



Prescription Drugs and Minimum Mandatory Sentences



Pain Pills (What You MUST Know)

Under Florida law, you can be charged with trafficking in a controlled substance by simply possessing pain pills in a “trafficking amount” which were not prescribed to you, or which were prescribed to you, if you attempt to sell, deliver, or give to another person — anything over 4 grams. Pain pills are hydrocodone, oxycodone and morphine (a/k/a Vicodin, Lorcet, Percocet, Lortabs, Darvocet).

If you are convicted of trafficking pain pills, it is a First Degree Felony that carries mandatory minimum sentences and huge fines, depending on the traffic amount. The mandatory minimums are:

- 4 grams or more, but less than 14 grams - **3 years in prison and a \$50,000 fine.**
- 14 grams or more, but less than 28 grams - **15 years in prison and a \$100,000 fine.**
- 28 grams or more, but less than 30 kilograms - **25 years in prison and a \$500,000 fine.**
- 30 kilograms or more - **Life in prison**

The penalties are the same as for heroin, and more severe than those for cocaine. For example, possession of between 28 and 200 grams of cocaine carries a mandatory minimum of 3 years in prison and a \$25,000 fine—much less than the 25 year sentence and \$500,000 fine for prescription pain pills.

The weight is counted as the entire pill’s weight, not just the active ingredients, so it would only take 7 Lorcet pills to receive a conviction with a mandatory 3 year sentence.

The judge is allowed to deviate from the minimums only if the person convicted is under 21 at the time of sentencing. Also, the State Attorney may ask for a reduced or suspended sentence if s/he believes that the person provided “substantial assistance” in the identification and subsequent arrest of accomplices, co-conspirators or others engaged in trafficking.



Possession of less than 4 grams of pain pills that you do not have a valid prescription for is a Third Degree Felony punishable by up to 5 years in prison and up to a \$5,000 fine.

Questions? Make an appointment with UCF’s Student Legal Services!
407-823-2538 or stulegal@ucf.edu

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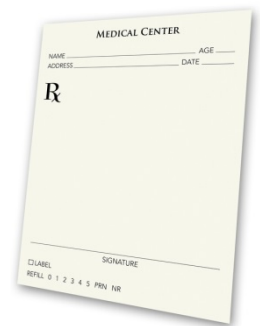
Other Prescription Drugs

Under Florida law, it is a Third Degree Felony to possess other “controlled substances” without a valid prescription. Likewise, it is also a felony to sell, deliver or possess with intent to sell or deliver, regardless of whether or not you have a valid prescription. If the sale or delivery occurs within 1,000 feet of a college or university, it becomes a Second Degree Felony, punishable by up to 15 years in prison and a fine up to \$10,000.

Common drugs that fall within this category are those used to treat ADD/ADHD (i.e. Ritalin, Adderall and Vyvanse), anxiety and depression, as well as sleep aids (i.e. Xanax, Valium, Lorazepam, Ambien).

Doctor Shopping Statute

Florida’s “Doctor Shopping Statute” makes it a Third Degree Felony if you fail to disclose to a doctor from whom you are seeking to get a controlled substance or a prescription for a controlled substance that you have gotten a controlled substance or prescription for a controlled substance that has a similar therapeutic use within the previous 30 days. For example, you cannot go to one doctor and get a prescription for an ADHD medication, and then 15 days later go to another doctor for the same or similar medication and fail to tell the second doctor of the first prescription.



Florida has an electronic prescription drug database that can be accessed by doctors, pharmacists and law enforcement during “active investigations.” With few exceptions, doctors and pharmacists must report dispensing controlled substances within 7 days.

Financial Aid

Convictions of this sort would have a negative impact on a student’s ability to receive Federal Financial Aid. Consult Student Legal Services’ Drug Convictions and Financial Aid brochure for more information.

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