

1                                   A bill to be entitled  
 2           An act relating to controlled substances; amending s.  
 3           893.03, F.S.; adding to the list of Schedule III  
 4           controlled substances certain specified materials,  
 5           compounds, mixtures, or preparations that promote  
 6           muscle growth or otherwise enhance athletic  
 7           performance; reenacting ss. 893.13(1)-(6) and  
 8           921.0022(3)(b)-(e), F.S., relating to prohibited acts  
 9           involving controlled substances and the Criminal  
 10          Punishment Code offense severity ranking chart,  
 11          respectively, to incorporate the amendments made to s.  
 12          893.03, F.S., in references thereto; providing an  
 13          effective date.

14  
 15   Be It Enacted by the Legislature of the State of Florida:

16  
 17           Section 1. Paragraphs (h) through (n) are added to  
 18           subsection (3) of section 893.03, Florida Statutes, to read:  
 19           893.03 Standards and schedules.—The substances enumerated  
 20           in this section are controlled by this chapter. The controlled  
 21           substances listed or to be listed in Schedules I, II, III, IV,  
 22           and V are included by whatever official, common, usual,  
 23           chemical, or trade name designated. The provisions of this  
 24           section shall not be construed to include within any of the  
 25           schedules contained in this section any excluded drugs listed  
 26           within the purview of 21 C.F.R. s. 1308.22, styled "Excluded  
 27           Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical  
 28           Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted

29 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt  
30 Anabolic Steroid Products."

31 (3) SCHEDULE III.—A substance in Schedule III has a  
32 potential for abuse less than the substances contained in  
33 Schedules I and II and has a currently accepted medical use in  
34 treatment in the United States, and abuse of the substance may  
35 lead to moderate or low physical dependence or high  
36 psychological dependence or, in the case of anabolic steroids,  
37 may lead to physical damage. The following substances are  
38 controlled in Schedule III:

39 (h) Human chorionic gonadotropin (hCG).

40 (i) CJC-1295.

41 (j) Growth hormone releasing hormone (GHRH).

42 (k) Growth hormone releasing hexapeptide (GHRP-6).

43 (l) Human growth hormone (HGH).

44 (m) Somatropin.

45 (n) Tesamorelin.

46 Section 2. For the purpose of incorporating the amendment  
47 made by this act to section 893.03, Florida Statutes, in a  
48 reference thereto, subsections (1) through (6) of section  
49 893.13, Florida Statutes, are reenacted to read:

50 893.13 Prohibited acts; penalties.—

51 (1) (a) Except as authorized by this chapter and chapter  
52 499, it is unlawful for any person to sell, manufacture, or  
53 deliver, or possess with intent to sell, manufacture, or  
54 deliver, a controlled substance. Any person who violates this  
55 provision with respect to:

56 1. A controlled substance named or described in s.

57 | 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
 58 | commits a felony of the second degree, punishable as provided in  
 59 | s. 775.082, s. 775.083, or s. 775.084.

60 |         2. A controlled substance named or described in s.  
 61 | 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 62 | (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 63 | the third degree, punishable as provided in s. 775.082, s.  
 64 | 775.083, or s. 775.084.

65 |         3. A controlled substance named or described in s.  
 66 | 893.03(5) commits a misdemeanor of the first degree, punishable  
 67 | as provided in s. 775.082 or s. 775.083.

68 |         (b) Except as provided in this chapter, it is unlawful to  
 69 | sell or deliver in excess of 10 grams of any substance named or  
 70 | described in s. 893.03(1)(a) or (1)(b), or any combination  
 71 | thereof, or any mixture containing any such substance. Any  
 72 | person who violates this paragraph commits a felony of the first  
 73 | degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 74 | 775.084.

75 |         (c) Except as authorized by this chapter, it is unlawful  
 76 | for any person to sell, manufacture, or deliver, or possess with  
 77 | intent to sell, manufacture, or deliver, a controlled substance  
 78 | in, on, or within 1,000 feet of the real property comprising a  
 79 | child care facility as defined in s. 402.302 or a public or  
 80 | private elementary, middle, or secondary school between the  
 81 | hours of 6 a.m. and 12 midnight, or at any time in, on, or  
 82 | within 1,000 feet of real property comprising a state, county,  
 83 | or municipal park, a community center, or a publicly owned  
 84 | recreational facility. For the purposes of this paragraph, the

85 term "community center" means a facility operated by a nonprofit  
86 community-based organization for the provision of recreational,  
87 social, or educational services to the public. Any person who  
88 violates this paragraph with respect to:

89 1. A controlled substance named or described in s.  
90 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
91 commits a felony of the first degree, punishable as provided in  
92 s. 775.082, s. 775.083, or s. 775.084. The defendant must be  
93 sentenced to a minimum term of imprisonment of 3 calendar years  
94 unless the offense was committed within 1,000 feet of the real  
95 property comprising a child care facility as defined in s.  
96 402.302.

97 2. A controlled substance named or described in s.  
98 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
99 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
100 the second degree, punishable as provided in s. 775.082, s.  
101 775.083, or s. 775.084.

102 3. Any other controlled substance, except as lawfully  
103 sold, manufactured, or delivered, must be sentenced to pay a  
104 \$500 fine and to serve 100 hours of public service in addition  
105 to any other penalty prescribed by law.

106  
107 This paragraph does not apply to a child care facility unless  
108 the owner or operator of the facility posts a sign that is not  
109 less than 2 square feet in size with a word legend identifying  
110 the facility as a licensed child care facility and that is  
111 posted on the property of the child care facility in a  
112 conspicuous place where the sign is reasonably visible to the

113 public.

114 (d) Except as authorized by this chapter, it is unlawful  
115 for any person to sell, manufacture, or deliver, or possess with  
116 intent to sell, manufacture, or deliver, a controlled substance  
117 in, on, or within 1,000 feet of the real property comprising a  
118 public or private college, university, or other postsecondary  
119 educational institution. Any person who violates this paragraph  
120 with respect to:

121 1. A controlled substance named or described in s.  
122 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
123 commits a felony of the first degree, punishable as provided in  
124 s. 775.082, s. 775.083, or s. 775.084.

125 2. A controlled substance named or described in s.  
126 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
127 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
128 the second degree, punishable as provided in s. 775.082, s.  
129 775.083, or s. 775.084.

130 3. Any other controlled substance, except as lawfully  
131 sold, manufactured, or delivered, must be sentenced to pay a  
132 \$500 fine and to serve 100 hours of public service in addition  
133 to any other penalty prescribed by law.

134 (e) Except as authorized by this chapter, it is unlawful  
135 for any person to sell, manufacture, or deliver, or possess with  
136 intent to sell, manufacture, or deliver, a controlled substance  
137 not authorized by law in, on, or within 1,000 feet of a physical  
138 place for worship at which a church or religious organization  
139 regularly conducts religious services or within 1,000 feet of a  
140 convenience business as defined in s. 812.171. Any person who

141 violates this paragraph with respect to:

142       1. A controlled substance named or described in s.  
 143 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
 144 commits a felony of the first degree, punishable as provided in  
 145 s. 775.082, s. 775.083, or s. 775.084.

146       2. A controlled substance named or described in s.  
 147 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 148 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 149 the second degree, punishable as provided in s. 775.082, s.  
 150 775.083, or s. 775.084.

151       3. Any other controlled substance, except as lawfully  
 152 sold, manufactured, or delivered, must be sentenced to pay a  
 153 \$500 fine and to serve 100 hours of public service in addition  
 154 to any other penalty prescribed by law.

155       (f) Except as authorized by this chapter, it is unlawful  
 156 for any person to sell, manufacture, or deliver, or possess with  
 157 intent to sell, manufacture, or deliver, a controlled substance  
 158 in, on, or within 1,000 feet of the real property comprising a  
 159 public housing facility at any time. For purposes of this  
 160 section, the term "real property comprising a public housing  
 161 facility" means real property, as defined in s. 421.03(12), of a  
 162 public corporation created as a housing authority pursuant to  
 163 part I of chapter 421. Any person who violates this paragraph  
 164 with respect to:

165       1. A controlled substance named or described in s.  
 166 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
 167 commits a felony of the first degree, punishable as provided in  
 168 s. 775.082, s. 775.083, or s. 775.084.

169           2. A controlled substance named or described in s.  
170 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
171 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
172 the second degree, punishable as provided in s. 775.082, s.  
173 775.083, or s. 775.084.

174           3. Any other controlled substance, except as lawfully  
175 sold, manufactured, or delivered, must be sentenced to pay a  
176 \$500 fine and to serve 100 hours of public service in addition  
177 to any other penalty prescribed by law.

178           (g) Except as authorized by this chapter, it is unlawful  
179 for any person to manufacture methamphetamine or phencyclidine,  
180 or possess any listed chemical as defined in s. 893.033 in  
181 violation of s. 893.149 and with intent to manufacture  
182 methamphetamine or phencyclidine. If any person violates this  
183 paragraph and:

184           1. The commission or attempted commission of the crime  
185 occurs in a structure or conveyance where any child under 16  
186 years of age is present, the person commits a felony of the  
187 first degree, punishable as provided in s. 775.082, s. 775.083,  
188 or s. 775.084. In addition, the defendant must be sentenced to a  
189 minimum term of imprisonment of 5 calendar years.

190           2. The commission of the crime causes any child under 16  
191 years of age to suffer great bodily harm, the person commits a  
192 felony of the first degree, punishable as provided in s.  
193 775.082, s. 775.083, or s. 775.084. In addition, the defendant  
194 must be sentenced to a minimum term of imprisonment of 10  
195 calendar years.

196           (h) Except as authorized by this chapter, it is unlawful

197 for any person to sell, manufacture, or deliver, or possess with  
198 intent to sell, manufacture, or deliver, a controlled substance  
199 in, on, or within 1,000 feet of the real property comprising an  
200 assisted living facility, as that term is used in chapter 429.  
201 Any person who violates this paragraph with respect to:

202 1. A controlled substance named or described in s.  
203 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.  
204 commits a felony of the first degree, punishable as provided in  
205 s. 775.082, s. 775.083, or s. 775.084.

206 2. A controlled substance named or described in s.  
207 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
208 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
209 the second degree, punishable as provided in s. 775.082, s.  
210 775.083, or s. 775.084.

211 (2)(a) Except as authorized by this chapter and chapter  
212 499, it is unlawful for any person to purchase, or possess with  
213 intent to purchase, a controlled substance. Any person who  
214 violates this provision with respect to:

215 1. A controlled substance named or described in s.  
216 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
217 commits a felony of the second degree, punishable as provided in  
218 s. 775.082, s. 775.083, or s. 775.084.

219 2. A controlled substance named or described in s.  
220 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
221 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
222 the third degree, punishable as provided in s. 775.082, s.  
223 775.083, or s. 775.084.

224 3. A controlled substance named or described in s.



225 893.03(5) commits a misdemeanor of the first degree, punishable  
 226 as provided in s. 775.082 or s. 775.083.

227 (b) Except as provided in this chapter, it is unlawful to  
 228 purchase in excess of 10 grams of any substance named or  
 229 described in s. 893.03(1)(a) or (1)(b), or any combination  
 230 thereof, or any mixture containing any such substance. Any  
 231 person who violates this paragraph commits a felony of the first  
 232 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 233 775.084.

234 (3) Any person who delivers, without consideration, not  
 235 more than 20 grams of cannabis, as defined in this chapter,  
 236 commits a misdemeanor of the first degree, punishable as  
 237 provided in s. 775.082 or s. 775.083. For the purposes of this  
 238 paragraph, "cannabis" does not include the resin extracted from  
 239 the plants of the genus Cannabis or any compound manufacture,  
 240 salt, derivative, mixture, or preparation of such resin.

241 (4) Except as authorized by this chapter, it is unlawful  
 242 for any person 18 years of age or older to deliver any  
 243 controlled substance to a person under the age of 18 years, or  
 244 to use or hire a person under the age of 18 years as an agent or  
 245 employee in the sale or delivery of such a substance, or to use  
 246 such person to assist in avoiding detection or apprehension for  
 247 a violation of this chapter. Any person who violates this  
 248 provision with respect to:

249 (a) A controlled substance named or described in s.  
 250 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
 251 commits a felony of the first degree, punishable as provided in  
 252 s. 775.082, s. 775.083, or s. 775.084.

253 (b) A controlled substance named or described in s.  
 254 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 255 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 256 the second degree, punishable as provided in s. 775.082, s.  
 257 775.083, or s. 775.084.

258  
 259 Imposition of sentence may not be suspended or deferred, nor  
 260 shall the person so convicted be placed on probation.

261 (5) It is unlawful for any person to bring into this state  
 262 any controlled substance unless the possession of such  
 263 controlled substance is authorized by this chapter or unless  
 264 such person is licensed to do so by the appropriate federal  
 265 agency. Any person who violates this provision with respect to:

266 (a) A controlled substance named or described in s.  
 267 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,  
 268 commits a felony of the second degree, punishable as provided in  
 269 s. 775.082, s. 775.083, or s. 775.084.

270 (b) A controlled substance named or described in s.  
 271 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,  
 272 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of  
 273 the third degree, punishable as provided in s. 775.082, s.  
 274 775.083, or s. 775.084.

275 (c) A controlled substance named or described in s.  
 276 893.03(5) commits a misdemeanor of the first degree, punishable  
 277 as provided in s. 775.082 or s. 775.083.

278 (6)(a) It is unlawful for any person to be in actual or  
 279 constructive possession of a controlled substance unless such  
 280 controlled substance was lawfully obtained from a practitioner

281 or pursuant to a valid prescription or order of a practitioner  
282 while acting in the course of his or her professional practice  
283 or to be in actual or constructive possession of a controlled  
284 substance except as otherwise authorized by this chapter. Any  
285 person who violates this provision commits a felony of the third  
286 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
287 775.084.

288 (b) If the offense is the possession of not more than 20  
289 grams of cannabis, as defined in this chapter, or 3 grams or  
290 less of a controlled substance described in s. 893.03(1)(c)46.-  
291 50. and 114.-142., the person commits a misdemeanor of the first  
292 degree, punishable as provided in s. 775.082 or s. 775.083. For  
293 the purposes of this subsection, "cannabis" does not include the  
294 resin extracted from the plants of the genus Cannabis, or any  
295 compound manufacture, salt, derivative, mixture, or preparation  
296 of such resin, and a controlled substance described in s.  
297 893.03(1)(c)46.-50. and 114.-142. does not include the substance  
298 in a powdered form.

299 (c) Except as provided in this chapter, it is unlawful to  
300 possess in excess of 10 grams of any substance named or  
301 described in s. 893.03(1)(a) or (1)(b), or any combination  
302 thereof, or any mixture containing any such substance. Any  
303 person who violates this paragraph commits a felony of the first  
304 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
305 775.084.

306 (d) Notwithstanding any provision to the contrary of the  
307 laws of this state relating to arrest, a law enforcement officer  
308 may arrest without warrant any person who the officer has

309 | probable cause to believe is violating the provisions of this  
 310 | chapter relating to possession of cannabis.

311 | Section 3. For the purpose of incorporating the amendment  
 312 | made by this act to section 893.03, Florida Statutes, in a  
 313 | reference thereto, paragraphs (b) through (e) of subsection (3)  
 314 | of section 921.0022, Florida Statutes, are reenacted to read:

315 | 921.0022 Criminal Punishment Code; offense severity  
 316 | ranking chart.—

317 | (3) OFFENSE SEVERITY RANKING CHART

318 | (b) LEVEL 2

319 |

Florida Statute	Felony Degree	Description
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320 |

379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
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321 |

379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
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322 |

403.413 (5) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or
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hazardous waste.

323

517.07 (2) 3rd Failure to furnish a prospectus meeting requirements.

324

590.28 (1) 3rd Intentional burning of lands.

325

784.05 (3) 3rd Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.

326

787.04 (1) 3rd In violation of court order, take, entice, etc., minor beyond state limits.

327

806.13 (1) (b) 3. 3rd Criminal mischief; damage \$1,000 or more to public communication or any other public service.

328

810.061 (2) 3rd Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

329

810.09 (2) (e) 3rd Trespassing on posted commercial horticulture

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property.

330

812.014 (2) (c) 1. 3rd Grand theft, 3rd degree; \$300  
or more but less than \$5,000.

331

812.014 (2) (d) 3rd Grand theft, 3rd degree; \$100  
or more but less than \$300,  
taken from unenclosed curtilage  
of dwelling.

332

812.015 (7) 3rd Possession, use, or attempted  
use of an antishoplifting or  
inventory control device  
countermeasure.

333

817.234 (1) (a) 2. 3rd False statement in support of  
insurance claim.

334

817.481 (3) (a) 3rd Obtain credit or purchase with  
false, expired, counterfeit,  
etc., credit card, value over  
\$300.

335

817.52 (3) 3rd Failure to redeliver hired  
vehicle.

336

817.54 3rd With intent to defraud, obtain  
mortgage note, etc., by false

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representation.

337

817.60 (5) 3rd Dealing in credit cards of another.

338

817.60 (6) (a) 3rd Forgery; purchase goods, services with false card.

339

817.61 3rd Fraudulent use of credit cards over \$100 or more within 6 months.

340

826.04 3rd Knowingly marries or has sexual intercourse with person to whom related.

341

831.01 3rd Forgery.

342

831.02 3rd Uttering forged instrument; utters or publishes alteration with intent to defraud.

343

831.07 3rd Forging bank bills, checks, drafts, or promissory notes.

344

831.08 3rd Possessing 10 or more forged notes, bills, checks, or drafts.

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345	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
346	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.
347	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
348	843.08	3rd	Falsely impersonating an officer.
349	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) drugs other than cannabis.
350	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.
351			
352	(c) LEVEL 3		
353	Florida	Felony	Description



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	Statute	Degree	
354	119.10 (2) (b)	3rd	Unlawful use of confidential information from police reports.
355	316.066 (3) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
356	316.193 (2) (b)	3rd	Felony DUI, 3rd conviction.
357	316.1935 (2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
358	319.30 (4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
359	319.33 (1) (a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
360	319.33 (1) (c)	3rd	Procure or pass title on stolen vehicle.
361	319.33 (4)	3rd	With intent to defraud,

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possess, sell, etc., a blank,  
 forged, or unlawfully obtained  
 title or registration.

362

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

363

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

364

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

365

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

366

379.2431 3rd Taking, disturbing, mutilating,  
 (1) (e) 5. 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.



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373	626.902 (1) (a) & (b)	3rd	Representing an unauthorized insurer.
374	697.08	3rd	Equity skimming.
375	790.15 (3)	3rd	Person directs another to discharge firearm from a vehicle.
376	796.05 (1)	3rd	Live on earnings of a prostitute.
377	806.10 (1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
378	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
379	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
380	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.

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381	812.0145(2)(c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
382	815.04(4)(b)	2nd	Computer offense devised to defraud or obtain property.
383	817.034(4)(a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
384	817.233	3rd	Burning to defraud insurer.
385	817.234 (8)(b)-(c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
386	817.234(11)(a)	3rd	Insurance fraud; property value less than \$20,000.
387	817.236	3rd	Filing a false motor vehicle insurance application.
388	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle

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insurance card.

389

817.413 (2) 3rd Sale of used goods as new.

390

817.505 (4) 3rd Patient brokering.

391

828.12 (2) 3rd Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

392

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

393

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

394

838.021 (3) (b) 3rd Threatens unlawful harm to public servant.

395

843.19 3rd Injure, disable, or kill police dog or horse.

396

860.15 (3) 3rd Overcharging for repairs and

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parts.

397

870.01 (2) 3rd Riot; inciting or encouraging.

398

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) 5.,  
(2) (c) 6., (2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4) drugs).

399

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) 5.,  
(2) (c) 6., (2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4) drugs  
within 1,000 feet of  
university.

400

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) 5.,  
(2) (c) 6., (2) (c) 7., (2) (c) 8.,  
(2) (c) 9., (3), or (4) drugs  
within 1,000 feet of public  
housing facility.

401

893.13 (6) (a) 3rd Possession of any controlled

substance other than felony  
possession of cannabis.

402

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

403

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

404

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

405

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

406

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



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or related to the  
practitioner's practice.

407

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.

408

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

409

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.

410

918.13(1)(a)              3rd    Alter, destroy, or conceal  
investigation evidence.

411

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

412

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413	944.47 (1) (c)	2nd	Possess contraband while upon the grounds of a correctional institution.
414	985.721	3rd	Escapes from a juvenile facility (secure detention or residential commitment facility).
415	(d) LEVEL 4		
416	Florida Statute	Felony Degree	Description
417	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.
418	499.0051 (1)	3rd	Failure to maintain or deliver pedigree papers.
419	499.0051 (2)	3rd	Failure to authenticate pedigree papers.
420	499.0051 (6)	2nd	Knowing sale or delivery, or

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possession with intent to sell,  
contraband prescription drugs.

421 517.07(1) 3rd Failure to register securities.

422 517.12(1) 3rd Failure of dealer, associated  
person, or issuer of securities  
to register.

423 784.07(2)(b) 3rd Battery of law enforcement  
officer, firefighter, etc.

424 784.074(1)(c) 3rd Battery of sexually violent  
predators facility staff.

425 784.075 3rd Battery on detention or  
commitment facility staff.

426 784.078 3rd Battery of facility employee by  
throwing, tossing, or expelling  
certain fluids or materials.

427 784.08(2)(c) 3rd Battery on a person 65 years of  
age or older.

428 784.081(3) 3rd Battery on specified official  
or employee.

429

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430	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.
431	784.083 (3)	3rd	Battery on code inspector.
432	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
433	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
434	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
435	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
436	787.07	3rd	Human smuggling.
	790.115 (1)	3rd	Exhibiting firearm or weapon

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within 1,000 feet of a school.

437

790.115 (2) (b) 3rd Possessing electric weapon or device, destructive device, or other weapon on school property.

438

790.115 (2) (c) 3rd Possessing firearm on school property.

439

800.04 (7) (c) 3rd Lewd or lascivious exhibition; offender less than 18 years.

440

810.02 (4) (a) 3rd Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.

441

810.02 (4) (b) 3rd Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.

442

810.06 3rd Burglary; possession of tools.

443

810.08 (2) (c) 3rd Trespass on property, armed with firearm or dangerous weapon.

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444	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
445	812.014 (2) (c) 4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
446	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
447	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.
448	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
449	817.625 (2) (a)	3rd	Fraudulent use of scanning device or reencoder.
450	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
451			

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452	837.02 (1)	3rd	Perjury in official proceedings.
453	837.021 (1)	3rd	Make contradictory statements in official proceedings.
454	838.022	3rd	Official misconduct.
455	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
456	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Family Services.
457	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
458	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).

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459	847.0135(5)(c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
460	874.05(1)	3rd	Encouraging or recruiting another to join a criminal gang.
461	893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
462	914.14(2)	3rd	Witnesses accepting bribes.
463	914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
464	914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
465	918.12	3rd	Tampering with jurors.
466	934.215	3rd	Use of two-way communications device to facilitate commission of a crime.



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475

(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(1)(a)	3rd	Accidents involving personal injuries, failure to stop; leaving scene.
316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
322.34(6)	3rd	Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury.
327.30(5)	3rd	Vessel accidents involving personal injury; leaving scene.
379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.
379.3671(2)(c)3.	3rd	Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by

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another harvester.

476

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

477

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

478

440.105 (5) 2nd Unlawful solicitation for the purpose of making workers' compensation claims.

479

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

480

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

481

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

482

790.01 (2) 3rd Carrying a concealed firearm.

483

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484	790.162	2nd	Threat to throw or discharge destructive device.
485	790.163 (1)	2nd	False report of deadly explosive or weapon of mass destruction.
486	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
487	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
488	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years.
489	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years or older.
490	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
	812.0145 (2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.

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491	812.015 (8)	3rd	Retail theft; property stolen is valued at \$300 or more and one or more specified acts.
492	812.019 (1)	2nd	Stolen property; dealing in or trafficking in.
493	812.131 (2) (b)	3rd	Robbery by sudden snatching.
494	812.16 (2)	3rd	Owning, operating, or conducting a chop shop.
495	817.034 (4) (a) 2.	2nd	Communications fraud, value \$20,000 to \$50,000.
496	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
497	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.
498	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  
 individuals.

499

817.625 (2) (b)            2nd    Second or subsequent fraudulent  
 use of scanning device or  
 reencoder.

500

825.1025 (4)            3rd    Lewd or lascivious exhibition  
 in the presence of an elderly  
 person or disabled adult.

501

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

502

827.071 (5)            3rd    Possess, control, or  
 intentionally view any  
 photographic material, motion  
 picture, etc., which includes  
 sexual conduct by a child.

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503	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.
504	843.01	3rd	Resist officer with violence to person; resist arrest with violence.
505	847.0135 (5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.
506	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.
507	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by electronic device or equipment.
508	874.05 (2)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.
509	893.13 (1) (a) 1.	2nd	Sell, manufacture, or deliver

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cocaine (or other s.  
 893.03(1) (a), (1) (b), (1) (d),  
 (2) (a), (2) (b), or (2) (c) 4.  
 drugs).

510

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) 5.,  
 (2) (c) 6., (2) (c) 7., (2) (c) 8.,  
 (2) (c) 9., (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.

511

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) 4.  
 drugs) within 1,000 feet of  
 university.

512

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

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893.03(1)(c), (2)(c)1.,  
 (2)(c)2., (2)(c)3., (2)(c)5.,  
 (2)(c)6., (2)(c)7., (2)(c)8.,  
 (2)(c)9., (3), or (4) within  
 1,000 feet of property used for  
 religious services or a  
 specified business site.

513

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)4.  
 drugs) within 1,000 feet of  
 public housing facility.

514

893.13(4)(b)            2nd    Deliver to minor cannabis (or  
 other s. 893.03(1)(c),  
 (2)(c)1., (2)(c)2., (2)(c)3.,  
 (2)(c)5., (2)(c)6., (2)(c)7.,  
 (2)(c)8., (2)(c)9., (3), or (4)  
 drugs).

515

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

516

517            Section 4. This act shall take effect October 1, 2013.