

1 A bill to be entitled
2 An act relating to gambling; amending s. 16.71, F.S.;
3 deleting obsolete provisions; deleting language
4 concerning factors to be considered in appointments to
5 the Florida Gaming Control Commission; amending s.
6 551.104, F.S.; revising hiring and procurement policy
7 and reporting requirements for slot machine gaming
8 licensure; amending s. 838.12, F.S.; prohibiting
9 betting on athletic contests with knowledge that the
10 results are prearranged or predetermined; providing
11 criminal penalties; amending s. 843.08, F.S.;
12 prohibiting false personation of personnel of the
13 Florida Gaming Control Commission; providing criminal
14 penalties; amending s. 849.01, F.S.; revising criminal
15 penalties for offenses involving keeping a gambling
16 house; amending s. 849.02, F.S.; increasing criminal
17 penalties for specified offenses by agents or
18 employees of a keeper of a gambling house; amending s.
19 849.03, F.S.; revising criminal penalties for offenses
20 involving renting a house for gambling purposes;
21 amending s. 849.08, F.S.; defining the terms "Internet
22 gambling" and "Internet sports wagering"; prohibiting
23 Internet gambling and Internet sports wagering and
24 related offenses; providing criminal penalties;
25 providing an exception; amending s. 849.086, F.S.;

prohibiting specified actions relating to manipulation of card games; providing criminal penalties; amending s. 849.11, F.S.; prohibiting certain offenses related to games of chance involving the Internet; providing criminal penalties; amending s. 849.13, F.S.; providing enhances criminal penalties for second or subsequent violations of certain provisions; amending s. 849.14, F.S.; revising the criminal penalties for betting or wagering on certain activities; amending s. 849.15, F.S.; providing definitions; providing criminal penalties for specified offenses relating to the manufacture, possession, and sale of slot machines or devices; creating s. 849.155, F.S.; prohibiting trafficking in slot machines, devices, or parts thereof; providing criminal penalties; providing for the deposit of fines into a specified trust fund for specified purposes; creating s. 849.157, F.S.; prohibiting the making of a false or misleading statement regarding the legality of slot machines or devices for specified purposes; providing criminal penalties; repealing s. 849.23, F.S., relating to penalties for violations of specified sections; creating s. 849.47, F.S.; defining the term "illegal gambling"; prohibiting the transportation of specified numbers of persons, persons of certain ages, or a

51 certain number of persons for the purpose of
52 facilitating illegal gambling; providing criminal
53 penalties; creating s. 849.48, F.S.; defining the term
54 "illegal gambling"; prohibiting specified gambling or
55 gaming advertisements; providing criminal penalties;
56 providing construction; creating s. 849.49, F.S.;
57 preempting to the state the regulation of gaming,
58 gambling, lotteries, or any activities described in
59 specified provisions; amending s. 903.046, F.S.;
60 providing for consideration of the amount of currency
61 seized connected to or involved in specified gambling
62 or gaming offenses when determining whether to release
63 a defendant prior to trial; amending s. 921.0022,
64 F.S.; ranking offenses for purposes of the offense
65 severity ranking chart of the Criminal Punishment
66 Code; amending ss. 772.102 and 895.02, F.S.;
67 conforming provisions to changes made by the act;
68 providing an effective date.

69
70 Be It Enacted by the Legislature of the State of Florida:

71
72 **Section 1. Paragraph (a) of subsection (2) of section**
73 **16.71, Florida Statutes, is amended to read:**

74 16.71 Florida Gaming Control Commission; creation;
75 meetings; membership.—

(2) MEMBERSHIP.—

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

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

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

Section 2. Paragraph (i) of subsection (4) of section

551.104, Florida Statutes, is amended to read:

551.104 License to conduct slot machine gaming.—

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

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

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

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

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

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

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

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

The slot machine licensee shall use the Internet-based job-listing system of the Department of Commerce in advertising

126 employment opportunities. ~~Each slot machine licensee shall~~
127 ~~provide an annual report to the Florida Gaming Control~~
128 ~~Commission containing information indicating compliance with~~
129 ~~this paragraph in regard to minority persons.~~

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

132 838.12 Bribery in athletic contests.—

133 (1) Whoever gives, promises, offers or conspires to give,
134 promise or offer, to anyone who participates or expects to
135 participate in any professional or amateur game, contest, match,
136 race or sport; or to any umpire, referee, judge or other
137 official of such game, contest, match, race or sport; or to any
138 owner, manager, coach or trainer of, or to any relative of, or
139 to any person having any direct, indirect, remote or possible
140 connection with, any team, individual, participant or
141 prospective participant in any such professional or amateur
142 game, contest, match, race or sport, or the officials aforesaid,
143 any bribe, money, goods, present, reward or any valuable thing
144 whatsoever, or any promise, contract or agreement whatsoever,
145 with intent to influence him or her or them to lose or cause to
146 be lost any game, contest, match, race or sport, or to limit his
147 or her or their or any person's or any team's margin of victory
148 in any game, contest, match, race, or sport, or to fix or throw
149 any game, contest, match, race or sport, commits ~~shall be guilty~~
150 ~~of~~ a felony of the third degree, punishable as provided in s.

151 775.082, s. 775.083, or s. 775.084.

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

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

described in subsection (1) or subsection (2) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

843.08 False personation.—A person who falsely assumes or pretends to be a firefighter, a sheriff, an officer of the Florida Highway Patrol, an officer of the Fish and Wildlife Conservation Commission, an officer of the Department of Environmental Protection, an officer of the Department of Financial Services, any personnel or representative of the Division of Criminal Investigations, any personnel or representative of the Florida Gaming Control Commission, an officer of the Department of Corrections, a correctional probation officer, a deputy sheriff, a state attorney or an assistant state attorney, a statewide prosecutor or an assistant statewide prosecutor, a state attorney investigator, a coroner, a police officer, a lottery special agent or lottery investigator, a beverage enforcement agent, a school guardian as described in s. 30.15(1)(k), a security officer licensed under chapter 493, any member of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission, any personnel or representative of the Department of Law Enforcement, or a federal law enforcement officer as defined in s. 901.1505, and takes upon himself or herself to act as

such, or to require any other person to aid or assist him or her in a matter pertaining to the duty of any such officer, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, a person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In determining whether a defendant has violated this section, the court or jury may consider any relevant evidence, including, but not limited to, whether the defendant used lights in violation of s. 316.2397 or s. 843.081.

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

849.01 Keeping gambling houses, etc.—Whoever by herself or himself, her or his servant, clerk or agent, or in any other manner has, keeps, exercises or maintains a gaming table or room, or gaming implements or apparatus, or house, booth, tent, shelter or other place for the purpose of gaming or gambling or in any place of which she or he may directly or indirectly have charge, control or management, either exclusively or with others, procures, suffers or permits any person to play for money or other valuable thing at any game whatever, whether

heretofore prohibited or not, commits a felony ~~misdemeanor~~ of the third ~~second~~ degree, punishable as provided in s. 775.082, ~~or s. 775.083,~~ or s. 775.084.

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

849.02 Agents or employees of keeper of gambling house.—A person who ~~Whoever~~ acts as servant, clerk, agent, or employee of any person in the violation of s. 849.01 commits:

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

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

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

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

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

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

251 ~~s. 849.01.~~

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

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

257 849.08 Gambling.—

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

259 (a) "Internet gambling" means to play or engage in any
260 game in which money or other thing of value is awarded based on
261 chance, regardless of any application of skill, that is
262 available on the Internet and accessible on a mobile device,
263 computer terminal, or other similar access device and simulates
264 casino-style gaming, including, but not limited to, slot
265 machines, video poker, and table games.

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

272 (2) A person who ~~Whoever~~ plays or engages in Internet
273 gambling, any game at cards, keno, roulette, faro or other game
274 of chance, at any place, by any device whatever, for money or
275 other thing of value, commits ~~shall be guilty of a misdemeanor~~

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

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

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

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

(4) A person who operates, conducts, or promotes Internet gambling or Internet sports wagering, or receives in any manner whatsoever any money or other thing of value offered for the purpose of Internet gambling or Internet sports wagering, or whoever knowingly becomes the custodian or depository of any money or other thing of value so offered, or whoever aids, assists, abets, or influences in any manner in any of such acts, all of which are hereby forbidden, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

849.086 Cardrooms authorized.—

(12) PROHIBITED ACTIVITIES.—

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

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

849.11 Plays at games of chance by lot.—

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

(2) A person who sets up, operates, conducts, promotes, or receives in any manner whatsoever any money or other thing of value offered for the purpose of conduct prohibited in subsection (1), or whoever knowingly becomes the custodian or depository of any money or other thing of value so offered, or whoever aids, assists, abets, or influences in any manner in any

of such acts, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

849.14 Unlawful to bet on result of trial or contest of skill, etc.—A person who ~~Whoever~~ stakes, bets, or wagers any money or other thing of value upon the result of any trial or contest of skill, speed or power or endurance of human or beast, or whoever receives in any manner whatsoever any money or other thing of value staked, bet, or wagered, or offered for the purpose of being staked, bet, or wagered, by or for any other

person upon any such result, or whoever knowingly becomes the custodian or depositary of any money or other thing of value so staked, bet, or wagered upon any such result, or whoever aids, or assists, or abets, or influences in any manner in any of such acts all of which are hereby forbidden, commits a felony of the third degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

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

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

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

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

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

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

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

376 business, establishment, premises, or other location.

377 (2)~~(1)~~ It is unlawful:

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

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

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

399 (b) A person commits a felony of the third degree,
400 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,

401 if he or she violates subsection (2), and:

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

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

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

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

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

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

415 (4)(2) Pursuant to section 2 of that chapter of the
416 Congress of the United States entitled "An act to prohibit
417 transportation of gaming devices in interstate and foreign
418 commerce," approved January 2, 1951, being ch. 1194, 64 Stat.
419 1134, and also designated as 15 U.S.C. ss. 1171-1177, the State
420 of Florida, acting by and through the duly elected and qualified
421 members of its Legislature, does hereby in this section, and in
422 accordance with and in compliance with the provisions of section
423 2 of such chapter of Congress, declare and proclaim that any
424 county of the State of Florida within which slot machine gaming
425 is authorized pursuant to chapter 551 is exempt from the

provisions of section 2 of that chapter of the Congress of the United States entitled "An act to prohibit transportation of gaming devices in interstate and foreign commerce," designated as 15 U.S.C. ss. 1171-1177, approved January 2, 1951. All shipments of gaming devices, including slot machines, into any county of this state within which slot machine gaming is authorized pursuant to chapter 551 and the registering, recording, and labeling of which have been duly performed by the manufacturer or distributor thereof in accordance with sections 3 and 4 of that chapter of the Congress of the United States entitled "An act to prohibit transportation of gaming devices in interstate and foreign commerce," approved January 2, 1951, being ch. 1194, 64 Stat. 1134, and also designated as 15 U.S.C. ss. 1171-1177, shall be deemed legal shipments thereof into this state provided the destination of such shipments is an eligible facility as defined in s. 551.102 or the facility of a slot machine manufacturer or slot machine distributor as provided in s. 551.109(2)(a).

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

ss. 2701 et seq.

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

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

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

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

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

(4) Pursuant to section 2 of the chapter of the Congress
of the United States entitled "An act to prohibit transportation
of gaming devices in interstate and foreign commerce," approved
January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
designated as 15 U.S.C. ss. 1171-1177, the State of Florida,
acting by and through the duly elected and qualified members of
its Legislature, does hereby in this section, and in accordance

476 with and in compliance with the provisions of s. 2 of such
477 chapter of Congress, declare and proclaim that any county of the
478 State of Florida within which slot machine gaming is authorized
479 pursuant to chapter 551 is exempt from the provisions of s. 2 of
480 that chapter of the Congress of the United States entitled "An
481 act to prohibit transportation of gaming devices in interstate
482 and foreign commerce," designated as 15 U.S.C. ss. 1171-1177,
483 approved January 2, 1951. All shipments of gaming devices,
484 including slot machines, into any county of this state within
485 which slot machine gaming is authorized pursuant to chapter 551
486 and the registering, recording, and labeling of which have been
487 duly performed by the manufacturer or distributor thereof in
488 accordance with ss. 3 and 4 of that chapter of the Congress of
489 the United States entitled "An act to prohibit transportation of
490 gaming devices in interstate and foreign commerce," approved
491 January 2, 1951, being ch. 1194, 64 Stat. 1134, and also
492 designated as 15 U.S.C. ss. 1171-1177, shall be deemed legal
493 shipments thereof into this state provided the destination of
494 such shipments is an eligible facility as defined in s. 551.102
495 or the facility of a slot machine manufacturer or slot machine
496 distributor as provided in s. 551.109(2) (a).

497 (5) All shipments of legal gaming devices, including legal
498 slot machines, into Indian lands located within the state shall
499 be deemed legal shipments thereof provided that such Indian
500 lands are held in federal trust for the benefit of a federally

recognized Indian tribe that is a party to a tribal-state compact with the state pursuant to the federal Indian Gaming Regulatory Act of 1988, 18 U.S.C. ss. 1166-1168 and 25 U.S.C. ss. 2701 et seq.

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

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

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

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

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

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

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

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

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

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

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

(3) (a) A person who transports, or procures the
transportation of, a minor or a person 65 years of age or older
in violation of subsection (2) commits a felony of the third
degree, punishable as provided in s. 775.082, s. 775.083, or s.
775.084.

(b) A person who transports, or procures the
transportation of, 12 or more persons in violation of subsection

551 (2) commits a felony of the third degree, punishable as provided
552 in s. 775.082, s. 775.083, or s. 775.084.

553 **Section 18. Section 849.48, Florida Statutes, is created**
554 **to read:**

555 849.48 Gambling or gaming advertisements; prohibited.—

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

560 (2)(a) Except as otherwise specifically authorized by law,
561 a person may not knowingly and intentionally make, publish,
562 disseminate, circulate, or place before the public, or cause,
563 directly or indirectly, to be made, published, disseminated,
564 circulated, or placed before the public in this state, in any
565 manner, whether in person or by the use, at least in part, of
566 the Internet, any advertisement, circular, bill, poster,
567 pamphlet, list, schedule, announcement, or notice for the
568 purpose of promoting or facilitating illegal gambling.

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

575 (c) A person who violates the subsection commits:

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

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

581 (3) This section does not prohibit the printing or
582 producing of any advertisement, circular, bill, poster,
583 pamphlet, list, schedule, announcement, or notice to be used for
584 the purpose of promoting or facilitating gambling conducted in
585 any other state or nation, outside of this state, where such
586 gambling is not prohibited.

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

589 849.49 Preemption.—No county, municipality, or other
590 political subdivision of the state shall enact or enforce any
591 ordinance or local rule relating to gaming, gambling, lotteries,
592 or any activities described in s. 546.10 or this chapter, except
593 as otherwise expressly provided by the State Constitution,
594 general law, or special law.

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

599 903.046 Purpose of and criteria for bail determination.—

600 (2) When determining whether to release a defendant on

bail or other conditions, and what that bail or those conditions may be, the court shall consider:

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

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

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
104.0616 (2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.

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617	212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
618	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
619	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
620	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
621	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
622	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license;

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possession of simulated
identification.

623

322.212 (4) 3rd Supply or aid in supplying
unauthorized driver license or
identification card.

624

322.212 (5) (a) 3rd False application for driver
license or identification card.

625

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

626

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

627

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

628

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

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Protection Act.

629

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

630

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

631

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

632

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

633

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

634

826.01 3rd Bigamy.

635

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636	828.122 (3)	3rd	Fighting or baiting animals.
637	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
638	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03 (5) drugs.
639	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
640	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
641	838.15 (2)	3rd	Commercial bribe receiving.
642	838.16	3rd	Commercial bribery.

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643	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
644	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
645	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
646	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
647	849.25 (2)	3rd	Engaging in bookmaking.
648	860.08	3rd	Interfere with a railroad signal.
649	860.13 (1) (a)	3rd	Operate aircraft while under the influence.

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

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

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

(c) LEVEL 3

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

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patrol vehicle with siren and
lights activated.

659

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

660

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

661

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

662

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

663

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

664

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

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665	328.07 (4)	3rd	Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.
666	376.302 (5)	3rd	Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.
667	379.2431 (1) (e) 5.	3rd	Taking, disturbing, mutilating, destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.
668	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.

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669	379.2431	3rd	Soliciting to commit or
	(1) (e) 7.		conspiring to commit a
			violation of the Marine Turtle
			Protection Act.
670	400.9935 (4) (a)	3rd	Operating a clinic, or offering
	or (b)		services requiring licensure,
			without a license.
671	400.9935 (4) (e)	3rd	Filing a false license
			application or other required
			information or failing to
			report information.
672	440.1051 (3)	3rd	False report of workers'
			compensation fraud or
			retaliation for making such a
			report.
673	501.001 (2) (b)	2nd	Tampers with a consumer product
			or the container using
			materially false/misleading
			information.
674			

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675	624.401 (4) (a)	3rd	Transacting insurance without a certificate of authority.
676	624.401 (4) (b) 1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
677	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
678	697.08	3rd	Equity skimming.
679	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
680	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.
	800.045 (3)	3rd	Possess, control, or intentionally view any photographic material, motion

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picture, etc., which includes a
lewd or lascivious image.

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

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

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

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

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

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

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687	812.015 (8) (b)	3rd	Retail theft with intent to sell; conspires with others.
688	812.081 (2)	3rd	Theft of a trade secret.
689	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
690	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
691	817.233	3rd	Burning to defraud insurer.
692	817.234 (8) (b) & (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
693	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.
694	817.236	3rd	Filing a false motor vehicle insurance application.

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695	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
696	817.413 (2)	3rd	Sale of used goods of \$1,000 or more as new.
697	817.49 (2) (b) 1.	3rd	Willful making of a false report of a crime causing great bodily harm, permanent disfigurement, or permanent disability.
698	831.28 (2) (a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument with intent to defraud.
699	831.29	2nd	Possession of instruments for counterfeiting driver licenses or identification cards.
700			

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701	836.13 (2)	3rd	Generating an altered sexual depiction of an identifiable person without consent.
702	836.13 (4)	3rd	Promoting, or possessing with intent to promote, an altered sexual depiction of an identifiable person without consent.
703	838.021 (3) (b)	3rd	Threatens unlawful harm to public servant.
704	<u>838.12 (3)</u>	<u>3rd</u>	<u>Betting on a predetermined or prearranged professional or amateur game, contest, match, race, or sport.</u>
705	<u>849.01</u>	<u>3rd</u>	<u>Keeping a gambling house.</u>
706	<u>849.02 (2)</u>	<u>3rd</u>	<u>Agents or employees of keeper of gambling house.</u>
	<u>849.03 (1)</u>	<u>3rd</u>	<u>Renting house for gambling</u>

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purposes.

849.08 (4)

3rd

Operating, conducting,
promoting, aiding, abetting,
assisting Internet gambling and
Internet sports wagering.

849.086 (12) (e)

3rd

Tampering with cards or card
games.

849.09 (1) (a) - (d)

3rd

Lottery; set up, promote, etc.,
or assist therein, conduct or
advertise drawing for prizes,
or dispose of property or money
by means of lottery.

849.09 (1) (e),
(f), (g), (i),
or (k)

3rd

Conducting an unlawful lottery;
second or subsequent offense.

849.09 (1) (h) or
(j)

3rd

Conducting an unlawful lottery;
second or subsequent offense.

849.11 (2)

3rd

Offenses relating to games of

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chance.

713

849.14

3rd

Betting on result of trial or
contest of skill, etc.

714

849.15 (3) (b)

3rd

Manufacture, sale, or
possession of slot machine; by
person of authority or with
prior conviction.

715

849.157 (1)

3rd

False or misleading statement
to facilitate sale of slot
machines or devices.

716

849.25 (2)

3rd

Engaging in bookmaking.

717

849.47 (3) (a) &
(b)

3rd

Transporting persons to
facilitate illegal gambling;
minor, person 65 years of age
or older, or 12 or more
persons.

718

849.48 (2) (c)

3rd

Illegal gambling advertising.

719

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720	847.01385	3rd	Harmful communication to a minor.
721	860.15 (3)	3rd	Overcharging for repairs and parts.
722	870.01 (2)	3rd	Riot.
723	870.01 (4)	3rd	Inciting a riot.
724	893.13 (1) (a) 2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs).
725	893.13 (1) (d) 2.	2nd	Sell, manufacture, or deliver s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs within 1,000 feet of university.

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726	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.
727	893.13(4)(c)	3rd	Use or hire of minor; deliver to minor other controlled substances.
728	893.13(6)(a)	3rd	Possession of any controlled substance other than felony possession of cannabis.
729	893.13(7)(a)8.	3rd	Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance.
	893.13(7)(a)9.	3rd	Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc.

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730	893.13(7)(a)10.	3rd	Affix false or forged label to package of controlled substance.
731	893.13(7)(a)11.	3rd	Furnish false or fraudulent material information on any document or record required by chapter 893.
732	893.13(8)(a)1.	3rd	Knowingly assist a patient, other person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.
733	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.

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734	893.13 (8) (a) 3.	3rd	Knowingly write a prescription for a controlled substance for a fictitious person.
735	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.
736	918.13 (1)	3rd	Tampering with or fabricating physical evidence.
737	944.47 (1) (a) 1. & 2.	3rd	Introduce contraband to correctional facility.
738	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
739	985.721	3rd	Escapes from a juvenile facility (secure detention or

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residential commitment
facility).

(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027 (2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
316.1935 (3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
316.80 (2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
322.34 (6)	3rd	Careless operation of motor vehicle with suspended license,

resulting in death or serious
bodily injury.

747

327.30 (5) (a) 2.

3rd

Vessel accidents involving
personal injuries other than
serious bodily injury; leaving
scene.

748

365.172
(14) (b) 2.

2nd

Misuse of emergency
communications system resulting
in death.

749

379.365 (2) (c) 1.

3rd

Violation of rules relating to:
willful molestation of stone
crab traps, lines, or buoys;
illegal bartering, trading, or
sale, conspiring or aiding in
such barter, trade, or sale, or
supplying, agreeing to supply,
aiding in supplying, or giving
away stone crab trap tags or
certificates; making, altering,
forging, counterfeiting, or
reproducing stone crab trap
tags; possession of forged,

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counterfeit, or imitation stone
crab trap tags; and engaging in
the commercial harvest of stone
crabs while license is
suspended or revoked.

750

379.367(4)

3rd

Willful molestation of a
commercial harvester's spiny
lobster trap, line, or buoy.

751

379.407(5)(b)3.

3rd

Possession of 100 or more
undersized spiny lobsters.

752

381.0041(11)(b)

3rd

Donate blood, plasma, or organs
knowing HIV positive.

753

440.10(1)(g)

2nd

Failure to obtain workers'
compensation coverage.

754

440.105(5)

2nd

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

755

440.381(2)

3rd

Submission of false,
misleading, or incomplete

information with the purpose of
avoiding or reducing workers'
compensation premiums.

756

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

757

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

758

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

759

790.162 2nd Threat to throw or discharge
destructive device.

760

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

761

790.221(1) 2nd Possession of short-barreled
shotgun or machine gun.

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762	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
763	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
764	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
765	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
766	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
767	810.145 (4)	3rd	Commercial digital voyeurism dissemination.
768	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or

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subsequent offense.

769

810.145 (8) (a) 2nd Digital voyeurism; certain
minor victims.

770

812.014 (2) (d) 3. 2nd Grand theft, 2nd degree; theft
from 20 or more dwellings or
their unenclosed curtilage, or
any combination.

771

812.0145 (2) (b) 2nd Theft from person 65 years of
age or older; \$10,000 or more
but less than \$50,000.

772

812.015 3rd Retail theft; property stolen
(8) (a) & (c) - is valued at \$750 or more and
(e) one or more specified acts.

773

812.015 (8) (f) 3rd Retail theft; multiple thefts
within specified period.

774

812.015 (8) (g) 3rd Retail theft; committed with
specified number of other
persons.

775

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776	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
777	812.081 (3)	2nd	Trafficking in trade secrets.
778	812.131 (2) (b)	3rd	Robbery by sudden snatching.
779	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
780	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
781	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
782	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.
	817.568 (2) (b)	2nd	Fraudulent use of personal

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identification information;
value of benefit, services
received, payment avoided, or
amount of injury or fraud,
\$5,000 or more or use of
personal identification
information of 10 or more
persons.

783

817.611(2)(a)

2nd

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

784

817.625(2)(b)

2nd

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

785

825.1025(4)

3rd

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

786

828.12(2)

3rd

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

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787	836.14 (4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.
788	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.
789	843.01 (1)	3rd	Resist officer with violence to person; resist arrest with violence.
790	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
791	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
792	847.0138	3rd	Transmission of material

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	(2) & (3)		harmful to minors to a minor by electronic device or equipment.
793	<u>849.02 (3)</u>	<u>2nd</u>	<u>Agents or employees of keeper</u> <u>of gambling house, 3rd or</u> <u>subsequent offense.</u>
794	<u>849.03 (2)</u>	<u>2nd</u>	<u>Renting house for gambling</u> <u>purposes.</u>
795	<u>849.15 (3) (c)</u>	<u>2nd</u>	<u>Manufacture, sale, or</u> <u>possession of a slot machine;</u> <u>by a person of authority of</u> <u>five or more machines or two or</u> <u>more prior convictions.</u>
796	<u>849.157 (2)</u>	<u>2nd</u>	<u>False or misleading statement</u> <u>to facilitate sale of slot</u> <u>machines or devices; five or</u> <u>more machines.</u>
797	<u>849.25 (3)</u>	<u>2nd</u>	<u>Bookmaking; second or</u> <u>subsequent offense.</u>
798	874.05 (1) (b)	2nd	Encouraging or recruiting

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

799

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

800

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).

801

893.13 (1) (c) 2. 2nd Sell, manufacture, or deliver
cannabis (or other s.
893.03 (1) (c), (2) (c) 1.,
(2) (c) 2., (2) (c) 3., (2) (c) 6.,
(2) (c) 7., (2) (c) 8., (2) (c) 9.,
(2) (c) 10., (3), or (4) drugs)
within 1,000 feet of a child
care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or

community center.

802

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

803

893.13(1)(e)2. 2nd Sell, manufacture, or deliver
cannabis or other drug
prohibited under s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) within
1,000 feet of property used for
religious services or a
specified business site.

804

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

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public housing facility.

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

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

(g) LEVEL 7

Florida Statute	Felony Degree	Description
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316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
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316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
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316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety
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while fleeing or attempting to
elude law enforcement officer
who is in a patrol vehicle with
siren and lights activated.

813

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

814

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

815

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

816

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

817

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

818

456.065 (2) 2nd Practicing a health care

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profession without a license
which results in serious bodily
injury.

819

458.327(1)

3rd

Practicing medicine without a
license.

820

459.013(1)

3rd

Practicing osteopathic medicine
without a license.

821

460.411(1)

3rd

Practicing chiropractic
medicine without a license.

822

461.012(1)

3rd

Practicing podiatric medicine
without a license.

823

462.17

3rd

Practicing naturopathy without
a license.

824

463.015(1)

3rd

Practicing optometry without a
license.

825

464.016(1)

3rd

Practicing nursing without a
license.

826

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827	465.015 (2)	3rd	Practicing pharmacy without a license.
828	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
829	467.201	3rd	Practicing midwifery without a license.
830	468.366	3rd	Delivering respiratory care services without a license.
831	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
832	483.901 (7)	3rd	Practicing medical physics without a license.
833	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
834	484.053	3rd	Dispensing hearing aids without a license.

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835	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.
836	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.
837	560.125 (5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
838	655.50 (10) (b) 1.	3rd	Failure to report financial transactions exceeding \$300 but less than \$20,000 by financial institution.
	775.21 (10) (a)	3rd	Sexual predator; failure to register; failure to renew

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driver license or
identification card; other
registration violations.

839

775.21(10)(b)

3rd

Sexual predator working where
children regularly congregate.

840

775.21(10)(g)

3rd

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

841

782.051(3)

2nd

Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

842

782.07(1)

2nd

Killing of a human being by the
act, procurement, or culpable
negligence of another
(manslaughter).

843

782.071

2nd

Killing of a human being or
unborn child by the operation

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of a motor vehicle in a
reckless manner (vehicular
homicide).

844

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

845

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

846

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

847

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

848

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

849

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

850

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851	784.07 (2) (d)	1st	Aggravated battery on law enforcement officer.
852	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
853	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
854	784.081 (1)	1st	Aggravated battery on specified official or employee.
855	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
856	784.083 (1)	1st	Aggravated battery on code inspector.
857	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.

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858	787.06(3)(a)2.	1st	Human trafficking using coercion for labor and services of an adult.
859	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.
860	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).
861	790.16(1)	1st	Discharge of a machine gun under specified circumstances.
862	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.
863	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or

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attempting to commit a felony.

864

790.166(3)

2nd

Possessing, selling, using, or
attempting to use a hoax weapon
of mass destruction.

865

790.166(4)

2nd

Possessing, displaying, or
threatening to use a hoax
weapon of mass destruction
while committing or attempting
to commit a felony.

866

790.23

1st, PBL

Possession of a firearm by a
person who qualifies for the
penalty enhancements provided
for in s. 874.04.

867

794.08(4)

3rd

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

868

796.05(1)

1st

Live on earnings of a
prostitute; 2nd offense.

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869	796.05 (1)	1st	Live on earnings of a prostitute; 3rd and subsequent offense.
870	800.04 (5) (c) 1.	2nd	Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.
871	800.04 (5) (c) 2.	2nd	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age or older.
872	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.
873	806.01 (2)	2nd	Maliciously damage structure by fire or explosive.

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874	810.02 (3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.
875	810.02 (3) (b)	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.
876	810.02 (3) (d)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.
877	810.02 (3) (e)	2nd	Burglary of authorized emergency vehicle.
878	812.014 (2) (a) 1.	1st	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law enforcement officer; property stolen while causing other property damage; 1st degree grand theft.
879	812.014 (2) (b) 2.	2nd	Property stolen, cargo valued at less than \$50,000, grand

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theft in 2nd degree.

880

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

881

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

882

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

883

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

884

812.019 (2) 1st Stolen property; initiates,
organizes, plans, etc., the
theft of property and traffics
in stolen property.

885

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

886

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887	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.
888	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
889	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
890	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
891	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
892	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.

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893	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective equipment with intent to defraud.
894	817.504 (1) (a)	3rd	Offering or advertising a vaccine with intent to defraud.
895	817.535 (2) (a)	3rd	Filing false lien or other unauthorized document.
896	817.611 (2) (b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
897	825.102 (3) (b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
898	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.

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899	827.03 (2) (b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
900	827.04 (3)	3rd	Impregnation of a child under 16 years of age by person 21 years of age or older.
901	827.071 (2) & (3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
902	827.071 (4)	2nd	Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
903	837.05 (2)	3rd	Giving false information about alleged capital felony to a law enforcement officer.
904	838.015	2nd	Bribery.
	838.016	2nd	Unlawful compensation or reward for official behavior.

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905	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
906	838.22	2nd	Bid tampering.
907	843.0855 (2)	3rd	Impersonation of a public officer or employee.
908	843.0855 (3)	3rd	Unlawful simulation of legal process.
909	843.0855 (4)	3rd	Intimidation of a public officer or employee.
910	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
911	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
912	<u>849.155</u>	<u>1st</u>	<u>Trafficking in slot machines or devices or any parts thereof.</u>
913			

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914	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
915			
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.
916			
	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.
917			
	893.13 (1) (e) 1.	1st	Sell, manufacture, or deliver

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cocaine or other drug
prohibited under s.

893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)5.,
within 1,000 feet of property
used for religious services or
a specified business site.

918

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

919

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

920

893.135 1st Trafficking in cocaine, more
(1)(b)1.a. than 28 grams, less than 200
grams.

921

893.135 1st Trafficking in illegal drugs,
(1)(c)1.a. more than 4 grams, less than 14
grams.

922

893.135 1st Trafficking in hydrocodone, 28

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923	(1) (c) 2.a.		grams or more, less than 50 grams.
	893.135	1st	Trafficking in hydrocodone, 50
	(1) (c) 2.b.		grams or more, less than 100 grams.
924			
	893.135	1st	Trafficking in oxycodone, 7
	(1) (c) 3.a.		grams or more, less than 14 grams.
925			
	893.135	1st	Trafficking in oxycodone, 14
	(1) (c) 3.b.		grams or more, less than 25 grams.
926			
	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14 grams.
927			
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.a.		28 grams or more, less than 200 grams.
928			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone, 200 grams or more, less than 5

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kilograms.

929

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

930

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

931

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

932

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

933

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

934

893.135 1st Trafficking in synthetic
(1) (m) 2.a. cannabinoids, 280 grams or

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more, less than 500 grams.

935

893.135
(1) (m) 2.b.

1st

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

936

893.135
(1) (n) 2.a.

1st

Trafficking in n-benzyl
phenethylamines, 14 grams or
more, less than 100 grams.

937

893.1351 (2)

2nd

Possession of place for
trafficking in or manufacturing
of controlled substance.

938

896.101 (5) (a)

3rd

Money laundering, financial
transactions exceeding \$300 but
less than \$20,000.

939

896.104 (4) (a) 1.

3rd

Structuring transactions to
evade reporting or registration
requirements, financial
transactions exceeding \$300 but
less than \$20,000.

940

943.0435 (4) (c)

2nd

Sexual offender vacating

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permanent residence; failure to
comply with reporting
requirements.

941

943.0435 (8)

2nd

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

942

943.0435 (9) (a)

3rd

Sexual offender; failure to
comply with reporting
requirements.

943

943.0435 (13)

3rd

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

944

943.0435 (14)

3rd

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

945

944.607 (9)

3rd

Sexual offender; failure to

comply with reporting
requirements.

946

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

947

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

948

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

949

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

950

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

conceal a sexual offender.

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

**Section 22. Paragraph (a) of subsection (1) and paragraph
(a) of subsection (2) of section 772.102, Florida Statutes, are
amended to read:**

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

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

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

1. Section 210.18, relating to evasion of payment of
cigarette taxes.

2. Section 414.39, relating to public assistance fraud.

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

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

5. Chapter 517, relating to securities transactions.

6. Section 550.235 or s. 550.3551, relating to dogracing

and horseracing.

7. Chapter 550, relating to jai alai frontons.

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

9. Chapter 562, relating to beverage law enforcement.

10. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

11. Chapter 687, relating to interest and usurious practices.

12. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

13. Chapter 782, relating to homicide.

14. Chapter 784, relating to assault and battery.

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

16. Chapter 790, relating to weapons and firearms.

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

18. Chapter 806, relating to arson.

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

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

crimes.

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

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

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

24. Chapter 831, relating to forgery and counterfeiting.

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

26. Section 836.05, relating to extortion.

27. Chapter 837, relating to perjury.

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

29. Chapter 843, relating to obstruction of justice.

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

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

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

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

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

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

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

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

2. Chapter 550, relating to jai alai frontons.

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

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

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

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

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

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

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

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- 1045 2. Chapter 550, relating to jai alai frontons.
- 1046 3. Section 551.109, relating to slot machine gaming.
- 1047 4. Chapter 687, relating to interest and usury.
- 1048 5. Section 849.09, s. 849.14, s. 849.15, ~~s. 849.23~~, or s.
- 1049 849.25, relating to gambling.
- 1050 **Section 24.** This act shall take effect October 1, 2026.