

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 s. 893.13(1)-(6), F.S.,
 8 relating to prohibited acts involving controlled
 9 substances, to incorporate the amendments made to s.
 10 893.03, F.S., in references thereto; reenacting s.
 11 921.0022(3)(b)-(e), F.S., relating to the Criminal
 12 Punishment Code offense severity ranking chart, to
 13 incorporate the amendments made to s. 893.03, F.S., in
 14 references thereto; providing an effective date.

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

17
 18 Section 1. Paragraph (d) of subsection (3) of section
 19 893.03, Florida Statutes, is amended to read:

20 893.03 Standards and schedules.—The substances enumerated
 21 in this section are controlled by this chapter. The controlled
 22 substances listed or to be listed in Schedules I, II, III, IV,
 23 and V are included by whatever official, common, usual,
 24 chemical, or trade name designated. The provisions of this
 25 section shall not be construed to include within any of the
 26 schedules contained in this section any excluded drugs listed
 27 within the purview of 21 C.F.R. s. 1308.22, styled "Excluded
 28 Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical

29 Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted
 30 Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt
 31 Anabolic Steroid Products."

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

40 (d) Anabolic steroids.

41 1. The term "anabolic steroid" means any drug or hormonal
 42 substance, chemically and pharmacologically related to
 43 testosterone, other than estrogens, progestins, and
 44 corticosteroids, that promotes muscle growth and includes:

- 45 a. Androsterone.
- 46 b. Androsterone acetate.
- 47 c. Boldenone.
- 48 d. Boldenone acetate.
- 49 e. Boldenone benzoate.
- 50 f. Boldenone undecylenate.
- 51 g. Chlorotestosterone (4-chlortestosterone).
- 52 h. Chorionic Gonadotropin, Human (hCG).
- 53 ~~i.h.~~ Clostebol.
- 54 j. CJC-1295.
- 55 ~~k.i.~~ Dehydrochlormethyltestosterone.
- 56 l.j. Dihydrotestosterone (4-dihydrotestosterone).

- 57 | ~~m.k.~~ Drostanolone.
- 58 | ~~n.l.~~ Ethylestrenol.
- 59 | ~~o.m.~~ Fluoxymesterone.
- 60 | ~~p.n.~~ Formebolone (formebolone).
- 61 | q. Growth-hormone-releasing factor (GRF, GHRF).
- 62 | r. Growth-hormone-releasing hormone (GHRH).
- 63 | s. Growth Hormone Releasing Peptide-6 (GHRP-6).
- 64 | t. Human Growth Hormone (HGH).
- 65 | ~~u.o.~~ Mesterolone.
- 66 | ~~v.p.~~ Methandienone.
- 67 | ~~w.q.~~ Methandranone.
- 68 | ~~x.r.~~ Methandriol.
- 69 | ~~y.s.~~ Methandrostenolone.
- 70 | ~~z.t.~~ Methenolone.
- 71 | ~~aa.u.~~ Methyltestosterone.
- 72 | ~~bb.v.~~ Mibolerone.
- 73 | ~~cc.w.~~ Nandrolone.
- 74 | ~~dd.x.~~ Norethandrolone.
- 75 | ~~ee.y.~~ Nortestosterone.
- 76 | ~~ff.z.~~ Nortestosterone decanoate.
- 77 | ~~gg.aa.~~ Nortestosterone phenylpropionate.
- 78 | ~~hh.bb.~~ Nortestosterone propionate.
- 79 | ~~ii.aa.~~ Oxandrolone.
- 80 | ~~jj.dd.~~ Oxymesterone.
- 81 | ~~kk.aa.~~ Oxymetholone.
- 82 | ll. Sermorelin.
- 83 | mm. Somatropin.
- 84 | ~~nn.aa.~~ Stanolone.

85 ~~oo. gg.~~ Stanazolol.

86 pp. Tesamorelin.

87 ~~qq. hh.~~ Testolactone.

88 ~~rr. ii.~~ Testosterone.

89 ~~ss. jj.~~ Testosterone acetate.

90 ~~tt. kk.~~ Testosterone benzoate.

91 ~~uu. ll.~~ Testosterone cypionate.

92 ~~vv. mm.~~ Testosterone decanoate.

93 ~~ww. nn.~~ Testosterone enanthate.

94 ~~xx. oo.~~ Testosterone isocaproate.

95 ~~yy. pp.~~ Testosterone oleate.

96 ~~zz. qq.~~ Testosterone phenylpropionate.

97 ~~aaa. rr.~~ Testosterone propionate.

98 ~~bbb. ss.~~ Testosterone undecanoate.

99 ~~ccc. tt.~~ Trenbolone.

100 ~~ddd. uu.~~ Trenbolone acetate.

101 ~~eee. vv.~~ Any salt, ester, or isomer of a drug or substance

102 described or listed in this subparagraph if that salt, ester, or

103 isomer promotes muscle growth.

104 2. The term does not include an anabolic steroid that is

105 expressly intended for administration through implants to cattle

106 or other nonhuman species and that has been approved by the

107 United States Secretary of Health and Human Services for such

108 administration. However, any person who prescribes, dispenses,

109 or distributes such a steroid for human use is considered to

110 have prescribed, dispensed, or distributed an anabolic steroid

111 within the meaning of this paragraph.

112 Section 2. For the purpose of incorporating the amendment

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113 made by this act to section 893.03, Florida Statutes, in a
114 reference thereto, subsections (1) through (6) of section
115 893.13, Florida Statutes, are reenacted to read:

116 893.13 Prohibited acts; penalties.—

117 (1) (a) Except as authorized by this chapter and chapter
118 499, it is unlawful for any person to sell, manufacture, or
119 deliver, or possess with intent to sell, manufacture, or
120 deliver, a controlled substance. Any person who violates this
121 provision with respect to:

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

126 2. A controlled substance named or described in s.
127 893.03(1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 5., (2) (c) 6.,
128 (2) (c) 7., (2) (c) 8., (2) (c) 9., (3), or (4) commits a felony of
129 the third degree, punishable as provided in s. 775.082, s.
130 775.083, or s. 775.084.

131 3. A controlled substance named or described in s.
132 893.03(5) commits a misdemeanor of the first degree, punishable
133 as provided in s. 775.082 or s. 775.083.

134 (b) Except as provided in this chapter, it is unlawful to
135 sell or deliver in excess of 10 grams of any substance named or
136 described in s. 893.03(1) (a) or (1) (b), or any combination
137 thereof, or any mixture containing any such substance. Any
138 person who violates this paragraph commits a felony of the first
139 degree, punishable as provided in s. 775.082, s. 775.083, or s.
140 775.084.

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141 (c) Except as authorized by this chapter, it is unlawful
142 for any person to sell, manufacture, or deliver, or possess with
143 intent to sell, manufacture, or deliver, a controlled substance
144 in, on, or within 1,000 feet of the real property comprising a
145 child care facility as defined in s. 402.302 or a public or
146 private elementary, middle, or secondary school between the
147 hours of 6 a.m. and 12 midnight, or at any time in, on, or
148 within 1,000 feet of real property comprising a state, county,
149 or municipal park, a community center, or a publicly owned
150 recreational facility. For the purposes of this paragraph, the
151 term "community center" means a facility operated by a nonprofit
152 community-based organization for the provision of recreational,
153 social, or educational services to the public. Any person who
154 violates this paragraph with respect to:

155 1. A controlled substance named or described in s.
156 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
157 commits a felony of the first degree, punishable as provided in
158 s. 775.082, s. 775.083, or s. 775.084. The defendant must be
159 sentenced to a minimum term of imprisonment of 3 calendar years
160 unless the offense was committed within 1,000 feet of the real
161 property comprising a child care facility as defined in s.
162 402.302.

163 2. A controlled substance named or described in s.
164 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
165 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
166 the second degree, punishable as provided in s. 775.082, s.
167 775.083, or s. 775.084.

168 3. Any other controlled substance, except as lawfully

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169 sold, manufactured, or delivered, must be sentenced to pay a
170 \$500 fine and to serve 100 hours of public service in addition
171 to any other penalty prescribed by law.

172

173 This paragraph does not apply to a child care facility unless
174 the owner or operator of the facility posts a sign that is not
175 less than 2 square feet in size with a word legend identifying
176 the facility as a licensed child care facility and that is
177 posted on the property of the child care facility in a
178 conspicuous place where the sign is reasonably visible to the
179 public.

180 (d) Except as authorized by this chapter, it is unlawful
181 for any person to sell, manufacture, or deliver, or possess with
182 intent to sell, manufacture, or deliver, a controlled substance
183 in, on, or within 1,000 feet of the real property comprising a
184 public or private college, university, or other postsecondary
185 educational institution. Any person who violates this paragraph
186 with respect to:

187 1. A controlled substance named or described in s.
188 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
189 commits a felony of the first degree, punishable as provided in
190 s. 775.082, s. 775.083, or s. 775.084.

191 2. A controlled substance named or described in s.
192 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
193 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
194 the second degree, punishable as provided in s. 775.082, s.
195 775.083, or s. 775.084.

196 3. Any other controlled substance, except as lawfully

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197 sold, manufactured, or delivered, must be sentenced to pay a
198 \$500 fine and to serve 100 hours of public service in addition
199 to any other penalty prescribed by law.

200 (e) Except as authorized by this chapter, it is unlawful
201 for any person to sell, manufacture, or deliver, or possess with
202 intent to sell, manufacture, or deliver, a controlled substance
203 not authorized by law in, on, or within 1,000 feet of a physical
204 place for worship at which a church or religious organization
205 regularly conducts religious services or within 1,000 feet of a
206 convenience business as defined in s. 812.171. Any person who
207 violates this paragraph with respect to:

208 1. A controlled substance named or described in s.
209 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
210 commits a felony of the first degree, punishable as provided in
211 s. 775.082, s. 775.083, or s. 775.084.

212 2. A controlled substance named or described in s.
213 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
214 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
215 the second degree, punishable as provided in s. 775.082, s.
216 775.083, or s. 775.084.

217 3. Any other controlled substance, except as lawfully
218 sold, manufactured, or delivered, must be sentenced to pay a
219 \$500 fine and to serve 100 hours of public service in addition
220 to any other penalty prescribed by law.

221 (f) Except as authorized by this chapter, it is unlawful
222 for any person to sell, manufacture, or deliver, or possess with
223 intent to sell, manufacture, or deliver, a controlled substance
224 in, on, or within 1,000 feet of the real property comprising a

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225 public housing facility at any time. For purposes of this
226 section, the term "real property comprising a public housing
227 facility" means real property, as defined in s. 421.03(12), of a
228 public corporation created as a housing authority pursuant to
229 part I of chapter 421. Any person who violates this paragraph
230 with respect to:

231 1. A controlled substance named or described in s.
232 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
233 commits a felony of the first degree, punishable as provided in
234 s. 775.082, s. 775.083, or s. 775.084.

235 2. A controlled substance named or described in s.
236 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
237 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
238 the second degree, punishable as provided in s. 775.082, s.
239 775.083, or s. 775.084.

240 3. Any other controlled substance, except as lawfully
241 sold, manufactured, or delivered, must be sentenced to pay a
242 \$500 fine and to serve 100 hours of public service in addition
243 to any other penalty prescribed by law.

244 (g) Except as authorized by this chapter, it is unlawful
245 for any person to manufacture methamphetamine or phencyclidine,
246 or possess any listed chemical as defined in s. 893.033 in
247 violation of s. 893.149 and with intent to manufacture
248 methamphetamine or phencyclidine. If any person violates this
249 paragraph and:

250 1. The commission or attempted commission of the crime
251 occurs in a structure or conveyance where any child under 16
252 years of age is present, the person commits a felony of the

253 first degree, punishable as provided in s. 775.082, s. 775.083,
 254 or s. 775.084. In addition, the defendant must be sentenced to a
 255 minimum term of imprisonment of 5 calendar years.

256 2. The commission of the crime causes any child under 16
 257 years of age to suffer great bodily harm, the person commits a
 258 felony of the first degree, punishable as provided in s.
 259 775.082, s. 775.083, or s. 775.084. In addition, the defendant
 260 must be sentenced to a minimum term of imprisonment of 10
 261 calendar years.

262 (h) Except as authorized by this chapter, it is unlawful
 263 for any person to sell, manufacture, or deliver, or possess with
 264 intent to sell, manufacture, or deliver, a controlled substance
 265 in, on, or within 1,000 feet of the real property comprising an
 266 assisted living facility, as that term is used in chapter 429.
 267 Any person who violates this paragraph with respect to:

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

272 2. A controlled substance named or described in s.
 273 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 274 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 275 the second degree, punishable as provided in s. 775.082, s.
 276 775.083, or s. 775.084.

277 (2)(a) Except as authorized by this chapter and chapter
 278 499, it is unlawful for any person to purchase, or possess with
 279 intent to purchase, a controlled substance. Any person who
 280 violates this provision with respect to:

281 1. A controlled substance named or described in s.
 282 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 283 commits a felony of the second degree, punishable as provided in
 284 s. 775.082, s. 775.083, or s. 775.084.

285 2. A controlled substance named or described in s.
 286 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 287 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 288 the third degree, punishable as provided in s. 775.082, s.
 289 775.083, or s. 775.084.

290 3. A controlled substance named or described in s.
 291 893.03(5) commits a misdemeanor of the first degree, punishable
 292 as provided in s. 775.082 or s. 775.083.

293 (b) Except as provided in this chapter, it is unlawful to
 294 purchase in excess of 10 grams of any substance named or
 295 described in s. 893.03(1)(a) or (1)(b), or any combination
 296 thereof, or any mixture containing any such substance. Any
 297 person who violates this paragraph commits a felony of the first
 298 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 299 775.084.

300 (3) Any person who delivers, without consideration, not
 301 more than 20 grams of cannabis, as defined in this chapter,
 302 commits a misdemeanor of the first degree, punishable as
 303 provided in s. 775.082 or s. 775.083. For the purposes of this
 304 paragraph, "cannabis" does not include the resin extracted from
 305 the plants of the genus Cannabis or any compound manufacture,
 306 salt, derivative, mixture, or preparation of such resin.

307 (4) Except as authorized by this chapter, it is unlawful
 308 for any person 18 years of age or older to deliver any

309 controlled substance to a person under the age of 18 years, or
 310 to use or hire a person under the age of 18 years as an agent or
 311 employee in the sale or delivery of such a substance, or to use
 312 such person to assist in avoiding detection or apprehension for
 313 a violation of this chapter. Any person who violates this
 314 provision with respect to:

315 (a) A controlled substance named or described in s.
 316 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 317 commits a felony of the first degree, punishable as provided in
 318 s. 775.082, s. 775.083, or s. 775.084.

319 (b) A controlled substance named or described in s.
 320 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
 321 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
 322 the second degree, punishable as provided in s. 775.082, s.
 323 775.083, or s. 775.084.

324
 325 Imposition of sentence may not be suspended or deferred, nor
 326 shall the person so convicted be placed on probation.

327 (5) It is unlawful for any person to bring into this state
 328 any controlled substance unless the possession of such
 329 controlled substance is authorized by this chapter or unless
 330 such person is licensed to do so by the appropriate federal
 331 agency. Any person who violates this provision with respect to:

332 (a) A controlled substance named or described in s.
 333 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)4.,
 334 commits a felony of the second degree, punishable as provided in
 335 s. 775.082, s. 775.083, or s. 775.084.

336 (b) A controlled substance named or described in s.

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337 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6.,
338 (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) commits a felony of
339 the third degree, punishable as provided in s. 775.082, s.
340 775.083, or s. 775.084.

341 (c) A controlled substance named or described in s.
342 893.03(5) commits a misdemeanor of the first degree, punishable
343 as provided in s. 775.082 or s. 775.083.

344 (6)(a) It is unlawful for any person to be in actual or
345 constructive possession of a controlled substance unless such
346 controlled substance was lawfully obtained from a practitioner
347 or pursuant to a valid prescription or order of a practitioner
348 while acting in the course of his or her professional practice
349 or to be in actual or constructive possession of a controlled
350 substance except as otherwise authorized by this chapter. Any
351 person who violates this provision commits a felony of the third
352 degree, punishable as provided in s. 775.082, s. 775.083, or s.
353 775.084.

354 (b) If the offense is the possession of not more than 20
355 grams of cannabis, as defined in this chapter, or 3 grams or
356 less of a controlled substance described in s. 893.03(1)(c)46.-
357 50. and 114.-142., the person commits a misdemeanor of the first
358 degree, punishable as provided in s. 775.082 or s. 775.083. For
359 the purposes of this subsection, "cannabis" does not include the
360 resin extracted from the plants of the genus Cannabis, or any
361 compound manufacture, salt, derivative, mixture, or preparation
362 of such resin, and a controlled substance described in s.
363 893.03(1)(c)46.-50. and 114.-142. does not include the substance
364 in a powdered form.

365 (c) Except as provided in this chapter, it is unlawful to
 366 possess in excess of 10 grams of any substance named or
 367 described in s. 893.03(1)(a) or (1)(b), or any combination
 368 thereof, or any mixture containing any such substance. Any
 369 person who violates this paragraph commits a felony of the first
 370 degree, punishable as provided in s. 775.082, s. 775.083, or s.
 371 775.084.

372 (d) Notwithstanding any provision to the contrary of the
 373 laws of this state relating to arrest, a law enforcement officer
 374 may arrest without warrant any person who the officer has
 375 probable cause to believe is violating the provisions of this
 376 chapter relating to possession of cannabis.

377 Section 3. For the purpose of incorporating the amendment
 378 made by this act to section 893.03, Florida Statutes, in a
 379 reference thereto, paragraphs (b) through (e) of subsection (3)
 380 of section 921.0022, Florida Statutes, are reenacted to read:

381 921.0022 Criminal Punishment Code; offense severity
 382 ranking chart.—

383 (3) OFFENSE SEVERITY RANKING CHART

384 (b) LEVEL 2

385

| Florida Statute | Felony Degree | Description |
|----------------------|------------------|---|
| 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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|-----|------------------------|-----|--|
| 387 | 379.2431 (1) (e) 4. | 3rd | Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act. |
| 388 | 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 hazardous waste. |
| 389 | 517.07 (2) | 3rd | Failure to furnish a prospectus meeting requirements. |
| 390 | 590.28 (1) | 3rd | Intentional burning of lands. |
| 391 | 784.05 (3) | 3rd | Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death. |
| 392 | 787.04 (1) | 3rd | In violation of court order, take, entice, etc., minor beyond state limits. |
| 393 | 806.13 (1) (b) 3. | 3rd | Criminal mischief; damage \$1,000 or more to public |

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communication or any other
public service.

394

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

395

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

396

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

397

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

398

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

399

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

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| | | | |
|-----|-----------------|-----|--|
| 401 | 817.481 (3) (a) | 3rd | Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300. |
| 402 | 817.52 (3) | 3rd | Failure to redeliver hired vehicle. |
| 403 | 817.54 | 3rd | With intent to defraud, obtain mortgage note, etc., by false representation. |
| 404 | 817.60 (5) | 3rd | Dealing in credit cards of another. |
| 405 | 817.60 (6) (a) | 3rd | Forgery; purchase goods, services with false card. |
| 406 | 817.61 | 3rd | Fraudulent use of credit cards over \$100 or more within 6 months. |
| 407 | 826.04 | 3rd | Knowingly marries or has sexual intercourse with person to whom related. |
| 408 | 831.01 | 3rd | Forgery. |

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| | | | |
|-----|-------------------|-----|--|
| 409 | 831.02 | 3rd | Uttering forged instrument; utters or publishes alteration with intent to defraud. |
| 410 | 831.07 | 3rd | Forging bank bills, checks, drafts, or promissory notes. |
| 411 | 831.08 | 3rd | Possessing 10 or more forged notes, bills, checks, or drafts. |
| 412 | 831.09 | 3rd | Uttering forged notes, bills, checks, drafts, or promissory notes. |
| 413 | 831.11 | 3rd | Bringing into the state forged bank bills, checks, drafts, or notes. |
| 414 | 832.05 (3) (a) | 3rd | Cashing or depositing item with intent to defraud. |
| 415 | 843.08 | 3rd | Falsely impersonating an officer. |
| | 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., |

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(2) (c) 6., (2) (c) 7., (2) (c) 8.,
 (2) (c) 9., (3), or (4) drugs
 other than cannabis.

416

893.147(2) 3rd Manufacture or delivery of drug
 paraphernalia.

417

418 (c) LEVEL 3

419

| | | |
|---------|--------|-------------|
| Florida | Felony | |
| Statute | Degree | Description |

420

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

421

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

422

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

423

| | | |
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| 316.1935(2) | 3rd | Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated. |
|-------------|-----|--|

424

| | | |
|-----------|-----|--|
| 319.30(4) | 3rd | Possession by junkyard of motor vehicle with identification |
|-----------|-----|--|

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number plate removed.

425

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

426

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

427

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

428

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

429

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

430

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

431

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

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432 | 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.

433 | 379.2431 3rd Soliciting to commit or
 | (1) (e) 6. conspiring to commit a
 | violation of the Marine Turtle
 | Protection Act.

434 | 400.9935 (4) 3rd Operating a clinic without a
 | license or filing false license
 | application or other required
 | information.

435 | 440.1051 (3) 3rd False report of workers'
 | compensation fraud or
 | retaliation for making such a
 | report.

436 | 501.001 (2) (b) 2nd Tampers with a consumer product
 | or the container using

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materially false/misleading
information.

437

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

438

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

439

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

440

697.08 3rd Equity skimming.

441

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

442

796.05 (1) 3rd Live on earnings of a
prostitute.

443

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

444

806.10 (2) 3rd Interferes with or assaults

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firefighter in performance of
duty.

445

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

446

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

447

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

448

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

449

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

450

817.233 3rd Burning to defraud insurer.

451

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

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| | | | |
|-----|-----------------|-----|--|
| 452 | 817.234(11) (a) | 3rd | Insurance fraud; property value less than \$20,000. |
| 453 | 817.236 | 3rd | Filing a false motor vehicle insurance application. |
| 454 | 817.2361 | 3rd | Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card. |
| 455 | 817.413(2) | 3rd | Sale of used goods as new. |
| 456 | 817.505(4) | 3rd | Patient brokering. |
| 457 | 828.12(2) | 3rd | Tortures any animal with intent to inflict intense pain, serious physical injury, or death. |
| 458 | 831.28(2) (a) | 3rd | Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument. |
| 459 | 831.29 | 2nd | Possession of instruments for counterfeiting drivers' |

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licenses or identification
cards.

460

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

461

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

462

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

463

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

464

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).

465

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.

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| | | | |
|-----|-----------------|-----|--|
| 466 | 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. |
| 467 | 893.13(6)(a) | 3rd | Possession of any controlled substance other than felony possession of cannabis. |
| 468 | 893.13(7)(a)8. | 3rd | Withhold information from practitioner regarding previous receipt of or prescription for a controlled substance. |
| 469 | 893.13(7)(a)9. | 3rd | Obtain or attempt to obtain controlled substance by fraud, forgery, misrepresentation, etc. |
| 470 | 893.13(7)(a)10. | 3rd | Affix false or forged label to package of controlled substance. |
| 471 | 893.13(7)(a)11. | 3rd | Furnish false or fraudulent |

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

472

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.

473

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.

474

893.13(8)(a)3. 3rd

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

475

893.13(8)(a)4. 3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of

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writing the prescription is a monetary benefit for the practitioner.

476

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

477

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

478

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

479

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

480

(d) LEVEL 4

481

482

| | | |
|---------|--------|-------------|
| Florida | Felony | |
| Statute | Degree | Description |

483

| | | |
|-----------------|-----|--|
| 316.1935(3) (a) | 2nd | Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer |
|-----------------|-----|--|

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who is in a patrol vehicle with
siren and lights activated.

484

499.0051 (1) 3rd Failure to maintain or deliver
pedigree papers.

485

499.0051 (2) 3rd Failure to authenticate
pedigree papers.

486

499.0051 (6) 2nd Knowing sale or delivery, or
possession with intent to sell,
contraband prescription drugs.

487

517.07 (1) 3rd Failure to register securities.

488

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

489

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

490

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

491

784.075 3rd Battery on detention or
commitment facility staff.

492

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|-----|--------------|-----|---|
| 493 | 784.078 | 3rd | Battery of facility employee by throwing, tossing, or expelling certain fluids or materials. |
| 494 | 784.08(2)(c) | 3rd | Battery on a person 65 years of age or older. |
| 495 | 784.081(3) | 3rd | Battery on specified official or employee. |
| 496 | 784.082(3) | 3rd | Battery by detained person on visitor or other detainee. |
| 497 | 784.083(3) | 3rd | Battery on code inspector. |
| 498 | 784.085 | 3rd | Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials. |
| 499 | 787.03(1) | 3rd | Interference with custody; wrongly takes minor from appointed guardian. |
| | 787.04(2) | 3rd | Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings. |

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|-----------------|-----|--|
| 787.04 (3) | 3rd | Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person. |
| 787.07 | 3rd | Human smuggling. |
| 790.115 (1) | 3rd | Exhibiting firearm or weapon within 1,000 feet of a school. |
| 790.115 (2) (b) | 3rd | Possessing electric weapon or device, destructive device, or other weapon on school property. |
| 790.115 (2) (c) | 3rd | Possessing firearm on school property. |
| 800.04 (7) (c) | 3rd | Lewd or lascivious exhibition; offender less than 18 years. |
| 810.02 (4) (a) | 3rd | Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery. |

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|-----|---------------------------|-----|---|
| 508 | 810.02 (4) (b) | 3rd | Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery. |
| 509 | 810.06 | 3rd | Burglary; possession of tools. |
| 510 | 810.08 (2) (c) | 3rd | Trespass on property, armed with firearm or dangerous weapon. |
| 511 | 812.014 (2) (c) 3. | 3rd | Grand theft, 3rd degree \$10,000 or more but less than \$20,000. |
| 512 | 812.014 (2) (c) 4.-10. | 3rd | Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc. |
| 513 | 812.0195 (2) | 3rd | Dealing in stolen property by use of the Internet; property stolen \$300 or more. |
| 514 | 817.563 (1) | 3rd | Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs. |
| | 817.568 (2) (a) | 3rd | Fraudulent use of personal |

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identification information.

515

817.625 (2) (a) 3rd Fraudulent use of scanning device or reencoder.

516

828.125 (1) 2nd Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.

517

837.02 (1) 3rd Perjury in official proceedings.

518

837.021 (1) 3rd Make contradictory statements in official proceedings.

519

838.022 3rd Official misconduct.

520

839.13 (2) (a) 3rd Falsifying records of an individual in the care and custody of a state agency.

521

839.13 (2) (c) 3rd Falsifying records of the Department of Children and Family Services.

522

843.021 3rd Possession of a concealed handcuff key by a person in

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custody.

523

843.025 3rd Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.

524

843.15(1)(a) 3rd Failure to appear while on bail for felony (bond estreature or bond jumping).

525

847.0135(5)(c) 3rd Lewd or lascivious exhibition using computer; offender less than 18 years.

526

874.05(1) 3rd Encouraging or recruiting another to join a criminal gang.

527

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).

528

914.14(2) 3rd Witnesses accepting bribes.

529

914.22(1) 3rd Force, threaten, etc., witness, victim, or informant.

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| | | | |
|-----|-----------------|---------------|--|
| 530 | 914.23(2) | 3rd | Retaliation against a witness, victim, or informant, no bodily injury. |
| 531 | 918.12 | 3rd | Tampering with jurors. |
| 532 | 934.215 | 3rd | Use of two-way communications device to facilitate commission of a crime. |
| 533 | | | |
| 534 | (e) | LEVEL 5 | |
| 535 | | | |
| | Florida Statute | Felony Degree | Description |
| 536 | 316.027(1)(a) | 3rd | Accidents involving personal injuries, failure to stop; leaving scene. |
| 537 | 316.1935(4)(a) | 2nd | Aggravated fleeing or eluding. |
| 538 | 322.34(6) | 3rd | Careless operation of motor vehicle with suspended license, resulting in death or serious bodily injury. |
| 539 | 327.30(5) | 3rd | Vessel accidents involving |

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personal injury; leaving scene.

540

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

541

379.3671 (2) (c) 3. 3rd Willful molestation, possession, or removal of a commercial harvester's trap contents or trap gear by another harvester.

542

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

543

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

544

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

545

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

546

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| | | | |
|-----|--------------------|-----|---|
| 547 | 624.401 (4) (b) 2. | 2nd | Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000. |
| 548 | 626.902 (1) (c) | 2nd | Representing an unauthorized insurer; repeat offender. |
| 549 | 790.01 (2) | 3rd | Carrying a concealed firearm. |
| 550 | 790.162 | 2nd | Threat to throw or discharge destructive device. |
| 551 | 790.163 (1) | 2nd | False report of deadly explosive or weapon of mass destruction. |
| 552 | 790.221 (1) | 2nd | Possession of short-barreled shotgun or machine gun. |
| 553 | 790.23 | 2nd | Felons in possession of firearms, ammunition, or electronic weapons or devices. |
| 554 | 800.04 (6) (c) | 3rd | Lewd or lascivious conduct; offender less than 18 years. |
| | 800.04 (7) (b) | 2nd | Lewd or lascivious exhibition; |

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offender 18 years or older.

555

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

556

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

557

812.015 (8) 3rd Retail theft; property stolen is valued at \$300 or more and one or more specified acts.

558

812.019 (1) 2nd Stolen property; dealing in or trafficking in.

559

812.131 (2) (b) 3rd Robbery by sudden snatching.

560

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

561

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

562

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

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\$100,000.

563

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.

564

817.568 (2) (b)

2nd

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

565

817.625 (2) (b)

2nd

Second or subsequent fraudulent use of scanning device or reencoder.

566

825.1025 (4)

3rd

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

567

827.071 (4)

2nd

Possess with intent to promote

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any photographic material,
 motion picture, etc., which
 includes sexual conduct by a
 child.

568

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

569

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.

570

843.01 3rd Resist officer with violence to
 person; resist arrest with
 violence.

571

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

572

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

573

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574 847.0138 3rd Transmission of material
(2) & (3) harmful to minors to a minor by
electronic device or equipment.

575 874.05(2) 2nd Encouraging or recruiting
another to join a criminal
gang; second or subsequent
offense.

576 893.13(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)4.
drugs).

577 893.13(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.

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| | | | |
|-----|----------------|-----|--|
| 578 | 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. |
| 579 | 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)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. |
| 580 | 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. |
| | 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., |

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

581

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

582

583

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