provisions of section 2 of that chapter of the Congress of the
1116 United States entitled "An act to prohibit transportation of
1117 gaming devices in interstate and foreign commerce," designated
1118 as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All
1119 shipments of gaming devices, including slot machines, into any
1120 county of this state within which slot machine gaming is
1121 authorized pursuant to chapter 551 and the registering,
1122 recording, and labeling of which have been duly performed by the
1123 manufacturer or distributor thereof in accordance with sections
1124 3 and 4 of that chapter of the Congress of the United States
1125 entitled "An act to prohibit transportation of gaming devices in
1126 interstate and foreign commerce," approved January 2, 1951,
1127 being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C.
1128 ss. 1171-1177, are ~~shall be~~ deemed legal shipments thereof into
1129 this state provided the destination of such shipments is an
1130 eligible facility as defined in s. 551.102 or the facility of a
1131 slot machine manufacturer or slot machine distributor as

595-03402-26

20261580c2

1132 provided in s. 551.109(2) (a).

1133 (5) All shipments of legal gaming devices, including legal
1134 slot machines, into Indian lands located within this state are
1135 deemed legal shipments, provided that such Indian lands are held
1136 in federal trust for the benefit of a federally recognized
1137 Indian tribe that is a party to a tribal-state compact with the
1138 state pursuant to the federal Indian Gaming Regulatory Act of
1139 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C. ss. 2701 et seq.

1140 Section 25. Section 849.155, Florida Statutes, is created
1141 to read:

1142 849.155 Trafficking in slot machines, devices, or parts
1143 thereof.—

1144 (1) Any person who knowingly sells, purchases,
1145 manufactures, transports, delivers, or brings into this state
1146 more than 15 slot machines or devices or any parts thereof
1147 commits a felony of the first degree, punishable as provided in
1148 s. 775.082, s. 775.083, or s. 775.084. For purposes of this
1149 section, the term "parts thereof" has the same meaning as in s.
1150 849.15. If the quantity of slot machines or devices or any parts
1151 thereof involved is:

1152 (a) More than 15 slot machines or devices or any parts
1153 thereof, but fewer than 25 slot machines or devices or any parts
1154 thereof, such person must be fined \$100,000.

1155 (b) More than 25 slot machines or devices or any parts
1156 thereof, but fewer than 50 slot machines or devices or any parts
1157 thereof, such person must be fined \$250,000.

1158 (c) More than 50 slot machines or devices or any parts
1159 thereof or more, such person must be fined \$500,000.

1160 (2) Pursuant to section 2 of that chapter of the Congress

595-03402-26

20261580c2

1161 of the United States entitled "An act to prohibit transportation
1162 of gaming devices in interstate and foreign commerce," approved
1163 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
1164 designated as 15 U.S.C. ss. 1171-1177, relating to
1165 transportation of gambling devices in interstate and foreign
1166 commerce, the State of Florida, acting by and through the duly
1167 elected and qualified members of its Legislature, does hereby in
1168 this section, and in accordance with and in compliance with
1169 section 2 of such chapter of Congress, declare and proclaim that
1170 any county of the State of Florida within which slot machine
1171 gaming is authorized pursuant to chapter 551 is exempt from
1172 section 2 of that chapter of the Congress of the United States
1173 entitled "An act to prohibit transportation of gaming devices in
1174 interstate and foreign commerce," designated as 15 U.S.C. ss.
1175 1171-1177, approved January 2, 1951. All shipments of slot
1176 machines into any county of this state in which slot machine
1177 gaming is authorized pursuant to chapter 551 and the
1178 registering, recording, and labeling of which have been duly
1179 performed by the manufacturer or distributor thereof in
1180 accordance with sections 3 and 4 of that chapter of the Congress
1181 of the United States entitled "An act to prohibit transportation
1182 of gaming devices in interstate and foreign commerce," approved
1183 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
1184 designated as 15 U.S.C. ss. 1171-1177, are deemed legal
1185 shipments thereof into this state, provided the destination of
1186 such shipments is an eligible facility as defined in s. 551.102
1187 or the facility of a slot machine manufacturer or slot machine
1188 distributor as provided in s. 551.109(2)(a).

1189 (3) All shipments of legal gaming devices, including legal

595-03402-26

20261580c2

1190 slot machines, onto Indian lands located within this state are
1191 deemed legal shipments thereof, provided that such Indian lands
1192 are held in federal trust for the benefit of a federally
1193 recognized Indian tribe that is a party to a tribal-state
1194 compact with the state pursuant to the federal Indian Gaming
1195 Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C.
1196 ss. 2701 et seq.

1197
1198 Notwithstanding any other law, all fines imposed and collected
1199 pursuant to this section shall be deposited into the Pari-mutuel
1200 Wagering Trust Fund to be used by the Florida Gaming Control
1201 Commission for the enforcement of this chapter and chapters 546,
1202 550, and 551.

1203 Section 26. Section 849.157, Florida Statutes, is created
1204 to read:

1205 849.157 Making a false or misleading statement regarding
1206 the legality of slot machines or devices to facilitate sale.-

1207 (1) Except as provided in subsection (2), a person may not
1208 knowingly and willfully make a materially false or misleading
1209 statement or knowingly and willfully disseminate false or
1210 misleading information regarding the legality of a slot machine
1211 or device for the purpose of facilitating the sale or delivery
1212 of such slot machine or device for any money or other thing of
1213 value. A person who violates this subsection commits a felony of
1214 the third degree, punishable as provided in s. 775.082, s.
1215 775.083, or s. 775.084.

1216 (2) A person who violates subsection (1), when such a
1217 violation involves the sale or delivery, or attempted sale or
1218 delivery, of five or more slot machines or devices, commits a

595-03402-26

20261580c2

1219 felony of the second degree, punishable as provided in s.
1220 775.082, s. 775.083, or s. 775.084.

1221 Section 27. Section 849.18, Florida Statutes, is amended to
1222 read:

1223 849.18 Disposition of machines upon conviction.—

1224 (1) For any slot machine or device prohibited pursuant to
1225 s. 849.15 which is not destroyed pursuant to s. 849.181, upon a
1226 person entering a plea of guilty or nolo contendere to,
1227 regardless of adjudication, the filing of a nolle prosequi or
1228 upon the successful completion of a diversion program or a
1229 deferred prosecution agreement, the filing of a no-information,
1230 or upon conviction of the person arrested for the violation of
1231 ss. 849.15-849.22 any of the provisions of ss. 849.15-849.23,
1232 the judge of the court trying the case, after such notice to the
1233 person convicted, and any other person whom the judge may be of
1234 the opinion is entitled to such notice, and as the judge may
1235 deem reasonable, shall issue to the sheriff of the county a
1236 written order adjudging and declaring any such machine,
1237 apparatus or device forfeited, and directing such sheriff to
1238 destroy the same, with the exception of the money. The order of
1239 the court must ~~shall~~ state the time and place and the manner in
1240 which such property must ~~shall~~ be destroyed, ~~and the sheriff~~
1241 ~~shall destroy the same in the presence of the clerk of the~~
1242 ~~circuit court of such county.~~

1243 (2) For any slot machine or device prohibited pursuant to
1244 s. 849.15 which is not destroyed pursuant to s. 849.181, if no
1245 arrests or criminal charges have been filed against any person
1246 for violations of ss. 849.15-849.22, the Florida Gaming Control
1247 Commission may destroy such seized machine, apparatus, or device

595-03402-26

20261580c2

1248 under s. 849.16 if, 60 days after the conclusion of a lawful
1249 investigation, no claim has been filed in any court of competent
1250 jurisdiction for such machine, apparatus, or device.

1251 Section 28. Section 849.181, Florida Statutes, is created
1252 to read:

1253 849.181 Destruction of excess machines.—

1254 (1) It is the intent of the Legislature to protect the
1255 public health, safety, and welfare of the residents of this
1256 state by removing slot machines or devices as defined in s.
1257 849.16 from public circulation and preventing the warehousing of
1258 large quantities of such slot machines or devices.

1259 (2) As used in this section, the term:

1260 (a) "Criminal justice agency" has the same meaning as
1261 provided in s. 943.045.

1262 (b) "Excess slot machines" means more than five slot
1263 machines seized during an investigation.

1264 (c) "Slot machine" has the same meaning as the term "slot
1265 machine or device" as defined in s. 849.16(1) and includes the
1266 definition of "parts thereof" provided in s. 849.15.

1267 (3) Notwithstanding any other law, a criminal justice
1268 agency having custody of excess slot machines may destroy such
1269 slot machines during the pendency of any related legal
1270 proceedings or ongoing criminal investigations, provided that
1271 such criminal justice agency:

1272 (a) Retains at least five slot machines seized during an
1273 investigation until such time as the slot machines may be
1274 destroyed as provided in s. 849.18;

1275 (b) Notifies the appropriate United States Attorney or
1276 assistant United States Attorney, the responsible state or local

595-03402-26

20261580c2

1277 prosecutor, or a criminal justice agency conducting a criminal
1278 investigation that the excess slot machines will be destroyed
1279 after 60 days from the date notice is provided, unless the
1280 entity receiving the notice under this paragraph requests in
1281 writing that the criminal justice agency not destroy the excess
1282 slot machines;

1283 (c) Photographs and records on video each excess slot
1284 machine before its destruction to serve as evidentiary exhibits
1285 for use at trial. Each photograph and video recording must
1286 include a written description of the name of the violator of
1287 this chapter, the location where the alleged violation occurred,
1288 the name of the investigating law enforcement officer, the date
1289 the photograph or video recording was taken, and the name of the
1290 photographer or videographer. Such writing must be made under
1291 oath by the investigating law enforcement officer, and the
1292 photograph and video recording must be authenticated by the
1293 photographer's or videographer's signature;

1294 (d) Destroys each excess slot machine in the presence of a
1295 law enforcement officer. The law enforcement officer shall
1296 create a written and properly sworn documentation of the date,
1297 time, location, and number of excess slot machines destroyed;
1298 and

1299 (e) Maintains the written and properly sworn documentation
1300 created by the witnessing law enforcement officer pursuant to
1301 paragraph (d) as required under s. 119.021.

1302 (4) In any prosecution for a violation of this chapter, a
1303 photograph and video recording of an excess slot machine
1304 captured and documented pursuant to paragraph (c) may be deemed
1305 competent evidence and may be admissible in the prosecution to

595-03402-26

20261580c2

1306 the same extent as if such excess slot machine were introduced
1307 as evidence.

1308 (5) If any provision of this section or its application to
1309 any person or circumstance is held invalid, the invalidity does
1310 not affect other provisions or applications of this section or
1311 chapter which can be given effect without the invalid provision
1312 or application, and to this end the provisions of this section
1313 are severable.

1314 Section 29. Section 849.47, Florida Statutes, is created to
1315 read:

1316 849.47 Transporting or procuring the transportation of
1317 persons to facilitate illegal gambling.—

1318 (1) As used in this section, the term "illegal gambling"
1319 means any criminal violation of this chapter, chapter 546,
1320 chapter 550, or chapter 551 which occurs at any business,
1321 establishment, premises, or other location.

1322 (2) Except as provided in subsection (3), a person who
1323 knowingly and willfully transports, or procures the
1324 transportation of, five or more other persons into or within
1325 this state when he or she knows or reasonably should know that
1326 such transportation is for the purpose of facilitating illegal
1327 gambling, commits a misdemeanor of the first degree, punishable
1328 as provided in s. 775.082 or s. 775.083.

1329 (3) (a) A person who transports, or procures the
1330 transportation of, a minor or a person 65 years of age or older
1331 into or within this state when he or she knows or reasonably
1332 should know that such transportation is for the purpose of
1333 facilitating illegal gambling commits a felony of the third
1334 degree, punishable as provided in s. 775.082, s. 775.083, or s.

595-03402-26

20261580c2

1335 775.084.

1336 (b) A person who transports, or procures the transportation
1337 of, 12 or more persons in violation of subsection (2) commits a
1338 felony of the third degree, punishable as provided in s.
1339 775.082, s. 775.083, or s. 775.084.

1340 Section 30. Section 849.48, Florida Statutes, is created to
1341 read:

1342 849.48 Gambling or gaming advertisements; prohibited.-

1343 (1) As used in this section, the term "illegal gambling"
1344 has the same meaning as in s. 849.47(1).

1345 (2) (a) Except as otherwise authorized by law, a person may
1346 not knowingly and intentionally make, publish, disseminate,
1347 circulate, or place before the public, or cause, directly or
1348 indirectly, to be made, published, disseminated, circulated, or
1349 placed before the public in this state, in any manner, whether
1350 in person or by the use, at least in part, of the Internet, any
1351 advertisement, circular, bill, poster, pamphlet, list, schedule,
1352 announcement, or notice for the purpose of promoting or
1353 facilitating illegal gambling.

1354 (b) Except as otherwise authorized by law, a person may not
1355 set up any type or plate for any type of advertisement,
1356 circular, bill, poster, pamphlet, list, schedule, announcement,
1357 or notice when he or she knows or reasonably should know that
1358 such material will be used for the purpose of promoting or
1359 facilitating illegal gambling.

1360 (c) A person who violates this subsection commits:

1361 1. For a first offense, a misdemeanor of the first degree,
1362 punishable as provided in s. 775.082 or s. 775.083.

1363 2. For a second or subsequent offense, a felony of the

595-03402-26

20261580c2

1364 third degree, punishable as provided in s. 775.082, s. 775.083,
1365 or s. 775.084.

1366 (3) This section does not prohibit the printing or
1367 producing of any advertisement, circular, bill, poster,
1368 pamphlet, list, schedule, announcement, or notice to be used for
1369 the purpose of promoting or facilitating gambling conducted in
1370 any other state or nation, outside of this state, where such
1371 gambling is not prohibited.

1372 Section 31. Section 849.49, Florida Statutes, is created to
1373 read:

1374 849.49 Preemption.-

1375 (1) The Legislature finds that illegal gambling is a
1376 detriment to public safety and pervasive in local communities
1377 throughout this state. It is the intent of the Legislature that,
1378 in order to preserve the safety and welfare of residents, laws
1379 regarding illegal gambling be enforced uniformly throughout this
1380 state and regardless of local jurisdiction. Any ordinance,
1381 regulation, resolution, rule, or other policy relating to
1382 illegal gambling which is passed by any county, municipality, or
1383 political subdivision commenced or in effect on or after October
1384 1, 2026, is deemed null and void and of no legal force and
1385 effect unless authorized in subsection (2).

1386 (2) A county, municipality, or other political subdivision
1387 of the state may not enact or enforce any ordinance or local
1388 rule relating to gaming, gambling, lotteries, or any activity
1389 described in s. 546.10 or this chapter, except as otherwise
1390 expressly provided by general law, special law, or the State
1391 Constitution. This subsection does not apply to a local land use
1392 or zoning regulation that prohibits gaming, gambling, lotteries,

595-03402-26

20261580c2

1393 or any activity described in s. 546.10 or this chapter.

1394 Section 32. Effective July 1, 2026, section 849.51, Florida
1395 Statutes, is created to read:

1396 849.51 Limited Slot Machine Surrender Program.—

1397 (1) The Legislature finds that illegal gaming operations
1398 not only undermine public trust but also expose citizens of this
1399 state to organized criminal conduct, financial exploitation, and
1400 a host of other social harms. Furthermore, the Legislature finds
1401 that certain persons or entities owning, storing, keeping,
1402 possessing, transporting, permitting the operation of, or
1403 otherwise offering illegal gaming devices for play may have been
1404 misled regarding the legality of the otherwise illegal gaming
1405 devices. Therefore, the Legislature finds that there is a
1406 compelling state interest in creating a limited period of time
1407 in which otherwise illegal gaming devices may be surrendered
1408 without penalty to ensure that any unknowing or otherwise
1409 innocent party may avoid criminal prosecution or civil penalty.

1410 (2) There is created within the commission the Limited Slot
1411 Machine Surrender Program. The purpose of the program is to
1412 allow individuals and organizations an opportunity to surrender
1413 or otherwise disclaim any and all interest in any gaming
1414 devices, including, but not limited to, those devices or games
1415 described in ss. 849.09 and 849.16, and devices or games
1416 purported to be authorized by ss. 546.10, 849.0931, 849.094, and
1417 849.14, and convey such gaming devices to the commission. The
1418 surrender of a gaming device pursuant to the program is deemed
1419 irrevocable and final.

1420 (3) Any individual or organization that surrenders a gaming
1421 device to the commission pursuant to the program is immune from

595-03402-26

20261580c2

1422 criminal prosecution for a violation of this chapter related to
1423 any of the surrendered devices.

1424 (4) The program shall begin by September 1, 2026, and end
1425 on October 1, 2026.

1426 (5) The commission shall advertise the program no earlier
1427 than 60 days before October 1, 2026.

1428 (6) A person or an entity does not have any right to
1429 property in any of the devices surrendered to the commission
1430 pursuant to this section.

1431 (7) The commission may execute memoranda of understanding
1432 with other criminal justice agencies to administer the program.

1433 Section 33. Present paragraphs (i) through (m) of
1434 subsection (2) of section 903.046, Florida Statutes, are
1435 redesignated as paragraphs (j) through (n), respectively, and a
1436 new paragraph (i) is added to that subsection, to read:

1437 903.046 Purpose of and criteria for bail determination.—

1438 (2) When determining whether to release a defendant on bail
1439 or other conditions, and what that bail or those conditions may
1440 be, the court shall consider:

1441 (i) The amount of currency seized which is connected to or
1442 involved in a violation of chapter 546, chapter 550, chapter
1443 551, or chapter 849.

1444 Section 34. Paragraphs (c), (e), (g), and (h) of subsection
1445 (3) of section 921.0022, Florida Statutes, are amended to read:

1446 921.0022 Criminal Punishment Code; offense severity ranking
1447 chart.—

1448 (3) OFFENSE SEVERITY RANKING CHART

1449 (c) LEVEL 3

1450

595-03402-26

20261580c2

	Florida Statute	Felony Degree	Description
1451	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
1452	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
1453	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
1454	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
1455	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
1456	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
1457			

595-03402-26 20261580c2

1458	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
1459	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
1460	327.35(2)(b)	3rd	Felony BUI.
1461	328.05(2)	3rd	Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.
1462	328.07(4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
1463	376.302(5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
1463	379.2431 (1)(e)5.	3rd	Taking, disturbing, mutilating, destroying,

595-03402-26

20261580c2

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.

1464

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.

1465

379.2431
 (1) (e) 7.

3rd

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

1466

400.9935 (4) (a)
 or (b)

3rd

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

1467

400.9935 (4) (e)

3rd

Filing a false license

595-03402-26

20261580c2

1468	440.1051 (3)	3rd	application or other required information or failing to report information.
1469	501.001 (2) (b)	2nd	False report of workers' compensation fraud or retaliation for making such a report.
1470	624.401 (4) (a)	3rd	Tampers with a consumer product or the container using materially false/misleading information.
1471	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority.
1472	626.902 (1) (a) & (b)	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
1473			Representing an unauthorized insurer.

595-03402-26 20261580c2

1474	697.08	3rd	Equity skimming.
1475	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
1476	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.
1477	800.045 (3)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes a lewd or lascivious image.
1478	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
1479	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
	810.09 (2) (b)	3rd	Trespass on property other

595-03402-26

20261580c2

			than structure or conveyance armed with firearm or dangerous weapon.
1480	810.145 (2) (c)	3rd	Digital voyeurism; 19 years of age or older.
1481	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
1482	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
1483	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
1484	812.081 (2)	3rd	Theft of a trade secret.
1485	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
1486	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

595-03402-26

20261580c2

1487	817.233	3rd	Burning to defraud insurer.
1488	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
1489	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
1490	817.236	3rd	Filing a false motor vehicle insurance application.
1491	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
1492	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
1493	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
1494	831.28 (2) (a)	3rd	Counterfeiting a payment

595-03402-26

20261580c2

1495			instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
1496	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
1497	836.13 (2)	3rd	Generating an altered sexual depiction of an identifiable person without consent.
1498	836.13 (4)	3rd	Promoting, or possessing with intent to promote, an altered sexual depiction of an identifiable person without consent.
1499	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
1500	<u>838.12</u>	<u>3rd</u>	<u>Bribery in athletic contests.</u>
	847.01385	3rd	Harmful communication to a

595-03402-26

20261580c2

1501			minor.
1502	<u>849.01 (2) (a)</u>	<u>3rd</u>	<u>Keeping a gambling house.</u>
1503	<u>849.01 (3) (b)</u>	<u>3rd</u>	<u>Knowingly benefitting from or participating in the operation of a gambling house.</u>
1504	<u>849.02 (1) (b) & (2) (a)</u>	<u>3rd</u>	<u>Agents or employees of keeper of gambling house.</u>
1505	<u>849.021 (3) (a)</u>	<u>3rd</u>	<u>Government employee misconduct relating to gambling houses.</u>
1506	<u>849.03 (1) (a)</u>	<u>3rd</u>	<u>Renting space at a gambling house.</u>
1507	<u>849.08 (4)</u>	<u>3rd</u>	<u>Internet wagering.</u>
1508	<u>849.086 (12) (e)</u>	<u>3rd</u>	<u>Manipulating playing cards.</u>
1509	<u>849.09 (2)</u>	<u>3rd</u>	<u>Illegal lottery.</u>
1510	<u>849.11 (2)</u>	<u>3rd</u>	<u>Operating or playing games of chance by lot.</u>
	<u>849.14</u>	<u>3rd</u>	<u>Betting on result of trial</u>

595-03402-26

20261580c2

1511			<u>or contest of skill.</u>
	<u>849.15 (3) (b)</u>	<u>3rd</u>	<u>Manufacture, sale,</u> <u>possession, etc. of slot</u> <u>machines or devices.</u>
1512			
	<u>849.157 (1)</u>	<u>3rd</u>	<u>False or misleading</u> <u>statement to facilitate</u> <u>sale of slot machines or</u> <u>devices.</u>
1513			
	<u>849.25 (2)</u>	<u>3rd</u>	<u>Bookmaking.</u>
1514			
	<u>849.47 (3) (a) & (b)</u>	<u>3rd</u>	<u>Transporting or procuring</u> <u>transportation of certain</u> <u>persons to facilitate</u> <u>gambling.</u>
1515			
	<u>849.48 (2) (c) 2.</u>	<u>3rd</u>	<u>Prohibited gambling or</u> <u>gaming advertisements.</u>
1516			
	860.15 (3)	3rd	Overcharging for repairs and parts.
1517			
	870.01 (2)	3rd	Riot.
1518			
	870.01 (4)	3rd	Inciting a riot.
1519			
	893.13 (1) (a) 2.	3rd	Sell, manufacture, or

595-03402-26

20261580c2

1520

893.13(1)(d)2.

2nd

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).

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.

1521

893.13(1)(f)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 public housing
facility.

1522

893.13(4)(c)

3rd

Use or hire of minor;
deliver to minor other

595-03402-26

20261580c2

1523

controlled substances.

893.13 (6) (a)

3rd

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

1524

893.13 (7) (a) 8.

3rd

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

1525

893.13 (7) (a) 9.

3rd

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

1526

893.13 (7) (a) 10.

3rd

Affix false or forged label to package of controlled substance.

1527

893.13 (7) (a) 11.

3rd

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

1528

893.13 (8) (a) 1.

3rd

Knowingly assist a patient, other person, or owner of

595-03402-26

20261580c2

1529

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.

1530

893.13(8)(a)3.

3rd

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

1531

893.13(8)(a)4.

3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

1532

595-03402-26 20261580c2

1533 918.13 (1) 3rd Tampering with or
fabricating physical
evidence.

1534 944.47 (1) (a) 1. & 2. 3rd Introduce contraband to
correctional facility.

1535 944.47 (1) (c) 2nd Possess contraband while
upon the grounds of a
correctional institution.

1536 985.721 3rd Escapes from a juvenile
facility (secure detention
or residential commitment
facility).

1537
1538 (e) LEVEL 5

1539 Florida Statute Felony Degree Description

1540 316.027 (2) (a) 3rd Accidents involving
personal injuries other
than serious bodily
injury, failure to stop;
leaving scene.

1541 316.1935 (3) (a) 2nd Driving at high speed or

595-03402-26

20261580c2

1542	316.80 (2)	2nd	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.
1543	322.34 (6)	3rd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
1544	327.30 (5) (a) 2.	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
1545	365.172 (14) (b) 2.	2nd	Vessel accidents involving personal injuries other than serious bodily injury; leaving scene.
1546	379.365 (2) (c) 1.	3rd	Misuse of emergency communications system resulting in death.
			Violation of rules

595-03402-26

20261580c2

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

1547

379.367(4)

3rd

Willful molestation of a commercial harvester's spiny lobster trap,

595-03402-26

20261580c2

1548

line, or buoy.

379.407 (5) (b) 3.

3rd

Possession of 100 or more undersized spiny lobsters.

1549

381.0041 (11) (b)

3rd

Donate blood, plasma, or organs knowing HIV positive.

1550

440.10 (1) (g)

2nd

Failure to obtain workers' compensation coverage.

1551

440.105 (5)

2nd

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

1552

440.381 (2)

3rd

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

1553

624.401 (4) (b) 2.

2nd

Transacting insurance without a certificate or

595-03402-26

20261580c2

1554	626.902 (1) (c)	2nd	authority; premium collected \$20,000 or more but less than \$100,000.
1555	790.01 (3)	3rd	Representing an unauthorized insurer; repeat offender.
1556	790.162	2nd	Unlawful carrying of a concealed firearm.
1557	790.163 (1)	2nd	Threat to throw or discharge destructive device.
1558	790.221 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
1559	790.23	2nd	Possession of short-barreled shotgun or machine gun.
			Felons in possession of firearms, ammunition, or electronic weapons or

595-03402-26

20261580c2

			devices.
1560	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
1561	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
1562	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
1563	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
1564	810.145 (4)	3rd	Commercial digital voyeurism dissemination.
1565	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
1566	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
1567	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more

595-03402-26

20261580c2

			dwelling or their unenclosed curtilage, or any combination.
1568	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
1569	812.015 (8) (a) & (c) - (e)	3rd	Retail theft; property stolen is valued at \$750 or more and one or more specified acts.
1570	812.015 (8) (f)	3rd	Retail theft; multiple thefts within specified period.
1571	812.015 (8) (g)	3rd	Retail theft; committed with specified number of other persons.
1572	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
1573	812.081 (3)	2nd	Trafficking in trade secrets.
1574	812.131 (2) (b)	3rd	Robbery by sudden

595-03402-26

20261580c2

1575

snatching.

812.16(2)

3rd

Owning, operating, or
conducting a chop shop.

1576

817.034(4)(a)2.

2nd

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

1577

817.234(11)(b)

2nd

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

1578

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.

1579

817.568(2)(b)

2nd

Fraudulent use of
personal identification
information; value of
benefit, services
received, payment
avoided, or amount of

595-03402-26

20261580c2

1580

817.611 (2) (a)

2nd

injury or fraud, \$5,000
or more or use of
personal identification
information of 10 or
more persons.

Traffic in or possess 5
to 14 counterfeit credit
cards or related
documents.

1581

817.625 (2) (b)

2nd

Second or subsequent
fraudulent use of
scanning device,
skimming device, or
reencoder.

1582

825.1025 (4)

3rd

Lewd or lascivious
exhibition in the
presence of an elderly
person or disabled
adult.

1583

828.12 (2)

3rd

Tortures any animal with
intent to inflict
intense pain, serious
physical injury, or
death.

1584

595-03402-26

20261580c2

1585 836.14 (4) 2nd Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.

1586 838.12 3rd Bribery in athletic contests (2nd or subsequent conviction).

1587 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.

1588 843.01 (1) 3rd Resist officer with violence to person; resist arrest with violence.

1589 847.0135 (5) (b) 2nd Lewd or lascivious exhibition using computer; offender 18 years or older.

847.0137 (2) & (3) 3rd Transmission of pornography by electronic device or

595-03402-26

20261580c2

1590

847.0138
(2) & (3)

3rd

equipment.

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

1591

849.01 (2) (b)

2nd

Keeping a gambling house (2nd or subsequent offense).

1592

849.02 (1) (c) & (2) (b)

2nd

Agents or employees of keeper of gambling house (2nd or subsequent offense).

1593

849.021 (3) (b)

2nd

Government employee misconduct relating to gambling houses (2nd or subsequent offense).

1594

849.03 (1) (b)

2nd

Renting space at a gambling house (2nd or subsequent offense).

1595

849.08 (4)

2nd

Operating, conducting, promoting, aiding, assisting, abetting, influencing Internet

595-03402-26

20261580c2

1596
1597
1598
1599
1600
1601

849.086 (12) (e)

2nd

gambling and Internet sports wagering (2nd or subsequent conviction).

Tampering with cards or card games (2nd or subsequent conviction).

849.11 (2)

2nd

Offenses related to games of chance (2nd or subsequent conviction).

849.14

2nd

Betting on result of trial or contest of skill (2nd or subsequent conviction).

849.15 (3) (c)

2nd

Manufacture, sale, possession, etc. of slot machines or devices.

849.47 (3) (a) & (b)

2nd

Transporting persons to facilitate illegal gambling; minor, person 65 years of age or older, or 12 or more persons (2nd or subsequent conviction).

595-03402-26

20261580c2

1602

849.48 (2) (c) 2.

2nd

Prohibited gambling or gaming advertisements (2nd or subsequent offense).

1603

874.05 (1) (b)

2nd

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

1604

874.05 (2) (a)

2nd

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

1605

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).

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.,

595-03402-26

20261580c2

1606

893.13(1)(d)1.

1st

(2)(c)9., (2)(c)10.,
(3), or (4) drugs)
within 1,000 feet of a
child care facility,
school, or state,
county, or municipal
park or publicly owned
recreational facility or
community center.

1607

893.13(1)(e)2.

2nd

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

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

595-03402-26

20261580c2

1608

or a specified business site.

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.

1609

893.13(4)(b)

2nd

Use or hire of minor; deliver to minor other controlled substance.

1610

893.1351(1)

3rd

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

1611

1612

1613

1614

(g) LEVEL 7

1615

Florida

Felony

Statute

Degree

Description

1616

316.027(2)(c)

1st

Accident involving death,

595-03402-26

20261580c2

1617

failure to stop; leaving scene.

316.193 (3) (c) 2.

3rd

DUI resulting in serious bodily injury.

1618

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.

1619

327.35 (3) (a) 3.b.

3rd

Vessel BUI resulting in serious bodily injury.

1620

402.319 (2)

2nd

Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfiguration, permanent disability, or death.

1621

409.920

3rd

Medicaid provider fraud;

	595-03402-26		20261580c2
1622	(2) (b) 1.a.		\$10,000 or less.
	409.920	2nd	Medicaid provider fraud;
1623	(2) (b) 1.b.		more than \$10,000, but less than \$50,000.
	456.065 (2)	3rd	Practicing a health care profession without a license.
1624			
	456.065 (2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
1625			
	458.327 (1)	3rd	Practicing medicine without a license.
1626			
	459.013 (1)	3rd	Practicing osteopathic medicine without a license.
1627			
	460.411 (1)	3rd	Practicing chiropractic medicine without a license.
1628			
	461.012 (1)	3rd	Practicing podiatric medicine without a license.

595-03402-26

20261580c2

1629
1630
1631
1632
1633
1634
1635
1636
1637

462.17	3rd	Practicing naturopathy without a license.
463.015 (1)	3rd	Practicing optometry without a license.
464.016 (1)	3rd	Practicing nursing without a license.
465.015 (2)	3rd	Practicing pharmacy without a license.
466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
467.201	3rd	Practicing midwifery without a license.
468.366	3rd	Delivering respiratory care services without a license.
483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
483.901 (7)	3rd	Practicing medical

595-03402-26

20261580c2

1638

physics without a
license.

484.013 (1) (c)

3rd

Preparing or dispensing
optical devices without a
prescription.

1639

484.053

3rd

Dispensing hearing aids
without a license.

1640

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.

1641

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.

1642

560.125 (5) (a)

3rd

Money services business
by unauthorized person,
currency or payment
instruments exceeding

595-03402-26

20261580c2

1643

\$300 but less than
\$20,000.

655.50(10)(b)1.

3rd

Failure to report
financial transactions
exceeding \$300 but less
than \$20,000 by financial
institution.

1644

775.21(10)(a)

3rd

Sexual predator; failure
to register; failure to
renew driver license or
identification card;
other registration
violations.

1645

775.21(10)(b)

3rd

Sexual predator working
where children regularly
congregate.

1646

775.21(10)(g)

3rd

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

1647

782.051(3)

2nd

Attempted felony murder
of a person by a person

595-03402-26

20261580c2

			other than the perpetrator or the perpetrator of an attempted felony.
1648	782.07 (1)	2nd	Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).
1649	782.071	2nd	Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
1650	782.072	2nd	Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
1651	784.045 (1) (a) 1.	2nd	Aggravated battery; intentionally causing great bodily harm or disfigurement.
1652	784.045 (1) (a) 2.	2nd	Aggravated battery; using deadly weapon.

595-03402-26

20261580c2

1653
1654
1655
1656
1657
1658
1659
1660

784.045 (1) (b)	2nd	Aggravated battery; perpetrator aware victim pregnant.
784.048 (4)	3rd	Aggravated stalking; violation of injunction or court order.
784.048 (7)	3rd	Aggravated stalking; violation of court order.
784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
784.081 (1)	1st	Aggravated battery on specified official or employee.
784.082 (1)	1st	Aggravated battery by detained person on

595-03402-26

20261580c2

1661			visitor or other detainee.
1662	784.083 (1)	1st	Aggravated battery on code inspector.
1663	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
1664	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
1665	787.06 (3) (a) 2.	1st	Human trafficking using coercion for labor and services of an adult.
1666	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.
	790.07 (4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).

595-03402-26

20261580c2

1667

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

1668

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

1669

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

1670

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

1671

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

1672

790.23 1st,PBL Possession of a firearm by a person who qualifies

595-03402-26

20261580c2

1673	794.08 (4)	3rd	for the penalty enhancements provided for in s. 874.04.
1674	796.05 (1)	1st	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
1675	796.05 (1)	1st	Live on earnings of a prostitute; 2nd offense.
1676	800.04 (5) (c) 1.	2nd	Live on earnings of a prostitute; 3rd and subsequent offense.
1677	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
			Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of

595-03402-26

20261580c2

1678

age; offender 18 years of age or older.

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.

1679

806.01 (2)

2nd

Maliciously damage structure by fire or explosive.

1680

810.02 (3) (a)

2nd

Burglary of occupied dwelling; unarmed; no assault or battery.

1681

810.02 (3) (b)

2nd

Burglary of unoccupied dwelling; unarmed; no assault or battery.

1682

810.02 (3) (d)

2nd

Burglary of occupied conveyance; unarmed; no assault or battery.

1683

810.02 (3) (e)

2nd

Burglary of authorized

595-03402-26

20261580c2

1684

812.014 (2) (a) 1.

1st

emergency vehicle.
Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.

1685

812.014 (2) (b) 2.

2nd

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

1686

812.014 (2) (b) 3.

2nd

Property stolen, emergency medical equipment; 2nd degree grand theft.

1687

812.014 (2) (b) 4.

2nd

Property stolen, law enforcement equipment from authorized emergency vehicle.

1688

812.014 (2) (g)

2nd

Grand theft; second degree; firearm with previous conviction of s.

595-03402-26

20261580c2

1689

812.014(2)(c)5.

812.0145(2)(a)

1st

Theft from person 65 years of age or older; \$50,000 or more.

1690

812.019(2)

1st

Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.

1691

812.131(2)(a)

2nd

Robbery by sudden snatching.

1692

812.133(2)(b)

1st

Carjacking; no firearm, deadly weapon, or other weapon.

1693

817.034(4)(a)1.

1st

Communications fraud, value greater than \$50,000.

1694

817.234(8)(a)

2nd

Solicitation of motor vehicle accident victims with intent to defraud.

1695

817.234(9)

2nd

Organizing, planning, or participating in an

595-03402-26

20261580c2

1696			intentional motor vehicle collision.
1697	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
1698	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
1699	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
1700	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
1701	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.

595-03402-26

20261580c2

1702

817.611 (2) (b)

2nd

Traffic in or possess 15 to 49 counterfeit credit cards or related documents.

1703

825.102 (3) (b)

2nd

Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.

1704

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.

1705

827.03 (2) (b)

2nd

Neglect of a child causing great bodily harm, disability, or disfigurement.

1706

827.04 (3)

3rd

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

827.071 (2) & (3)

2nd

Use or induce a child in a sexual performance, or

595-03402-26

20261580c2

1707

promote or direct such performance.

827.071 (4)

2nd

Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.

1708

837.05 (2)

3rd

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

1709

838.015

2nd

Bribery.

1710

838.016

2nd

Unlawful compensation or reward for official behavior.

1711

838.021 (3) (a)

2nd

Unlawful harm to a public servant.

1712

838.22

2nd

Bid tampering.

1713

843.0855 (2)

3rd

Impersonation of a public officer or employee.

1714

843.0855 (3)

3rd

Unlawful simulation of

595-03402-26

20261580c2

1715			legal process.
	843.0855 (4)	3rd	Intimidation of a public officer or employee.
1716			
	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
1717			
	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
1718			
	<u>849.01 (4)</u>	<u>2nd</u>	<u>Keeping a gambling house; great bodily harm, permanent disability, or permanent disfigurement.</u>
1719			
	<u>849.157 (2)</u>	<u>2nd</u>	<u>False or misleading statement to facilitate sale of 5 or more slot machines or devices.</u>
1720			
	872.06	2nd	Abuse of a dead human body.
1721			
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a

595-03402-26

20261580c2

1722

criminal gang; second or subsequent offense.

874.10

1st,PBL

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

1723

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.

1724

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),

595-03402-26

20261580c2

1725	893.13 (4) (a)	1st	<p>or (2) (c) 5., within 1,000 feet of property used for religious services or a specified business site.</p>
1726	893.135 (1) (a) 1.	1st	<p>Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.</p>
1727	893.135 (1) (b) 1.a.	1st	<p>Trafficking in cocaine, more than 28 grams, less than 200 grams.</p>
1728	893.135 (1) (c) 1.a.	1st	<p>Trafficking in illegal drugs, more than 4 grams, less than 14 grams.</p>
1729	893.135 (1) (c) 2.a.	1st	<p>Trafficking in hydrocodone, 28 grams or more, less than 50 grams.</p>
1730	893.135 (1) (c) 2.b.	1st	<p>Trafficking in hydrocodone, 50 grams or more, less than 100 grams.</p>

595-03402-26

20261580c2

1731

893.135 1st Trafficking in oxycodone,
 (1) (c) 3.a. 7 grams or more, less
 than 14 grams.

1732

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

1733

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

1734

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

1735

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

1736

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

1737

893.135 1st Trafficking in
 (1) (g) 1.a. flunitrazepam, 4 grams or

595-03402-26

20261580c2

1738

893.135
(1) (h) 1.a.

1st

more, less than 14 grams.

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

1739

893.135
(1) (j) 1.a.

1st

Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.

1740

893.135
(1) (k) 2.a.

1st

Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.

1741

893.135
(1) (m) 2.a.

1st

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

1742

893.135
(1) (m) 2.b.

1st

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

1743

893.135

1st

Trafficking in n-benzyl

	595-03402-26		20261580c2
	(1) (n) 2.a.		phenethylamines, 14 grams or more, less than 100 grams.
1744	893.1351 (2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
1745	896.101 (5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
1746	896.104 (4) (a) 1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
1747	943.0435 (4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting requirements.
1748	943.0435 (8)	2nd	Sexual offender; remains in state after indicating

595-03402-26

20261580c2

1749

943.0435 (9) (a)

3rd

intent to leave; failure to comply with reporting requirements.

Sexual offender; failure to comply with reporting requirements.

1750

943.0435 (13)

3rd

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

1751

943.0435 (14)

3rd

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

1752

944.607 (9)

3rd

Sexual offender; failure to comply with reporting requirements.

1753

944.607 (10) (a)

3rd

Sexual offender; failure to submit to the taking of a digitized

595-03402-26

20261580c2

1754

944.607(12)

3rd

photograph.

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

1755

944.607(13)

3rd

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

1756

985.4815(10)

3rd

Sexual offender; failure to submit to the taking of a digitized photograph.

1757

985.4815(12)

3rd

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

1758

985.4815(13)

3rd

Sexual offender; failure

595-03402-26

20261580c2

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

1759
 1760
 1761
 1762
 1763
 1764
 1765
 1766
 1767
 1768

(h) LEVEL 8

Florida Statute	Felony Degree	Description
316.193 (3) (c) 3.a.	2nd	DUI manslaughter.
316.1935 (4) (b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35 (3) (a) 3.c. (I)	2nd	Vessel BUI manslaughter.
499.0051 (6)	1st	Knowing trafficking in contraband prescription drugs.
499.0051 (7)	1st	Knowing forgery of

595-03402-26

20261580c2

1769

prescription labels or
prescription drug labels.

560.123 (8) (b) 2.

2nd

Failure to report
currency or payment
instruments totaling or
exceeding \$20,000, but
less than \$100,000 by
money transmitter.

1770

560.125 (5) (b)

2nd

Money transmitter
business by unauthorized
person, currency or
payment instruments
totaling or exceeding
\$20,000, but less than
\$100,000.

1771

655.50 (10) (b) 2.

2nd

Failure to report
financial transactions
totaling or exceeding
\$20,000, but less than
\$100,000 by financial
institutions.

1772

777.03 (2) (a)

1st

Accessory after the fact,
capital felony.

1773

782.04 (3)

1st

Killing of a human being

595-03402-26

20261580c2

1774

782.04(4)

2nd

during the attempt or
perpetration of certain
felonies.

Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aggravated fleeing or eluding with serious bodily injury or death, aircraft piracy, or unlawfully discharging bomb.

1775

782.051(2)

1st

Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).

1776

782.071(1)(b)

1st

Committing vehicular homicide and failing to render aid or give information.

1777

782.071(1)(c)

1st

Vehicular homicide with a

595-03402-26

20261580c2

			<p>prior conviction for DUI manslaughter, BUI manslaughter, vehicular homicide, or vessel homicide.</p>
1778	782.072 (2) (b)	1st	<p>Committing vessel homicide and failing to render aid or give information.</p>
1779	782.072 (3)	1st	<p>Vessel homicide with a prior conviction for DUI manslaughter, BUI manslaughter, vehicular homicide, or vessel homicide.</p>
1780	787.06 (3) (a) 1.	1st	<p>Human trafficking for labor and services of a child.</p>
1781	787.06 (3) (b)	1st	<p>Human trafficking using coercion for commercial sexual activity of an adult.</p>
1782	787.06 (3) (c) 2.	1st	<p>Human trafficking using coercion for labor and</p>

595-03402-26

20261580c2

1783

services of an
unauthorized alien adult.

787.06(3)(e)1.

1st

Human trafficking for
labor and services by the
transfer or transport of
a child from outside
Florida to within the
state.

1784

787.06(3)(f)2.

1st

Human trafficking using
coercion for commercial
sexual activity by the
transfer or transport of
any adult from outside
Florida to within the
state.

1785

790.161(3)

1st

Discharging a destructive
device which results in
bodily harm or property
damage.

1786

794.011(5)(a)

1st

Sexual battery; victim 12
years of age or older but
younger than 18 years;
offender 18 years or
older; offender does not
use physical force likely

595-03402-26

20261580c2

1787

794.011 (5) (b)

2nd

to cause serious injury.

Sexual battery; victim and offender 18 years of age or older; offender does not use physical force likely to cause serious injury.

1788

794.011 (5) (c)

2nd

Sexual battery; victim 12 years of age or older; offender younger than 18 years; offender does not use physical force likely to cause injury.

1789

794.011 (5) (d)

1st

Sexual battery; victim 12 years of age or older; offender does not use physical force likely to cause serious injury; prior conviction for specified sex offense.

1790

794.08 (3)

2nd

Female genital mutilation, removal of a victim younger than 18 years of age from this state.

595-03402-26

20261580c2

1791

800.04 (4) (b) 2nd Lewd or lascivious battery.

1792

800.04 (4) (c) 1st Lewd or lascivious battery; offender 18 years of age or older; prior conviction for specified sex offense.

1793

806.01 (1) 1st Maliciously damage dwelling or structure by fire or explosive, believing person in structure.

1794

810.02 (2) (a) 1st,PBL Burglary with assault or battery.

1795

810.02 (2) (b) 1st,PBL Burglary; armed with explosives or dangerous weapon.

1796

810.02 (2) (c) 1st Burglary of a dwelling or structure causing structural damage or \$1,000 or more property damage.

1797

595-03402-26

20261580c2

1798

812.014 (2) (a) 2. 1st Property stolen; cargo valued at \$50,000 or more, grand theft in 1st degree.

1799

812.015 (11) (b) 1st Retail theft; possession of a firearm during commission of offense.

1800

812.13 (2) (b) 1st Robbery with a weapon.

1801

812.135 (2) (c) 1st Home-invasion robbery, no firearm, deadly weapon, or other weapon.

1802

817.418 (2) (b) 2nd Offering for sale or advertising personal protective equipment with intent to defraud; second or subsequent offense.

1803

817.504 (1) (b) 2nd Offering or advertising a vaccine with intent to defraud; second or subsequent offense.

1804

817.505 (4) (c) 1st Patient brokering; 20 or more patients.

595-03402-26

20261580c2

1805

817.535 (2) (b)

2nd

Filing false lien or other unauthorized document; second or subsequent offense.

1806

817.535 (3) (a)

2nd

Filing false lien or other unauthorized document; property owner is a public officer or employee.

1807

817.535 (4) (a) 1.

2nd

Filing false lien or other unauthorized document; defendant is incarcerated or under supervision.

1808

817.535 (5) (a)

2nd

Filing false lien or other unauthorized document; owner of the property incurs financial loss as a result of the false instrument.

817.568 (6)

2nd

Fraudulent use of personal identification information of an individual under the age of 18.

595-03402-26

20261580c2

1809

817.611 (2) (c) 1st Traffic in or possess 50 or more counterfeit credit cards or related documents.

1810

825.102 (2) 1st Aggravated abuse of an elderly person or disabled adult.

1811

825.1025 (2) 2nd Lewd or lascivious battery upon an elderly person or disabled adult.

1812

825.103 (3) (a) 1st Exploiting an elderly person or disabled adult and property is valued at \$50,000 or more.

1813

837.02 (2) 2nd Perjury in official proceedings relating to prosecution of a capital felony.

1814

837.021 (2) 2nd Making contradictory statements in official proceedings relating to prosecution of a capital felony.

595-03402-26

20261580c2

1815

849.155

1st

Trafficking in slot
machines or devices.

1816

860.121 (2) (c)

1st

Shooting at or throwing
any object in path of
railroad vehicle
resulting in great bodily
harm.

1817

860.16

1st

Aircraft piracy.

1818

893.13 (1) (b)

1st

Sell or deliver in excess
of 10 grams of any
substance specified in s.
893.03(1) (a) or (b).

1819

893.13 (2) (b)

1st

Purchase in excess of 10
grams of any substance
specified in s.
893.03(1) (a) or (b).

1820

893.13 (6) (c)

1st

Possess in excess of 10
grams of any substance
specified in s.
893.03(1) (a) or (b).

1821

893.135 (1) (a) 2.

1st

Trafficking in cannabis,
more than 2,000 lbs.,

595-03402-26

20261580c2

1822			less than 10,000 lbs.
	893.135	1st	Trafficking in cocaine,
	(1) (b) 1.b.		more than 200 grams, less than 400 grams.
1823			
	893.135	1st	Trafficking in illegal
	(1) (c) 1.b.		drugs, more than 14 grams, less than 28 grams.
1824			
	893.135	1st	Trafficking in
	(1) (c) 2.c.		hydrocodone, 100 grams or more, less than 300 grams.
1825			
	893.135	1st	Trafficking in oxycodone,
	(1) (c) 3.c.		25 grams or more, less than 100 grams.
1826			
	893.135	1st	Trafficking in fentanyl,
	(1) (c) 4.b. (II)		14 grams or more, less than 28 grams.
1827			
	893.135	1st	Trafficking in
	(1) (d) 1.b.		phencyclidine, 200 grams or more, less than 400 grams.
1828			

595-03402-26

20261580c2

1829

893.135 1st Trafficking in
 (1) (e) 1.b. methaqualone, 5 kilograms
 or more, less than 25
 kilograms.

1830

893.135 1st Trafficking in
 (1) (f) 1.b. amphetamine, 28 grams or
 more, less than 200
 grams.

1831

893.135 1st Trafficking in
 (1) (g) 1.b. flunitrazepam, 14 grams
 or more, less than 28
 grams.

1832

893.135 1st Trafficking in gamma-
 (1) (h) 1.b. hydroxybutyric acid
 (GHB), 5 kilograms or
 more, less than 10
 kilograms.

1833

893.135 1st Trafficking in 1,4-
 (1) (j) 1.b. Butanediol, 5 kilograms
 or more, less than 10
 kilograms.

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

595-03402-26

20261580c2

1834

400 grams.

893.135
(1) (m) 2.c.

1st

Trafficking in synthetic
cannabinoids, 1,000 grams
or more, less than 30
kilograms.

1835

893.135
(1) (n) 2.b.

1st

Trafficking in n-benzyl
phenethylamines, 100
grams or more, less than
200 grams.

1836

893.1351 (3)

1st

Possession of a place
used to manufacture
controlled substance when
minor is present or
resides there.

1837

895.03 (1)

1st

Use or invest proceeds
derived from pattern of
racketeering activity.

1838

895.03 (2)

1st

Acquire or maintain
through racketeering
activity any interest in
or control of any
enterprise or real
property.

1839

595-03402-26

20261580c2

1840

895.03 (3) 1st Conduct or participate in any enterprise through pattern of racketeering activity.

1841

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

1842

1843

1844

1845 Section 35. Paragraph (a) of subsection (1) and paragraph
 1846 (a) of subsection (2) of section 772.102, Florida Statutes, are
 1847 amended to read:

1848 772.102 Definitions.—As used in this chapter, the term:

1849 (1) "Criminal activity" means to commit, to attempt to
 1850 commit, to conspire to commit, or to solicit, coerce, or
 1851 intimidate another person to commit:

1852 (a) Any crime that is chargeable by indictment or

595-03402-26

20261580c2

- 1853 information under the following provisions:
- 1854 1. Section 210.18, relating to evasion of payment of
1855 cigarette taxes.
- 1856 2. Section 414.39, relating to public assistance fraud.
- 1857 3. Section 440.105 or s. 440.106, relating to workers'
1858 compensation.
- 1859 4. Part IV of chapter 501, relating to telemarketing.
- 1860 5. Chapter 517, relating to securities transactions.
- 1861 6. Section 550.235 or s. 550.3551, relating to dogracing
1862 and horseracing.
- 1863 7. Chapter 550, relating to jai alai frontons.
- 1864 8. Chapter 552, relating to the manufacture, distribution,
1865 and use of explosives.
- 1866 9. Chapter 562, relating to beverage law enforcement.
- 1867 10. Section 624.401, relating to transacting insurance
1868 without a certificate of authority, s. 624.437(4)(c)1., relating
1869 to operating an unauthorized multiple-employer welfare
1870 arrangement, or s. 626.902(1)(b), relating to representing or
1871 aiding an unauthorized insurer.
- 1872 11. Chapter 687, relating to interest and usurious
1873 practices.
- 1874 12. Section 721.08, s. 721.09, or s. 721.13, relating to
1875 real estate timeshare plans.
- 1876 13. Chapter 782, relating to homicide.
- 1877 14. Chapter 784, relating to assault and battery.
- 1878 15. Chapter 787, relating to kidnapping or human
1879 trafficking.
- 1880 16. Chapter 790, relating to weapons and firearms.
- 1881 17. Former s. 796.03, s. 796.04, s. 796.05, or s. 796.07,

595-03402-26

20261580c2

1882 relating to prostitution.

1883 18. Chapter 806, relating to arson.

1884 19. Section 810.02(2)(c), relating to specified burglary of

1885 a dwelling or structure.

1886 20. Chapter 812, relating to theft, robbery, and related

1887 crimes.

1888 21. Chapter 815, relating to computer-related crimes.

1889 22. Chapter 817, relating to fraudulent practices, false

1890 pretenses, fraud generally, and credit card crimes.

1891 23. Section 827.071, relating to commercial sexual

1892 exploitation of children.

1893 24. Chapter 831, relating to forgery and counterfeiting.

1894 25. Chapter 832, relating to issuance of worthless checks

1895 and drafts.

1896 26. Section 836.05, relating to extortion.

1897 27. Chapter 837, relating to perjury.

1898 28. Chapter 838, relating to bribery and misuse of public

1899 office.

1900 29. Chapter 843, relating to obstruction of justice.

1901 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

1902 s. 847.07, relating to obscene literature and profanity.

1903 31. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.

1904 849.25, relating to gambling.

1905 32. Chapter 893, relating to drug abuse prevention and

1906 control.

1907 33. Section 914.22 or s. 914.23, relating to witnesses,

1908 victims, or informants.

1909 34. Section 918.12, s. 918.125, or s. 918.13, relating to

1910 tampering with or harassing court officials, retaliating against

595-03402-26

20261580c2

1911 court officials, and tampering with evidence.

1912 (2) "Unlawful debt" means any money or other thing of value
1913 constituting principal or interest of a debt that is legally
1914 unenforceable in this state in whole or in part because the debt
1915 was incurred or contracted:

1916 (a) In violation of any one of the following provisions of
1917 law:

1918 1. Section 550.235 or s. 550.3551, relating to dogracing
1919 and horseracing.

1920 2. Chapter 550, relating to jai alai frontons.

1921 3. Section 687.071, relating to criminal usury and loan
1922 sharking.

1923 4. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
1924 849.25, relating to gambling.

1925 Section 36. Section 849.17, Florida Statutes, is amended to
1926 read:

1927 849.17 Confiscation of machines by arresting officer.—Upon
1928 the arrest of any person charged with the violation of ss.
1929 849.15-849.22, ~~any of the provisions of ss. 849.15-849.23~~ the
1930 arresting officer shall take into his or her custody any such
1931 machine, apparatus or device, and its contents, and the
1932 arresting agency, at the place of seizure, shall make a complete
1933 and correct list and inventory of all such things so taken into
1934 his or her custody, and deliver to the person from whom such
1935 article or articles may have been seized, a true copy of the
1936 list of all such articles. The arresting agency shall retain all
1937 evidence seized and shall have the same forthcoming at any
1938 investigation, prosecution, or other proceedings, ~~incident to~~
1939 charges of violation of ss. 849.15-849.22 ~~any of the provisions~~

595-03402-26

20261580c2

1940 ~~of ss. 849.15-849.23.~~

1941 Section 37. Section 849.18, Florida Statutes, is amended to
1942 read:

1943 849.18 Disposition of machines upon conviction.—Upon
1944 conviction of the person arrested for the violation of ss.
1945 849.15-849.22 ~~any of the provisions of ss. 849.15-849.23,~~ the
1946 judge of the court trying the case, after such notice to the
1947 person convicted, and any other person whom the judge may be of
1948 the opinion is entitled to such notice, and as the judge may
1949 deem reasonable, shall issue to the sheriff of the county a
1950 written order adjudging and declaring any such machine,
1951 apparatus or device forfeited, and directing such sheriff to
1952 destroy the same, with the exception of the money. The order of
1953 the court must ~~shall~~ state the time and place and the manner in
1954 which such property must ~~shall~~ be destroyed, and the sheriff
1955 shall destroy the same in the presence of the clerk of the
1956 circuit court of such county.

1957 Section 38. Section 849.20, Florida Statutes, is amended to
1958 read:

1959 849.20 Machines and devices declared nuisance; place of
1960 operation subject to lien for fine.—Any room, house, building,
1961 boat, vehicle, structure, or place wherein any machine or
1962 device, or any part thereof, the possession, operation, or use
1963 of which is prohibited by ss. 849.15-849.22 ~~ss. 849.15-849.23,~~
1964 must ~~shall~~ be maintained or operated, and each of such machines
1965 or devices, is declared to be a common nuisance. If a person has
1966 knowledge, or reason to believe, that his or her room, house,
1967 building, boat, vehicle, structure, or place is occupied or used
1968 in violation of ss. 849.15-849.22 ~~the provisions of ss. 849.15-~~

595-03402-26

20261580c2

1969 ~~849.23~~ and by acquiescence or consent suffers the same to be
 1970 used, such room, house, building, boat, vehicle, structure, or
 1971 place is ~~shall be~~ subject to a lien for and may be sold to pay
 1972 all fines or costs assessed against the person guilty of such
 1973 nuisance, for such violation, and the several state attorneys
 1974 shall enforce such lien in the courts of this state having
 1975 jurisdiction.

1976 Section 39. Section 849.21, Florida Statutes, is amended to
 1977 read:

1978 849.21 Injunction to restrain violation.—An action to
 1979 enjoin any nuisance as herein defined may be brought by any
 1980 person in the courts of equity in this state. If it is made to
 1981 appear by affidavit or otherwise, to the satisfaction of the
 1982 court, or judge in vacation, that such nuisance exists, a
 1983 temporary writ of injunction shall forthwith issue restraining
 1984 the defendant from conducting or permitting the continuance of
 1985 such nuisance until the conclusion of the action. Upon
 1986 application of the complainant in such a proceeding, the court
 1987 or judge may also enter an order restraining the defendant and
 1988 all other persons from removing, or in any way interfering with
 1989 the machines or devices or other things used in connection with
 1990 the violation of ss. 849.15-849.22 ~~ss. 849.15-849.23~~
 1991 constituting such a nuisance. A No bond is not ~~shall be~~ required
 1992 in instituting such proceedings.

1993 Section 40. Section 849.22, Florida Statutes, is amended to
 1994 read:

1995 849.22 Fees of clerk of circuit court and sheriff.—The
 1996 clerks of the courts and the sheriffs performing duties under
 1997 ss. 849.15-849.22 ~~the provisions of ss. 849.15-849.23~~ shall

595-03402-26

20261580c2

1998 receive the same fees as prescribed by general law for the
1999 performance of similar duties, and such fees must ~~shall~~ be paid
2000 out of the fine and forfeiture fund of the county as costs are
2001 paid upon conviction of an insolvent person.

2002 Section 41. Paragraph (a) of subsection (12) of section
2003 895.02, Florida Statutes, is amended to read:

2004 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

2005 (12) "Unlawful debt" means any money or other thing of
2006 value constituting principal or interest of a debt that is
2007 legally unenforceable in this state in whole or in part because
2008 the debt was incurred or contracted:

2009 (a) In violation of any one of the following provisions of
2010 law:

2011 1. Section 550.235 or s. 550.3551, relating to dogracing
2012 and horseracing.

2013 2. Chapter 550, relating to jai alai frontons.

2014 3. Section 551.109, relating to slot machine gaming.

2015 4. Chapter 687, relating to interest and usury.

2016 5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
2017 849.25, relating to gambling.

2018 Section 42. Except as otherwise expressly provided in this
2019 act and except for this section, which shall take effect July 1,
2020 2026, this act shall take effect October 1, 2026.