

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 113 — Fleeing or Attempting to Elude a Law Enforcement Officer

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Chamberlin and others
(CS/SB 468 by Criminal Justice Committee and Senator Collins)

The bill amends s. 316.1935, F.S., to remove the requirement that a law enforcement vehicle prominently display agency insignia for the crime of fleeing or attempting to elude a law enforcement officer.

The bill amends s. 921.0022, F.S., to increase the ranking for specified fleeing or attempting to elude offenses in the offense severity ranking chart (OSRC) of the Criminal Punishment Code.

The second degree felony offense of driving at a high speed with wanton disregard for safety while fleeing or attempting to elude a law enforcement officer who is in a patrol vehicle with siren and lights activated is increased from a level 4 to a level 5 in the OSRC.

The second degree felony of aggravated fleeing or eluding is increased from a level 5 to a level 6 in the OSRC.

The bill amends s 921.0024, F.S., to create a sentencing multiplier certain fleeing or attempting to elude offenses. If the primary offense is fleeing or attempting to elude a law enforcement officer or aggravated fleeing or eluding in violation of s. 316.1935, F.S., and in the offender's prior record there is one or more violations of s. 316.1935, F.S., the subtotal sentence points are multiplied by 1.5.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 36-0; House 101-9

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

SB 130 — Compensation of Victims of Wrongful Incarceration

by Senator Bradley

The bill amends s. 961.03, F.S., to:

- Prospectively extend the filing deadline for a petition under the Victims of Wrongful Incarceration Compensation Act (Act) from 90 days to within two years after an order vacating a conviction and sentence becomes final and the criminal charges against a person are dismissed or the person is retried and acquitted, if the person’s conviction and sentence is vacated on or after July 1, 2025.
- Retroactively authorize a person to file a petition for determination of status as a wrongfully incarcerated person and determination of eligibility for compensation by July 1, 2027, under specified circumstances.
- Provide that a deceased person’s heirs, successors, or assigns do not have standing to file a petition on the deceased person’s behalf.

Section 961.04, F.S., is amended to remove the bar to compensation for a petitioner who has been convicted of a violent felony or multiple nonviolent felonies before or during his or her wrongful conviction and incarceration. A person continues to be ineligible for compensation for any period of wrongful incarceration during which the person was serving a concurrent sentence for which he or she was not wrongfully incarcerated.

Section 961.06, F.S., is amended to prohibit the Chief Financial Officer from drawing a warrant to purchase an annuity to pay a claimant for his or her wrongful incarceration if the claimant is currently incarcerated under specified circumstances. The bill also provides for reimbursement arrangements for the state under circumstances relating to the claimant and any successful civil litigation in which he or she may prevail.

Section 961.07, F.S., is amended to provide that claims filed under the new lookback period created by the bill are subject to specific appropriation. The bill amends the Act by amending s. 961.02, F.S., to remove the definition of “violent felony” since every use of the term is deleted by the bill.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 38-0; House 116-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 150 — Abandoning Restrained Dogs During Natural Disasters

by Criminal Justice Committee and Senators Gaetz, Arrington, Garcia, Avila, Davis, and Ingoglia

The bill, which names the act “Trooper’s Law,” creates a new crime when any person restrains a dog outside during a natural disaster and thereafter abandons the dog. This offense is a third degree felony, punishable by five years in prison, or a fine of not more than \$10,000 dollars or both.

“Natural disaster” is defined as a situation in which a hurricane, tropical storm, or tornado warning has been issued for a municipality or a county by the National Weather Service, or in which a municipality or county is under a mandatory or voluntary evacuation order.

“Restraint” is defined as a chain, rope, tether, leash, cable, or other device that attaches an animal to a stationary object or trolley system.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2025.

Vote: Senate 39-0; House 109-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/SB 168 — Mental Health

by Appropriations Committee; Criminal Justice Committee; and Senators Bradley, Garcia, Albritton, Arrington, Avila, Berman, Bernard, Boyd, Brodeur, Burgess, Burton, Calatayud, Collins, Davis, DiCeglie, Gaetz, Grall, Gruters, Harrell, Hooper, Ingoglia, Jones, Leek, Martin, McClain, Osgood, Passidomo, Pizzo, Polsky, Rodriguez, Rouson, Sharief, Simon, Smith, Truenow, Trumbull, Wright, and Yarborough

The bill, entitled the “Tristin Murphy Act,” aims to add alternative pathways to prosecuting defendants with mental illnesses.

The bill amends s. 916.105, F.S., to provide legislative intent that a defendant who is charged with certain felonies, any misdemeanor, or any ordinance violation and who has a mental illness, intellectual disability, or autism be evaluated and provided services in a community setting, when this is a feasible alternative to incarceration. Additionally, it is the intent of the legislature to provide law enforcement officers with crisis intervention team training.

Misdemeanor and Felony Diversion

The bill creates ss. 916.135, and 916.136, F.S., to provide model processes for misdemeanor and pretrial felony mental health diversion programs. The bill provides the process for screening a defendant to determine if there is an indication of a mental illness and diverting certain defendants to treatment. Defendants must consent to treatment and participation in the diversion program. A defendant may be released on his or her own recognizance on the condition that all treatment recommendations must be followed, and upon successful completion of all recommendations, the state attorney must consider the dismissal of the defendant’s charges and may refer the case to another mental health court if the dismissal of charges is deemed inappropriate.

The bill expands programs and diversion initiatives supported by the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program to include veterans’ treatment court programs, specialized training for 911 public safety telecommunicators and emergency medical technicians, and specialized responses by crisis intervention teams. The bill provides an exception from providing matching local funds for fiscally constrained counties. A community desiring to establish a misdemeanor or felony mental health diversion program is encouraged to apply for such grants. A community that receives grant funds to create a misdemeanor mental health diversion program must follow the model program created in the bill, but the model program may be modified to meet the community’s specific needs.

Additional Mental Health Provisions

The bill amends s. 916.185, F.S., to authorize the Department of Children and Families to implement a Forensic Hospital Diversion Pilot Program modeled after the Miami-Dade Forensic

Alternative Center in Hillsborough County, in conjunction with the Thirteenth Judicial Circuit in Hillsborough County.

The bill requires the Department of Corrections (DOC) to evaluate and document, at a minimum, the physical and mental health of each inmate eligible for a work assignment or correctional work program. The bill allows the DOC to use discretion in determining the appropriate work assignment for each inmate.

The bill requires a defendant who was adjudicated incompetent to proceed due to a mental illness and later regained competency, and who is sentenced to probation, to have a mental health evaluation and follow recommendations as a condition of such probation.

The Florida Behavioral Health Care Data Repository

The bill creates the Florida Behavioral Health Care Data Repository (data repository) within the Northwest Regional Data Center (NWRDC). The data repository will collect and analyze existing statewide data related to behavioral health care in the state, and develop useful analytics, metrics and visual representations of such analytics and metrics. This data analysis results are intended to:

- Better understand the scope and trends in behavioral health services, spending, and outcomes to improve patient care and enhance the efficiency and effectiveness of behavioral health services.
- Better understand the scope of, trends in, and relationship between behavioral health, criminal justice, incarceration, and the use of behavioral health services as a diversion from incarceration for individuals with mental illness.
- Enhance the collection and coordination of treatment and outcome information as an ongoing evidence base for research and education related to behavioral health.

The bill requires the NWRDC to collaborate with the Data Analysis Committee of the Commission on Mental Health and Substance Use Disorder, and relevant stakeholders to develop and submit an implementation plan and proposed budget for the data repository to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2025. Additionally, the NWRDC must submit an annual report on the trends and issues the repository has identified to the same principles beginning July 1, 2026.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 99-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 181 — Parole

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Hart, Barnaby, and others (CS/SB 964 by Appropriations Committee on Criminal and Civil Justice and Senator Bernard)

The bill requires the Florida Commission on Offender Review (Commission) to provide a statistical analysis of actions taken by the Commission when conducting an annual review of its objective parole guidelines to the President of the Senate and the Speaker of the House of Representatives.

The Florida Department of Corrections must provide the Commission with information regarding an inmate's use of vocational training, substance abuse treatment, and educational and other self-betterment programs while the inmate was incarcerated. Further the bill requires the Commission to review such information when determining whether to modify an inmate's presumptive parole release date.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 112-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 255 — Aggravated Animal Cruelty

by Criminal Justice Subcommittee and Reps. Chaney and Weinberger (CS/SB 494 Criminal Justice Committee and Senators Leek, Arrington, and Rodriguez)

Beginning January 1, 2026, the bill requires the Florida Department of Law Enforcement (FDLE) post on its website the names of those persons who have been convicted of, or who have entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of s. 828.12, F.S., relating to animal cruelty. The information posted on the FDLE’s website must be in a searchable format.

The bill amends the Florida Criminal Code Worksheet, to create a sentencing point multiplier for the crime of aggravated animal cruelty. If the primary offense the defendant is convicted of is aggravated animal cruelty, which includes the knowing and intentional torture or torment of an animal that injured, mutilated, or killed the animal, the defendant’s subtotal sentence points are multiplied by 1.25.

The bill may be cited as “Dexter’s Law.”

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 112-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 279 — False Reporting

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Partington and others (SB 726 by Senators Ingolia and Wright)

The bill amends s. 365.172, F.S., to provide it is a first degree misdemeanor for a person to cause another party to access the 911 system for the purpose of making a false alarm, false complaint or reporting false information.

The bill creates a:

- Third degree felony for misuse of the 911 system if a person suffers great bodily harm, permanent disfigurement, or permanent disability as a proximate result of the misuse; and
- Second degree felony for misuse of the 911 system if a person dies as a proximate result of lawful conduct arising out of the emergency response.

The bill reduces the number of prior convictions needed to subject a person to an enhanced penalty of a third degree felony for misuse of the 911 system from four convictions to two convictions.

The bill deletes an enhanced penalty for misusing the 911 system and receiving services of more than \$100 dollars.

A court must order a person convicted of misusing the 911 system or making a false report to law enforcement to pay:

- The costs of prosecution and investigation; and
- Restitution to any victim who suffers damage or injury as a proximate result of lawful conduct arising out of an emergency or law enforcement response.

A defendant must also pay full restitution to a responding public safety agency for any cost incurred by responding to the incident.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 38-0; House 115-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/CS/HB 289 — Boating Safety

by Judiciary Committee; State Affairs Committee; Criminal Justice Subcommittee; and Reps. Oliver, Lopez, V., and others (CS/CS/SB 628 by Transportation Committee; Criminal Justice Committee; and Senator Martin)

This act may be cited as “Lucy’s Law,” and makes revisions to relating to boating, and revises and increases penalties for boating crimes, to more closely mirror similar crimes committed in vehicles.

Crimes Related to Boating

The bill amends s. 327.30, F.S., to create a penalty scheme for leaving the scene of a vessel accident. A person who unlawfully leaves the scene of a vessel accident that results in:

- Property damage only, commits a second degree misdemeanor.
- Injury to a person other than serious bodily injury, commits a third degree felony.
- Serious bodily injury, commits a second degree felony.
- The death of another person or an unborn child, commits a first degree felony and must be sentenced to a mandatory minimum term of imprisonment of 4 years.

The bill amends s. 327.33, F.S., to create a penalty scheme for reckless boating. A person who commits reckless boating and the violation:

- Does not result in an accident, the person commits a second degree misdemeanor.
- Results in an accident that causes damage to the property or person of another, the person commits a first degree misdemeanor.
- Results in an accident that causes serious bodily injury, the person commits a third degree felony.

The bill specifies a person who commits boating under the influence (BUI) that results in the death of an unborn child commits BUI manslaughter and must be sentenced to a mandatory minimum term of imprisonment of 4 years.

The bill provides that the death of an unborn child caused by injury to the mother, by the operation of a vessel by another in a reckless manner likely to cause the death of, or great bodily harm to, another, is vessel homicide.

The bill creates a second degree misdemeanor for a person who gives information in oral, electronic, or written reports as required in ch. 327, F.S., knowing or having reason to believe that such information is false.

Boating Education

The bill amends s. 327.395, F.S., to specify that the rules adopted by the Florida Fish and Wildlife Commission (FWC) must establish minimum standards for online boating safety

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

education course offered, including curriculum requirements, assessment methods, and provider qualifications. The standards must, at a minimum, align with the education standards set by the National Association of State Boating Law Administrators and may include additional requirements as necessary to promote effective and accessible online boating safety education in this state. All online course providers must be approved by the FWC and demonstrate compliance with the standards prescribed by the FWC rule before offering courses to the public.

The bill amends s. 327.731, F.S., to revise the mandatory education for certain boating infractions to require a convicted person to:

- Enroll in, attend, and successfully complete a boating safety course;
- File with the FWC within 90 days proof of successful completion of the course; and
- Refrain from operating a vessel until she or she has filed proof of successful completion.

In addition to the penalties above, any person convicted of any criminal violation relating to boating, convicted in any non criminal infraction that resulted in a reportable boating accident, or convicted of two or more specified noncriminal infractions occurring within a 12 month period must also pay a fine of \$500.

The bill revises the definition of “Livery vessel,” to mean a vessel leased or rented, and the definition of “livery,” to specify that a livery does not require the lessee or renter to provide as a condition of the rental or lease agreement a person licensed by the United States Coast Guard to serve as a master of the vessel.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 31-0; House 93-1

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 383 — Purchase and Possession of Firearms by Law Enforcement Officers, Correctional Officers, Correctional Probation Officers, and Servicemembers

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Holcomb, Giallombardo, and others (CS/SB 490 by Criminal Justice Committee and Senator Collins)

The bill amends s. 790.052(1), F.S., to add correctional probation officers to the list of persons who, if they hold active certification from the Criminal Justice Standards and Training Commission (CJSTC), have the right to carry concealed firearms during off-duty hours at the discretion of their superior officers, and may perform their normal law enforcement functions, using their weapons in a manner which is reasonably expected of on-duty officers in similar situations.

Additionally, the bill provides that a person holding an active certification from the CJSTC as a correctional probation officer meets the definition of “qualified law enforcement officer,” and the definition of “qualified retired law enforcement officer.”

Section 790.052, F.S., does not limit the authority of the Department of Corrections (DOC) to establish policies limiting correctional probation officers from carrying concealed firearms during off-duty hours in their capacity as employees of the DOC.

If the superior officer of the DOC directs the officers under his or her supervision to carry concealed firearms while off duty, he or she must file a statement with the governing body containing instructions and requirements relating to the carrying of said firearms.

The bill exempts law enforcement officers, correctional officers, correctional probation officers, and servicemembers from the mandatory 3 day waiting period between the purchase and delivery of a firearm by defining “holder of a concealed weapons or concealed firearms license,” to include a:

- Person who holds a valid license issued under s. 790.06., F.S.;
- Law enforcement officer, a correctional officer, or a correctional probation officer, as those terms are defined in s. 943.10, F.S.; and
- Servicemember as defined in s. 250.01, F.S.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 33-3; House 111-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 421 — Peer Support for First Responders

by Criminal Justice Subcommittee and Rep. Maggard and others (CS/SB 86 by Criminal Justice Committee and Senators Burgess and Collins)

The bill (Chapter 2025-9, L.O.F.) amends s. 111.09, F.S., relating to peer support for first responders, to revise the definition of “first responder,” to include support personnel as defined in s. 943.10(11), F.S., who are involved in investigating a crime scene or collecting or processing evidence.

Section 943.10(11), F.S., provides that “support personnel” means any person employed or appointed by an employing agency who is not an officer or, as specified by the commission, other professional employee in the criminal justice system.

Under the bill, such support personnel are eligible to receive peer support and the confidentiality of communications made while participating in peer support.

These provisions were approved by the Governor and take effect July 1, 2025.

Vote: Senate 37-0; House 113-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 437 — Tampering with an Electronic Monitoring Device

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Daley (SB 1054 by Senators Garica and Avila)

The bill amends the crime of tampering with an electronic device to include a person who affirmatively acts to, or requests, authorizes, or solicits a person to affirmatively act to circumvent the operation of an electronic monitoring device required to be worn or used pursuant to a court order or pursuant to an order by the Florida Commission on Offender Review.

The bill reclassifies the penalty for tampering with an electronic monitoring device. If a person is charged with or serving a sentence for a:

- Misdemeanor or third degree felony, tampering with an electronic monitoring device is a third degree felony;
- Second degree felony, tampering with an electronic monitoring device is a second degree felony;
- First degree felony, first degree felony punishable by a term of years not exceeding life, a life felony, or a capital felony, tampering with an electronic monitoring device is a first degree felony.

A person under 18 years of age who tampers with an electronic monitoring device commits a third degree felony, regardless of the level of the underlying offense.

The court must revoke pretrial release for a person who commits the crime of tampering with an electronic monitoring device. The court may set a new bond with conditions of release upon making a written finding that sufficient conditions of release exist to reasonably protect the community from risk of physical harm, ensure the presence of the accused at trial or at other proceedings, and assure the integrity of the judicial process.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 110-1

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 472 — Education in Correctional Facilities for Professional Licensure

by Fiscal Policy Committee and Senator Truenow

The bill amends the Correctional Education Program to require the Department of Corrections (DOC) to design and implement a plan to ensure that inmates who successfully complete classes that meet the necessary curriculum for professional licensure receive credit towards the applicable Department of Business and Professional Regulation (DBPR) licensure requirements. The DOC must coordinate with the relevant professional boards under the DBPR, or the DBPR when there is no board, to develop such a plan.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 115-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 612 — Unlawful Distribution of Controlled Substances Resulting in Death

by Criminal Justice Committee and Senator Burgess

The bill creates a new crime of third degree murder for the unlawful killing of a human being when:

- A person under 18 years old distributes any substance or mixture that he or she knew or reasonably should have known contained dangerous fentanyl or fentanyl analogs; and
- Such substance or mixture is proven to have caused or proven to have been a substantial factor in producing the death of the user.

This new third degree murder offense is a second degree felony.

“Dangerous fentanyl or fentanyl analogs” includes:

- Alfentanil.
- Carfentanil.
- Fentanyl.
- Sufentanil.
- A fentanyl derivative.
- A controlled substance analog of any of the above listed substances.
- A mixture containing any of the above listed substances.

The term “distribute” means to deliver, other than by administering or dispensing, a controlled substance.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 31-5; House 113-1

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

HB 653 — Aggravating Factors for Capital Felonies

by Reps. Holcomb, Nix, and Fabricio (SB 776 by Senator Ingoglia)

The bill creates an additional aggravating factor for the jury and the sentencing court to consider in determining whether a defendant who has been convicted of a capital felony is eligible to receive a death sentence and whether to recommend a sentence of death or life imprisonment.

The new aggravating factor allows the jury to consider whether the capital felony was committed against the head of a state, including but not limited to, the President or the Vice President of the United States or the Governor of this or another state, or if in an attempt to commit such crime the defendant committed a capital felony against another individual.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 25-12; House 99-13

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 687 — Driving and Boating Offenses

by Criminal Justice Subcommittee and Reps. Kendall, Plakon, and others (CS/CS/SB 138 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Wright)

The bill makes multiple changes to strengthen and enhance crimes related to driving and boating offenses and may be cited as “Trenton’s Law.”

The bill increases the penalty for the following convictions from a second degree felony to a first degree felony when a person who is convicted of:

- DUI manslaughter, and has a previous conviction for DUI manslaughter, vehicular homicide, BUI manslaughter or vessel homicide.
- BUI manslaughter, and has a previous conviction for DUI manslaughter, vehicular homicide, BUI manslaughter or vessel homicide.
- Vehicular homicide, and has a previous conviction for DUI manslaughter, vehicular homicide, BUI manslaughter or vessel homicide.
- Vessel homicide, and has a previous conviction for DUI manslaughter, vehicular homicide, BUI manslaughter or vessel homicide.

The bill amends provisions relating to a refusal to submit to a breath or urine test after an arrest for DUI. A first refusal to submit to a lawful test of breath or urine subsequent to a DUI arrest is a second degree misdemeanor, and a second or subsequent refusal is a first degree misdemeanor.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 111-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

HB 693 — Aggravating Factors for Capital Felonies

by Rep. Redondo and others (SB 984 by Senator Gruters)

The bill creates an additional aggravating factor for the jury and the sentencing court to consider in determining whether a defendant who has been convicted of a capital felony is eligible to receive a death sentence and whether to recommend a sentence of death or life imprisonment.

The new aggravating factor allows a jury to consider whether the victim of the capital felony was gathered with one or more people for a school activity, religious activity, or a public government meeting when he or she was killed.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 32-5; House 96-10

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

HB 711 — Spectrum Alert

by Reps. Borrero, Campbell, and others (CS/CS/SB 500 by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; and Senators Avila and Arrington)

The bill creates s. 937.0401, F.S., to establish and implement the “Spectrum Alert,” to create a standardized system to aid in the search for a child with Autism Spectrum Disorder (ASD). By July 1, 2026, the Department of Law Enforcement, in cooperation with the Department of Transportation, the Department of Highway Safety and Motor Vehicles, the Department of the Lottery and local law enforcement agencies must establish and implement the spectrum alert to enhance the safety and well-being of children with ASD through immediate effective community response.

The bill also requires those agencies, by July 1, 2026, to:

- Develop a training program and alert system for missing children with ASD which is compatible with existing alert systems. The training program must implement crisis intervention team training to equip law enforcement officers with the skills to understand ASD and other mental illnesses, to de-escalate interactions with children in crisis, to facilitate appropriate interventions, and to respond effectively to a reported missing child emergency when the child has ASD.
- Establish policies and procedures for responding to a reported missing child emergency when the child has ASD. The bill specifies the policies and procedures must include, at minimum, all of the following:
 - o Immediate and widespread dissemination of critical information when a child with ASD is reported missing.
 - o Enhancement of emergency response team’s competence by informing them of the unique behaviors and needs of children with ASD.
 - o Measures to increase public awareness and understanding of the risks associated with autism-related elopement, to foster community support for children with ASD.
- Require a law enforcement agency, when receiving such a report, to do, at minimum, the following:
 - o Contact media outlets in the affected area or surrounding jurisdictions.
 - o Inform all on-duty law enforcement officers of the reported missing child with ASD.
 - o Communicate the report to all other law enforcement agencies in the surrounding counties in which the report was filed.

The bill appropriates \$190,000 in nonrecurring funds from the Operating Trust Fund within the Department of Law Enforcement for the department to implement the Spectrum Alert.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 99-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 757 — Sexual Images

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Redondo, Kincart Jonsson, and others (CS/CS/CS/SB 1180 by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Gaetz)

The bill creates s. 800.045, F.S., to create offenses relating to lewd or lascivious images. “Lewd or lascivious image,” means:

- Any image depicting lewd or lascivious exhibition in violation of s. 800.04(7), F.S.
- Any image that has been created, altered, adapted, or modified by electronic, mechanical, or other means, to portray lewd or lascivious exhibition in violation of s. 800.04(7), F.S., committed in the presence of an identifiable minor.

It is a second degree felony for any person to possess with the intent to promote any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part includes a lewd or lascivious image. The possession of three or more copies of such photograph, etc., is prima facie evidence of an intent to promote.

It is a third degree felony for any person to knowingly solicit, possess, control, or intentionally view a photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation which, in whole or in part, he or she knows to include a lewd or lascivious image.

The solicitation, possession, control, or intentional viewing of each such photograph, etc., is a separate offense. If such photograph, etc., includes a lewd or lascivious image depicting more than one minor, each such minor in each such photograph, etc., that is knowingly solicited, possessed, controlled, or intentionally viewed is a separate offense.

The bill amends s. 827.071, F.S., to provide that “actual or simulated lewd exhibition of the genitals” may be evidenced by the overall content of an image, taking into account the age of the minor depicted and including, but not limited to, whether:

- The focal point of the image is on the minor’s genitalia;
- The setting of the image is sexually suggestive or in a place or pose generally associated with sexual conduct;
- The minor is depicted in an unnatural pose, or in inappropriate attire, considering the age of the minor;
- The image suggests sexual coyness or a willingness to engage in sexual conduct; or
- The image is intended or designed to elicit a sexual response in the viewer.

Additionally, the bill adds “solicit” to the crime of knowingly possessing, controlling, or intentionally viewing child pornography. Under the bill, the knowing solicitation of child pornography is a third degree felony.

The bill amends s. 836.13, F.S., to provide that it is a third degree felony for:

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

- A person to willfully generate any altered sexual depiction of an identifiable person, without the consent of the identifiable person.
- A person to solicit any altered sexual depiction of an identifiable person, without the consent of the identifiable person, and who knows or reasonably should have known that such visual depiction was an altered sexual depiction.
- A person to willfully possess with the intent to maliciously promote, any altered sexual depiction of an identifiable person, without the consent of the identifiable person, and who knows or reasonably should have known that such visual depiction was an altered sexual depiction.

The bill authorizes an aggrieved person to initiate a civil cause of action against a person who commits the above described crimes in s. 836.13, F.S., to obtain appropriate relief.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 115-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 777 — Offenses Involving Children

by Judiciary Committee and Rep. Plakon and others (CS/CS/SB 1136 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Collins)

The bill prohibits certain age-related defenses from being raised in a prosecution for any offense related to kidnapping, false imprisonment, luring or enticing a child, interference with custody, removing minors from the state or concealing minors, contrary to state agency order or court order, human trafficking, or human smuggling, when the victim's age is an element of the offense. Ignorance of the victim's age, misrepresentation of a victim's age by any person or a bona fide belief that a victim is over a specified age is also not a defense. However, the bill provides an exception for s. 787.30, F.S., relating to employment of persons in adult entertainment establishments.

The bill increases the age of a victim involved in luring or enticing offenses from 12 to 14 years of age.

The bill also increases the penalties for a person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, a child under the age of 14 into or out of a structure, dwelling, or conveyance for an unlawful purpose, from:

- A first degree misdemeanor to a third degree felony.
- A third degree felony to a second degree felony for a second or subsequent offense.
- A third degree felony to a second degree felony, if the offender has been previously convicted of a violation of ch. 794, F.S., relating to sexual battery, s. 800.04, F.S., relating to lewd or lascivious offenses committed on or in the presence of persons less than 16 years of age or s. 847.0135(5), F.S., relating to lewd or lascivious exhibition using a computer, or a violation of a similar law of another jurisdiction.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 111-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 847 — Expedited DNA Testing Grant Program

by Criminal Justice Subcommittee and Rep. Johnson and others (CS/SB 1072 by Fiscal Policy Committee and Senator McClain)

The bill creates the Expedited DNA Testing Grant Program within the Florida Department of Law Enforcement (FDLE) to award grants to law enforcement agencies for the processing of evidentiary items for DNA testing at private laboratories.

A private laboratory is defined as any DNA laboratory accredited for a minimum of five years pursuant to ISO/IEC 17025:2017 of the International Organization for Standardization and FBI Quality Assurance Standards.

The bill requires the FDLE to annually award any funds specifically appropriated for the grant program to law enforcement agencies to cover testing of DNA samples by specified private laboratories when:

- The technology or technique needed to properly test the evidence or DNA sample is not readily available at a local or state laboratory; or
- When expedited testing of the DNA sample is in the best interest of advancing an investigation.

An agency receiving grant funds must submit a report to the executive director of the FDLE no later than one year after receiving grant funding, including the:

- Amount of annual funding received from this grant.
- Number of cases tested by the private laboratory.
- Type of DNA testing used, including the name of the private laboratory to which such testing was outsourced and the type of primary equipment used by the private laboratory for such testing.
- Lab report with the results of the DNA testing.
- The average amount of time it took to complete the DNA testing.

The FDLE may adopt rules to implement and administer the grant program. Grant awards to support the program are subject to appropriation.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 114-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

SB 878 — Probation for Misdemeanor Offenses

by Senator Martin

The bill allows the court to sentence a defendant who is found guilty of any misdemeanor to a term of probation for up to one year, if the court finds that a controlled substance, a controlled substance analog, or a chemical substance was a significant factor in the commission of the crime.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 36-1; House 115-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 903 — Corrections

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Jacques and others
(CS/CS/SB 1604 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Martin)

The bill amends various sections of law to implement changes to the Department of Corrections (DOC), including, but not limited to, restructuring the Corrections Mental Health Act, revising requirements for inmates who file lawsuits, and providing for mandatory consecutive terms of imprisonment for specified crimes.

Corrections Mental Health Act and Emergency Treatment

The bill amends the Corrections Mental Health Act to streamline the process for the involuntary placement and involuntary treatment of inmates who have a mental illness by creating a process for treatment of certain inmates and a process for inmates to establish an advance directive.

Specifically, the bill:

- Amends and substantially rewords the Corrections Mental Health Act under ss. 945.41-945.49, F.S., to provide updated, clarifying, or technical language, as well as provide substantial changes to the procedure for placement and treatment of inmates;
- Provides legislative intent and procedures for inmates engaging in self-injurious behavior;
- Authorizes a warden to directly petition the circuit court for an order compelling an inmate to submit to emergency surgical intervention or other medical services when an inmate is competent, engaging in self-injurious behavior, and refusing necessary treatment;
- Establishes inmate health care advance directives and creates a DOC ombudsman to serve as a proxy for an inmate without an advance directive;
- Authorizes the employees of the DOC to use of force in specified situations to effectuate the emergency treatment of an inmate and provides immunity from liability for such employees; and
- Outlines procedures to determine the capacity of an inmate.

Inmate Lawsuits

The bill makes various changes relating to inmate litigation. Specifically, the bill:

- Restricts a prisoner from pursuing civil action until all administrative remedies are fully exhausted to align with the Prison Litigation Reform Act which restricts a prisoner, or person on behalf of a prisoner, from filing a lawsuit relating to the conditions of confinement for a mental or emotional injury suffered while in custody without a prior showing of physical injury or the commission of a sexual act;
- Provides a one year statute of limitations for all petitions, extraordinary writs, tort actions, or other actions concerning any condition of confinement of a prisoner; and

- Specifies the deferral of prepayment of court costs and fees does not apply to challenges to prison disciplinary reports.

Crime

The bill provides exceptions to the crime of unlawful installation of a tracking device, and mandates consecutive sentences under the 10-20-Life statutes. Specifically, the bill:

- Exempts certain DOC and Department of Juvenile Justice personnel, and persons authorized by a court order from the criminal prohibitions of the installation and use of tracking devices and applications; and
- Clarifies that a court must sentence a person to consecutive mandatory minimum terms of imprisonment if that person is convicted of multiple qualifying crimes under the 10-20-Life statute. However, the court has the discretion to sentence such a person to a consecutive sentence for any crime that is committed at the same time but is not a qualifying crime under the 10-20-Life statute.

Other Provisions

The bill amends various other provisions relating to the death penalty, the DOC contracts, and the Parole Qualifications Committee. Specifically, the bill:

- Authorizes a death sentence to be executed by a method not deemed unconstitutional if the acquisition of chemicals necessary for lethal injection becomes impossible or impractical.
- Authorizes the DOC to exclude certain services from a contract for private correctional services and retain the responsibility for the delivery of such services when it is in the best interest of the state. Additionally, the requirement for each contract to include substantial minority participation is removed.
- Removes language requiring the participation of minority business enterprises.
- Eliminates the use of the Parole Qualifications Committee in the selection process for membership of the Florida Commission on Offender Review (FCOR) and allows the members to be directly selected and appointed by the Governor and Cabinet.
- Removes the requirement for the FCOR membership to include representation from minority persons.
- Repeals s. 947.021, F.S., regarding expedited appointments of the FCOR members to be consistent with the elimination of the Parole Qualifications Committee.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 26-11; House 83-33

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 1049 — Tampering With, Harassing, or Retaliating Against Court Officials

by Criminal Justice Subcommittee and Rep. Persons-Mulicka and others (CS/CS/SB 1838 by Fiscal Policy Committee; Criminal Justice Committee; and Senator Martin)

The bill amends the first degree misdemeanor crime relating to threats and harassment to add general magistrates, special magistrates, child support enforcement hearing officers, and administrative assistants, to the list of specified persons that a person may not knowingly and willfully:

- Threaten with death or serious bodily harm; or
- Harass with intent to intimidate or coerce the person to perform or refrain from performing his or her lawful duty.

The bill amends the crime of tampering with jurors to instead provide for tampering with or harassing a court official. A person who knowingly commits any of the following acts with the intent to cause or induce any court official to obstruct the administration of justice or affect the outcome of an official investigation or official proceeding commits the crime of tampering with a court official:

- Uses intimidation or physical force;
- Threatens any person or attempts to do so;
- Engages in misleading conduct toward any person; or
- Offers pecuniary benefit or gain to any person.

A person who commits the crime of tampering with a court official commits:

- A third degree felony, if the offense level of the affected official investigation or official proceeding is indeterminable or involves the investigation or prosecution of a misdemeanor or noncriminal matter pending in county court.
- A second degree felony, if the official investigation or official proceeding affected involves the investigation or prosecution of a third degree felony or a noncriminal matter pending in circuit court.
- A first degree felony, if the official investigation or official proceeding affected involves the investigation or prosecution of a second degree felony.
- A first degree felony, punishable by a term of years not exceeding life, if the official investigation or official proceeding affected involves the investigation or prosecution of a first degree felony or a first degree felony punishable by a term of years not exceeding life.
- A life felony, if the official investigation or official proceeding affected involves the investigation or prosecution of a life or capital felony.

A person who intentionally harasses a court official and thereby hinders, delays, prevents, or dissuades, or attempts to hinder, delay, prevent, or dissuade a court official from performing any of the following acts commits the crime of harassing a court official:

- Attending an official proceeding;
- Rendering a fair verdict based solely upon the evidence produced at an official proceeding and the law; or
- Following the rules of juror behavior and deliberation as set forth by the judge.

A person who commits the crime of harassing a court official commits:

- A first degree misdemeanor if the official investigation or official proceeding affected involves the investigation or prosecution of a misdemeanor or noncriminal matter pending in county court.
- A third degree felony, if the offense level of the affected official investigation or official proceeding is indeterminable or involves the investigation or prosecution of a felony of the third degree or any noncriminal matter pending in circuit court.
- A second degree felony, if the official investigation or official proceeding affected involves the investigation or prosecution of a second degree felony.
- A first degree felony, if the official investigation or official proceeding affected involves the investigation or prosecution of a first degree felony.
- A first degree felony punishable by a term of years not exceeding life, if the official investigation or official proceeding affected involves the investigation or prosecution of a first degree felony punishable by a term of years not exceeding life or a prosecution of a life or capital felony.

The bill creates the crime of retaliating against a court official. A person who, with the intent to retaliate against a court official for his or her participation in an official investigation or official proceeding, commits any of the following acts, commits a third degree felony:

- Knowingly engages in any conduct that threatens to cause bodily injury to another person; or
- Damages the tangible property of another person or threatens to do so.

If the crime results in bodily injury, the person commits a second degree felony.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 36-0; House 113-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 1053 — Department of Law Enforcement

by Budget Committee; Criminal Justice Subcommittee; and Rep. Plakon and others (SB 1268 by Senator Simon)

The bill amends various sections of ch. 943, F.S., the Florida Law Enforcement Act. Specifically, the bill:

- Renames the Crimes Against Children Criminal Profiling Program to the Child Exploitation and Crimes Against Children Program, and specifies that the program must perform investigative, intelligence, research, and training activities related to child exploitation.
- Repeals the Florida Violent Crime and Drug Control Council and corresponding implementation account.
- Revises the membership of the Domestic Security Oversight Council and removes the chair as a required voting member.
- Revises the Domestic Security Oversight Council's annual report to include information submitted by the Chief of Domestic Security.
- Requires the Domestic Security Oversight Council's annual report include security enhancements of any building, facility, or structure owned or leased by a state agency, state university, or community college or an entity that has conducted the specified assessments.
- Increases the maximum annual disbursements for veterinary care of retired police dogs from \$1,500 to \$5,000 per dog.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 114-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/CS/HB 1095 — Criminal Offender Substance Abuse Program

by Judiciary Committee; Justice Budget Subcommittee; Criminal Justice Subcommittee; and Rep. Koster and others (CS/CS/SB 1140 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Gruters and Osgood)

The bill establishes a Substance Abuse Accountability Pilot Program in Hillsborough County from October 1, 2025, to September 30, 2027, and is repealed November 30, 2028.

The bill requires the court to designate a subset of identified persons who are convicted of a felony or first degree misdemeanor, and placed on probation, for which abstaining from alcohol or a controlled substance is a condition of such release. Individuals will be randomly assigned to participate in the program and no more than 150 offenders may participate at any one time. A defendant must be explicitly advised he or she may be randomly assigned to the program, and all terms and conditions must be explained prior to entering any plea agreement that would make such person eligible. A defendant will remain in the program for the same length of time as the term of probation. Upon successful completion of half of the term of participation in the program, the court may terminate the person's probation and participation in the program.

The bill requires the Sheriff of Hillsborough County, in consultation with the Chief Judge of the Thirteenth Judicial Circuit, the State Attorney, and the Department of Corrections, to design and implement the pilot program. The program must include specified elements, and a program coordinator, whose duties must include identifying and hiring personnel to ensure efficient administration of the program.

By June 30, 2028, the Attorney General must complete an evaluation of the program's effectiveness. The Attorney General must determine the metrics to be evaluated and may contract with a third party to conduct any program evaluations. By November 30, 2028, a report on the pilot program, which must include the number of program participants, the number of program violations, and the number of successful program completions, must be delivered to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

The bill requires, subject to specific appropriation, any funds awarded to be used for expenses related to establishing and administering the program, including personnel, equipment, training and technical assistance, payments for jail space, data collection, program evaluations, and program fees for indigent participants.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 111-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 1099 — Arrest and Detention of Individuals with Significant Medical Conditions

by Criminal Justice Subcommittee and Rep. Canady and others (CS/SB 1450 by Criminal Justice Committee and Senator Burgess)

The bill specifies that a law enforcement officer may use his or her discretion based on the totality of the circumstances when determining whether to make an immediate arrest of a person with a significant medical condition, including an arrest for an offense committed against an elderly person or disabled adult. The bill defines a “person with a significant medical condition” as a person who is a patient or resident of a hospital, nursing home facility or an assisted living facility.

A law enforcement officer may consider all lawful methods to make an arrest of such a person, including seeking an arrest warrant, but does not preclude the officer from making an arrest of such a person without a warrant.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 108-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 1121 — Unmanned Aircraft and Unmanned Aircraft Systems

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Canady and others
(CS/CS/SB 1422 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Truenow)

The bill amends s. 330.41, F.S., to increase the criminal penalties from a second degree misdemeanor to a third degree felony if a person knowingly or willfully:

- Operates a drone over a critical infrastructure facility unless the operation is for a commercial purpose and is authorized by and in compliance with Federal Aviation Administration (FAA) regulations;
- Allows a drone to make contact with a critical infrastructure facility including any person or object on the premises of or within the facility; or
- Allows a drone to come within a distance of a critical infrastructure facility that is close enough to interfere with the operations of or cause a disturbance to the facility.

The definition of critical infrastructure facility is amended to include wired communication facilities.

The bill amends s. 330.411, F.S., to specify it is a third degree felony for a person to knowingly or willfully possess or operate an unmanned aircraft or unmanned aircraft system with an attached weapon, firearm, explosive, destructive device, or ammunition.

Additionally, for the purpose of violating provisions prohibiting the operation of a drone over critical infrastructure as provided in s. 330.41(4)(a), F.S., it is a third degree felony to knowingly or willfully:

- Alter, manipulate, tamper with, or otherwise change an unmanned aircraft or unmanned aircraft system's hardware or software to purposefully frustrate any tool, system, or technology intended to satisfy the remote identification requirements established by the FAA as they relate to any unmanned aircraft or unmanned aircraft system; or
- Possess or operate such an altered, manipulated, etc., unmanned aircraft or unmanned aircraft system.

The above-described offenses do not apply if a person is authorized by the administrator of the FAA or the Secretary of Defense, or their respective designees, to alter, possess, or operate such an altered unmanned aircraft or unmanned aircraft system.

A person who, without lawful authority, possesses or operates an unmanned aircraft or unmanned aircraft system that carries a weapon of mass destruction, or a hoax weapon of mass destruction, commits a first degree felony.

The bill amends s. 934.50, F.S., to create a first degree misdemeanor if a person operates a drone equipped with an imaging device to record an image of the tenant of privately owned real property, with the intent to conduct surveillance of the individual or property in violation of such

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

person's reasonable expectation of privacy. It is a third degree felony if a person knowingly and willfully commits this crime and intentionally distributes surveillance.

These penalties do not apply to a state agency, political subdivision, or law enforcement agency or to an officer, employee, or agent of such subdivision or agency who is acting in the course and scope of his or her employment.

Additionally, a law enforcement agency may use a drone to provide or maintain the public safety of a crowd of 50 people or more, and also in furtherance of providing and maintaining the security of an elected official.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 114-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 1168 — Installation or Use of Tracking Devices or Applications

by Appropriations Committee on Criminal and Civil Justice and Senator Leek

The bill increases the penalty for unlawfully installing, placing, a tracking device or tracking application on another person's property without consent or using such a device or application to determine a person's location or their property's location or movement without consent from a third degree felony to a second degree felony if a person installs, places, or uses a device or application to commit a dangerous crime or to facilitate the commission of a dangerous crime as defined in s. 907.041(5)(a), F.S.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 116-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 1198 — Fraudulent Use of Gift Cards

by Criminal Justice Committee and Senators DiCeglie and Rodriguez

The bill creates s. 817.091, F.S., relating to the fraudulent use of gift cards. It is a first degree misdemeanor for a person with intent to defraud to:

- Acquire or retain possession of a gift card or of gift card redemption information without consent.
- Alter or tamper with a gift card or its packaging.
- Devise a scheme to obtain a gift card or gift card redemption information under fraudulent pretenses, representations, or promises.
- Use, for the purpose of obtaining money, goods, or services or anything else of value, a gift card or gift card redemption information that has been obtained in any manner described above.

A person commits a third degree felony, if he or she commits the above described offense, and:

- Has a previous conviction of such an offense; or
- The value of any gift card; gift card redemption information; or money, goods, services, or other thing of value obtained as a result of the violation exceeds \$750.

Additionally, the bill defines a:

- “Gift card” as a physical or virtual card, code, or device that may be issued to a consumer on a prepaid basis primarily for personal, family, or household purposes in a specified amount, regardless of whether that amount may be increased or reloaded in exchange for payment, and that is redeemable upon presentation by a consumer at a single merchant, a group of affiliated merchants, or a group of unaffiliated merchants.
- “Gift card redemption information” as information unique to each gift card which allows the cardholder to access, transfer, or spend the funds on that gift card.
- “Value” as the greatest amount of economic loss the card issuer, gift card seller, or cardholder might reasonably suffer, including the full or maximum monetary face or load value of the gift card, regardless of whether the gift card has been activated.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 115-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/CS/SB 1344 — Juvenile Justice

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Simon

The bill amends and repeals numerous sections of ch. 984, F.S., resolves inconsistencies between current practices of the Department of Juvenile Justice (DJJ) and statutory language to more accurately reflect the DJJ’s mission. The bill revises, deletes, and adds numerous definitions throughout ch. 984, F.S., and revises, in part, provisions relating to:

- Voluntary and court ordered services to families;
- Petitions for children in need of services;
- Early truancy intervention;
- Hearings for a child in need of services;
- Orders of adjudication; and
- Placement in a shelter.

Chapter 984, F.S., is renamed the Children and Families in Need of Services; Prevention and Intervention for School Truancy and Ungovernable and Runaway Children and revises the purpose of this chapter. Some revisions include providing that the purpose is to provide judicial, nonjudicial, and other procedures to address the status offenses of children who are truant from school, run away from their caregivers, or exhibit ungovernable behavior by refusing to follow the household rules of their caregivers and engage in behavior that places the child at risk of harm. The bill also provides revisions for the temporary placement of the child only when necessary for the child’s education, safety, and welfare and other less restrictive alternatives have been exhausted.

Legislative Intent

The bill revises the legislative intent for prevention and intervention to provide:

- Effective services or treatment to address physical, social, and emotional needs;
- Equal opportunity and access to quality and effective education which will meet the individual needs of each child and prepare the child for future employment;
- Access to preventative services to provide the child and family the support of community resources to address the needs of the child and reduce the risk of harm or engaging in delinquent behavior;
- Court intervention when necessary to address at-risk behavior before it escalates into harm to the child or to the community through delinquent behavior;
- Access to representation by a trained advocate for court proceedings; and
- Supervision and services by staff when temporary out of home placement is necessary.

Additionally, the DJJ may develop and implement effective early prevention programs to address truancy and ungovernable and runaway behavior of a child, which place the child at risk of harm, and to allow for intervention before the child engages in a delinquent act.

Children and Families in Need of Services

Services to families are provided on a continuum of increasing intensity and participation by the parent, legal guardian or custodian, and child, and a case manager must be assigned by the designated provider at intake. The case manager must request consent for services and interagency information sharing from the parent, legal guardian, or custodian.

A family is not eligible to receive voluntary family services, if, at the time of the referral, the child is under court-ordered supervision by the DJJ for delinquency, or under court ordered supervision by the Department of Children and Families (DCF). A child who has received a prearrest delinquency citation, or is receiving delinquency diversion services, may receive voluntary family services. If there is a pending investigation into an allegation of abuse, neglect or abandonment, the child may be eligible for voluntary family services if the DCF agrees to the services and makes a referral.

When a child is in need of services the DJJ must file a petition as soon as practicable. The bill removes the 45 day deadline to file such a petition. The DJJ or its service provider must provide an array of voluntary family services aimed toward remediating school truancy, homelessness, and runaway and ungovernable behavior by children.

The DJJ must request a meeting of the family and child with a case staffing committee to review the case of any family or child who is in need of services. A case staffing committee meeting must be convened within 30 days after the case is referred by the court, and must:

- Identify the family's concerns and contributing factors;
- Request the family and child to identify their needs and concerns;
- Seek input from the school district and other persons in attendance with knowledge of the family or child's situation and concerns;
- Consider the voluntary family services or other community services that have been offered and the results of those services;
- Identify whether truancy is a concern and efforts have been made to remedy it; and
- Reach a timely decision to provide the child or family with services and recommend any appropriate treatment through the development of a plan for services.

Additionally, a guardian ad litem may be appointed for specific cases.

Right to Counsel

A child must be represented by counsel if a petition is filed alleging that he or she is in need of services, or if he or she is subject to contempt proceedings. Guidelines for appointing counsel for an indigent child, waiving counsel, or enforcing the nonindigent parents or legal guardian of an indigent child to employ counsel are provided in the bill, including, in part:

- The child must be represented by counsel at each court appearance unless he or she waived the right to counsel. The court must advise the child of his or her right to counsel at every subsequent hearing, if the right to counsel was waived.

- If the parents or legal guardians of a child are not indigent but refuse to employ counsel, the court must appoint counsel to represent the child until the parents provide counsel. Costs of representation must be imposed for such representation.
- A parent or legal guardian of a child ordered to obtain private counsel, who willfully fails to follow the court order may be punished in civil contempt proceedings.
- The court may appoint counsel to represent the child if the child's behavior has persisted after a good faith effort by the parents to participate in services.
- The court may also appoint an attorney to represent a parent or legal guardian upon finding that the parent or legal guardian is indigent.

Hearings for Children and Families in need of Services

An arraignment hearing for the petition of a child in need of services must be within a reasonable time after the date of the filing. At the arraignment hearing the court may:

- Grant a continuance of the hearing for the child or the parent, legal guardian, or custodian to obtain an attorney and legal counsel requests a continuance.
- Treat failure of a noticed person to appear at hearing as consent to the petition.

The adjudicatory hearing must be held as soon as practicable after the petition for a child in need of services is filed. If the court finds the allegations are proven by a preponderance of evidence and the child is a child in need of services, the court must enter an order of adjudication.

At the disposition hearing the court must receive and consider a predisposition study, which must be in writing and be presented by the DJJ or its provider. After reviewing the predisposition study and other relevant materials, the court must hear from the parties and consider all recommendations for court-ordered services, evaluations, treatment and required actions designed to remedy the child's truancy, ungovernable behavior, or running away. The court must enter an order of disposition. An order of adjudication by a court that a child is in need of services is a civil adjudication and not a conviction.

A review hearing must occur within 45 days after the disposition hearing. Additional review hearings may be held as necessary, allowing sufficient time for the child and family to work towards compliance with the court orders and monitoring by the case manager. No longer than 90 days may elapse between judicial review hearings.

The parent, legal guardian, or custodian and the child must be noticed to appear for the review hearing, and the DJJ must be present at such hearing. The court must consider the department's judicial review summary and may proceed with the hearing and enter orders that affect the child and family accordingly. The child's presence may be waived by the court if the court finds good cause. Upon request of the petitioner, the court may close the case and relinquish jurisdiction.

At review hearings, the court may enter further orders to adjust the services case plan to address the family needs and compliance with court orders, including but not limited to ordering the child placed in shelter.

Custody and Shelter Placement

The use of detention care or a secure detention facility intended for juvenile delinquents, or the use of a jail or similar facility is prohibited for a child under the jurisdiction of the court solely for a child in need of services. A child who is held in direct or indirect contempt must be placed in a shelter and may be taken into custody:

- By a law enforcement officer when the officer has reasonable grounds to believe that the child has run away from his or her parents, legal guardian, or custodian;
- By designated school representative or a law enforcement officer when the officer has reasonable grounds to believe the child is absent from school without authorization;
- Pursuant to a court order based on sworn testimony after a child in need of services petition is filed;
- Pursuant to a court order that the child has been found guilty of contempt; and
- By a law enforcement officer when the child agrees to or requests services.

The person taking the child into custody must:

- Release the child to a parent, legal guardian, custodian or responsible adult relative and make full report to the DJJ within 3 days after release.
- Deliver the child to a shelter when under certain circumstances.
- Deliver the child to a hospital for necessary evaluation and treatment if the child is believed to be suffering from a serious physical condition which requires either diagnosis or treatment.
- Deliver the child to a designated public receiving facility for examination if the child is believed to be mentally ill, including immediate threat of suicide.
- Deliver the child to a hospital, addictions receiving facility, or treatment resource if the child appears to be intoxicated and has threatened, attempted, or inflicted physical harm on himself or herself or another, or is incapacitated by substance abuse.

The DJJ must provide temporary voluntary shelter services with 24-hour care and supervision, referrals for services as needed, education at the center or off site, and counseling services for children.

If a child is sheltered due to being a runaway, or a parent, legal guardian, or custodian is unavailable, the shelter must immediately attempt to make contact with the parent, legal guardian, or custodian to advise the family of the child's whereabouts, determine if the child can safely return home, or determine if the family is seeking temporary voluntary shelter services until the family can arrange to take the child home. If the parent, legal guardian, or custodian cannot be located within 24 hours, the DCF shall be contacted.

The court may order that a child adjudicated as a child in need of services be placed in shelter for the purpose of enforcing the court's orders, ensure the child attends school, ensure the child receives needed counseling, and ensure the child adheres to a service plan.

Such placement of a child is designed to provide residential care on a temporary basis and does not abrogate the legal responsibilities of the parent, legal guardian, or custodian with respect to the child, except to the extent that those responsibilities are temporarily altered by court order.

A child adjudicated a child in need of services is to be placed in a shelter for up to:

- Thirty five days; or
- Ninety days, if other alternative, less restrictive remedies have been exhausted, and certain circumstances are met.

The court must review the child's 90-day shelter placement at least every 45 days to determine if continued shelter is deemed necessary, and whether the parent, legal guardian, or custodian has reasonably participated in the child's counseling and treatment program and is following the recommendations to work toward reunification. The court must also determine whether the DJJ's reunification efforts have been reasonable. If the court finds an inadequate level of support or participation by the parent, legal guardian, or custodian before the end of the shelter commitment period, the court must direct a staffing to take place with the DCF.

If the child requires residential mental health treatment or residential care for a developmental disability, the court shall refer the child to the Agency for Persons with Disabilities or the DCF for the provision of necessary services.

Contempt of Court

A child adjudicated as a child in need of services may be placed solely in a shelter for purposes of punishment for contempt of court only if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

If court determines the child has committed indirect contempt of a court order, the court may impose an alternative sanction or may proceed with placement in a secure facility. If the court orders shelter placement of a child in need of services, the court must review the matter every 72 hours to determine whether it is appropriate for the child to remain in the facility.

A child who has been held in contempt may be placed for five days for a first offense or 15 days for a second or subsequent offense. Upon a second or subsequent finding of contempt, the court must refer the child to the case staffing committee with a recommendation to file a child in need of services petition.

Truancy

The circuit court has exclusive original jurisdiction of early truancy intervention and may retain jurisdiction for up to 180 days. The court must terminate supervision and relinquish jurisdiction if the child has substantially complied with the requirements of early truancy intervention, is no longer subject to compulsory education, or is adjudicated a child in need of services.

If the school determines that a student subject to compulsory school attendance has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-day calendar-day period or has had more than 15 unexcused absences in a 90-day calendar period, the superintendent of schools may file a truancy petition seeking early truancy intervention. A principal must report students who have 15 unexcused absences in a period of 90 days and the school board must take action and provide for remedial actions for failure to comply.

If the court determines that the student missed any of the alleged days, the court must enter an order finding the child to be a truant status offender, and order the student to attend school, and order the parent, legal guardian, or custodian to ensure that the student attends school. If the student substantially complies with compulsory school attendance, the court must close the truancy case.

If the student does not substantially comply with compulsory school attendance and court-ordered services required and the child meets the definition of a child in need of services, the case must be referred by the court to the DJJ's designated service provider for review by the case staffing committee with a recommendation to file a petition for child in need of services.

Any truant student that meets the definition of a child in need of services and who has been found in contempt for violation of a court order two or more times must be referred to the case staffing committee with a recommendation that the committee file a petition for a child in need of services. If the child is adjudicated a child in need of services the truancy case must be closed.

Additionally, the bill amends the education statutes to revise provisions relating to child study teams. Some of these revisions include allowing a parent to attend the meeting virtually or by telephone and permitting the meeting to take place even if the parent fails to attend.

Additional Provisions

The bill revises additional provisions including, in part, that:

- Require providers personnel who have direct contact with children must have a level 2 background screening.
- Expand the court's record retention policy to apply to any proceeding under ch. 984, F.S., instead of just children in need of services, and provide that information obtained by the district superintendent, school board employees, and school employees are included under the protection of confidentiality.
- Authorize pharmacists employed by the DJJ to import drugs from Canada under specified programs.
- Provides for supervised release or detention of a child despite the child's risk assessment score in certain circumstances.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 36-0; House 114-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 1351 — Registration of Sexual Predators and Sexual Offenders

by Judiciary Committee and Rep. Baker and others (CS/SB 1654 by Appropriations Committee on Criminal and Civil Justice and Senator Martin)

The bill revises several provisions relating to sexual predator and sexual offender reporting requirements to:

- Require a sexual predator or sexual offender to register specified employment information, including the creation of a new business, occupation, business name, employment address, and telephone number and provides penalties for noncompliance;
- Require a sexual predator or sexual offender to report all in-state travel residences online or in person within 48 hours;
- Require a sexual predator or sexual offender who is unable to update his or her driver license or identification card with a change in residence to the Department of Highway Safety and Motor Vehicles (DHSMV) to report such residence change in person, within 48 hours to the sheriff's office;
- Remove the duplicative requirement of a sexual predator or sexual offender reporting a residence change to the DHSMV when he or she has reported such change to the sheriff's office;
- Require a sexual predator under the supervision of the Department of Corrections (DOC) or Department of Juvenile Justice to report any change in vehicle information in person within 48 hours to the sheriff's office; and
- Require a sexual offender who resides on a vessel or houseboat to report all vessel information to the sheriff's office.

The bill further amends s. 775.21, F.S., to provide the definition of “permanent residence” to mean a place where the person abides, lodges, or resides for three or more consecutive days that is the person's home or other place where the person primarily lives.

“Temporary residence” is amended to specify that it does not include a person's transient residence and that an “in-state travel residence” is a type of temporary residence in this state established by a person who already has an existing permanent, temporary, or transient residence in Florida.

Additionally, local law enforcement agencies must conduct address verifications of sexual predators not on supervision with the DOC at least four times a year and verify the addresses of sexual offenders not on supervision with the DOC at least one time a year.

The system for verifying addresses of sexual offenders must be consistent with the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable or required to be met as a condition for the receipt of federal funds.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

Vote: Senate 37-0; House 114-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/CS/HB 1371 — Law Enforcement Officers and Other Personnel

by Judiciary Committee; Budget Committee; Criminal Justice Subcommittee; and Reps. Nix, Alvarez, D., and others (CS/CS/CS/SB 1444 by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Collins)

Critical Infrastructure Mapping Grant Program

The bill creates s. 943.0413, F.S., to establish the Critical Infrastructure Mapping Grant Program within the Florida Department of Law Enforcement (FDLE), subject to Legislative appropriation, to support the ongoing assessment of the state’s vulnerability to, and ability to recover from, acts of terrorism. Funding is available to the state, or any law enforcement agency, county, municipality, or other political subdivision, or any agent thereof, which has constitutional or statutory authority to employ or appoint law enforcement officers.

Grant funds may be used to map critical infrastructure, public gathering places, places of worship, and any other location for which a map would be deemed of high value for facilitating an emergency response. The bill provides requirements for each map that is created.

Blood Testing of Inmates

The bill requires any first responder, or any employee or officer of the sheriff or chief correctional officer who is exposed to a bodily fluid or potential bloodborne pathogen by a person who has been arrested and booked into a county or municipal detention facility to provide notice of such exposure within 24 hours of the exposure. The detention facility must test the inmate who was the cause of exposure, upon receipt of the notice.

The bill requires all detention facilities to update its written procedures for blood testing of an inmate to:

- Specify the conditions which require immediate testing of the inmate;
- Require the test results be provided to:
 - o The sheriff or chief correctional officer of the detention facility;
 - o Employees or officers who are responsible for the care and custody of the affected inmate; and
 - o Any employees, officers, or first responders who provided notice of exposure to the detention facility

Florida Medal of Valor and Florida Blue/Red Heart Medal

The bill creates two state honorary medals. First, the Florida Medal of Valor for first responders, and related personnel, which may only be awarded to a first responder or related personnel who goes above and beyond the call of duty to save lives. Second, the Florida Blue/Red Heart Medal for law enforcement, which must be awarded to a law enforcement officer, firefighter, correctional officer, or correctional probation officer who is injured in the line of duty.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
--

These awards, must be issued and administered by the FDLE and are authorized to be presented by the Governor or his or her designee. The bill provides guidelines for the nomination and selection of recipients.

Vehicle Kill Switches

The bill prohibits a person from using any device that can be remotely activated to disable a vehicle's engine or to prevent a vehicle's engine from starting unless he or she is:

- the owner of the vehicle;
- a law enforcement officer acting in the course and scope of his or her duties to prevent a felony; or
- any person acting on behalf of a company that offers a subscription, recurring payment program, or lease in connection with the vehicle.

This prohibition does not apply to the manufacture of the vehicle. A violation of this provision is a second degree misdemeanor.

Other Criminal Justice Provisions

Additionally, the bill:

- Specifies that a first responder who has a physical disability resulting from an amputation may continue to serve as a first responder if he or she meets the first responder certification requirements without accommodation.
- Requires a minimum mandatory sentence of 25 years for first degree attempted murder of specified justice system personnel.
- Encourages each state attorney to adopt a pro-prosecution policy for the false reporting of crimes.
- Prohibits a person from depriving specified officers of digital recording devices or restraints and prohibiting a person from rendering such officers' weapons, radios, digital recording devices, or restraints useless.
- Provides that a search warrant issued for a computer, a computer system, or an electronic device that is in the actual possession of a law enforcement agency at the time such warrant is issued must be returned to the court within 45 days after issuance.
- Revises procedures for handling missing persons reports by changing the required review of cases from monthly to annually in the National Missing and Unidentified Persons System (NamUs).
- Extends the reporting deadline, requiring that missing persons reports be submitted to NamUs within 90 days of being filed, rather than within two hours.
- Removes the requirement that law enforcement enter specified information into NamUs.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2025.

Vote: Senate 37-0; House 111-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/SB 1386 — Assault or Battery on a Utility Worker

by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senators Yarborough and Leek

The bill amends s. 784.07, F.S., to reclassify offenses of assault or battery one degree higher, when a person knowingly commits an assault or battery against a utility worker while such utility worker is engaged in work on critical infrastructure, as defined in s. 812.141(1), F.S., and is engaged in the lawful performance of his or her duties.

“Utility worker” means a person who bears at least one patch, emblem, organizational identification, or other clear marking that is intended to be plainly visible, that identifies the employing or contracting utility, and that clearly identifies the person as a utility worker under contract with or employed by an entity that owns, operates, leases, or controls a plant, property, or facility for the generation, transmission, distribution, or furnishing to or for the public, of electricity, natural or manufactured gas or propane, water, wastewater, telephone, or communications service, including two or more utilities rendering joint service.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 113-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 1447 — Trespass

by Criminal Justice Subcommittee and Rep. Giallombardo and others (CS/CS/CS/SB 1828 by Rules Committee; Judiciary Committee; Criminal Justice Committee; and Senator Martin)

The bill amends s. 810.09, F.S., to create a third degree felony offense for a person that trespasses on property that is maintained or secured by federal, state, or local law enforcement which is legally posted in a manner prescribed by law.

The bill amends s. 871.05, F.S., to create a third degree felony offense for a person to willfully enter or remain in a venue, without being authorized, licensed, or invited to enter or remain in such venue, during a covered ticketed event wherein attendance exceeds 5,000 persons.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 35-1; House 112-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 1451 — Sexual Cyberharassment

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Baker, Gottlieb, and others (CS/SB 1084 by Criminal Justice Committee and Senator Martin)

The bill revises the definition of “sexually cyberharass” to mean *intentionally* publish to an Internet website or *intentionally* disseminate through electronic means to another person a sexually explicit image of a person without the depicted person’s consent and contrary to the depicted person’s reasonable expectation that the image would remain private if:

- The image contains or conveys the personal identification information of the depicted person; or
- The personal identification information of the depicted person is not contained or conveyed in the image itself but is contemporaneously published or disseminated in such a manner that a person viewing the personal identification information would reasonably know that such information directly relates to the person depicted in the sexually explicit image.

The bill removes the requirement that a person must disseminate an image for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person.

The definition of “sexually explicit image” is expanded to include images that depict the display of semen or vaginal secretion on a person.

The crime of sexual cyberharassment is a third degree felony if the person commits the crime for the purpose of pecuniary or any other financial gain. Additionally, it is a third degree felony if a person commits a second or subsequent offense of sexual cyberharassment.

An aggrieved person may receive punitive damages as a remedy for violation of the offense of sexual cyberharassment.

The bill amends s. 775.15, F.S., to extend the statute of limitations for violations of sexual cyberharassment as follows:

- A prosecution for a misdemeanor violation must be commenced within 5 years after the commission of the offense or within 3 years after the date on which the victim discovers the offense, whichever is later; and,
- A prosecution for a felony violation must be commenced within 7 years after the commission of the offense or within 3 years after the date on which the victim discovers the offense, whichever is later.

The bill amends s. 98.0751, F.S., to include a reference to the crime of sexual cyberharassment for pecuniary gain in the definition of “felony sexual offense.” A conviction for a felony sexual offense under this section precludes a person from having his or her voting rights restored without restoration of his or her civil rights.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 115-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 1455 — Sexual Offenses by Persons Previously Convicted of Sexual Offenses

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Baker and others (CS/SB 716 by Criminal Justice Committee and Senator Martin)

The bill creates s. 794.0116, F.S., to provide mandatory minimum sentences for a person who has previously been convicted of an offense listed in the sexual offender registry statute and who is convicted of committing a subsequent specified sexual offense. A person sentenced to a mandatory minimum term of imprisonment under the bill is generally not eligible for gain-time or any form of discretionary early release.

Specifically, a court must sentence a person who was previously convicted of or had adjudication withheld for an offense specified in the sexual offender statute to a mandatory minimum term of imprisonment of:

- 10 years if a person commits:
 - o Lewd and lascivious molestation of a victim less than 16 years of age under s. 800.04(5), F.S.;
 - o Lewd and lascivious molestation of an elderly or disabled person under s. 825.1025(3), F.S.;
 - o Possession of child pornography under s. 827.071(5)(a), F.S.;
 - o Computer pornography, prohibited computer usage, or traveling to meet a minor under s. 847.0135, F.S.; or
 - o Transmitting child pornography under s. 847.0137, F.S.
- 15 years if a person possesses, with the intent to promote, any photograph, motion picture, exhibition, show, representation, or other presentation which, in whole or in part, includes child pornography, in violation of s. 827.071(4), F.S.
- 20 years if a person commits:
 - o Use of a child in a sexual performance under s. 827.071(2), F.S.;
 - o Promoting a sexual performance by a child under s. 827.071(3), F.S.; or
 - o Selling or buying of minors under s. 847.0145, F.S.

If the mandatory minimum term of imprisonment imposed exceeds the maximum sentence authorized under law, the mandatory minimum term of imprisonment must be imposed. If the mandatory minimum term of imprisonment required to be imposed is less than the sentence that

could be imposed, the court must impose a sentence that includes the mandatory minimum term of imprisonment required under the bill.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 37-0; House 112-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/SB 1640 — Public Records/Lethality Assessment Forms

by Rules Committee; Governmental Oversight and Accountability Committee; and Senator Grall

The bill makes confidential and exempt from public records a lethality assessment form which contains a victim's information and responses to the lethality assessment. Lethality assessments are administered by law enforcement for any call relating to domestic violence to help determine a victim's risk of serious bodily injury or death at the hands of their aggressor.

The bill allows the information to be shared with domestic violence centers and the state attorney's office. A state attorney may release confidential information in furtherance of its official duties and responsibilities, and to the parties in a pending criminal prosecution as required by law. The exemption applies to forms completed on, before, or after January 1, 2025.

The exemption is subject to Open Government Sunset Review Act and will be repealed on October 2, 2030, unless reviewed and saved from repeal through reenactment by the Legislature.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 37-0; House 114-0

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/SB 1804 — Capital Human Trafficking of Vulnerable Persons for Sexual Exploitation

by Fiscal Policy Committee; Appropriations Committee on Criminal and Civil Justice; and Senator Martin

The bill creates a new crime of Capital Human Trafficking of Vulnerable Persons for Sexual Exploitation. A person 18 years or older who knowingly initiates, organizes, plans, finances, directs, manages, or supervises a venture that has subjected a child less than 12 years of age, or a person who is mentally defective or mentally incapacitated, to sexual exploitation commits a capital felony. A person convicted of capital human trafficking must register as a sexual predator.

The bill requires a court to conduct a separate sentencing proceeding to determine whether a defendant convicted of capital human trafficking should be sentenced to death or life imprisonment. Specifically, the bill provides:

- A jury must unanimously find at least two aggravating factors beyond a reasonable doubt for the defendant to be eligible for a sentence of death.
- Aggravating factors and mitigating circumstances that are customized to the new crime for the jury's consideration in arriving at a sentencing recommendation.
- If at least eight jurors determine that the defendant should be sentenced to death, the jury's recommendation must be a sentence of death. If fewer than eight jurors determine that the defendant should be sentenced to death, the jury's recommendation must be a sentence of life imprisonment without the possibility of parole.
- The court has the discretion to enter a death sentence or a sentence of life imprisonment without the possibility of parole if the jury recommends a sentence of death.
- The prosecutor must present evidence of two or more aggravating factors before victim impact evidence may be introduced and argued by the prosecutor.
- The court must enter a written sentencing order regardless of the sentence imposed that includes the reasons for not accepting the jury's recommended sentence, if applicable.
- The state may appeal if the circuit court fails to comply with the sentencing procedures for this new crime.

Additionally, a reference to the new crime is added to various statutes to provide that:

- A defendant's confession or admission, is admissible, under certain circumstances, during trial even if the state is unable to independently prove each element of the crime.
- Parental consent is not required for a pelvic exam of a child who is a victim of capital human trafficking.
- A defendant convicted of capital human trafficking must submit to HIV testing.
- A person commits a life felony if he or she commits a kidnapping or false imprisonment on a person under the age of 13, and in the course of such crime commits capital human trafficking.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

Vote: Senate 27-11; House 95-17

THE FLORIDA SENATE
2025 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

HB 6025 — Restrictions on Firearms and Ammunition During Emergencies
by Reps. Miller, Mayfield, and others (SB 952 by Senators Ingoglia, Yarborough, and Collins)

The bill repeals s. 870.044, F.S., which provides that when a county sheriff or a designated city official declares a local state of emergency because there has been an act of violence, a clear and present danger of a riot, public disorder, or widespread disobedience of the law, and substantial injury to persons or property, a person may not:

- Sell or offer to sell firearms or ammunition;
- Intentionally display firearms or ammunition in a store or shop; or
- Intentionally possess a firearm in a public place unless he or she is an authorized law enforcement official or person in military service acting in the official performance of her or his duty.

The bill also repeals the provision which provides that nothing in ch. 870, F.S., may be construed to authorize the seizure, taking, or confiscation of lawfully possessed firearms unless the person is engaged in a criminal act.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect upon becoming law.

Vote: Senate 32-5; House 86-28