

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 437 (2025)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>          </u>	

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Committee/Subcommittee hearing bill: Judiciary Committee  
Representative Daley offered the following:

**Amendment (with title amendment)**

Remove lines 21-48 and insert:

affirmatively act to circumvent the operation of an electronic monitoring device that must be worn or used by that person or another person pursuant to a court order or pursuant to an order by the Florida Commission on Offender Review; or

(b) Request, authorize, or solicit a person to remove, destroy, alter, tamper with, damage, or 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.

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16       (3) Except as provided in subsection (4), a person who  
17 violates this section commits a:

18       (a) Felony of the third degree, punishable as provided in  
19 s. 775.082, s. 775.083, or s. 775.084, if the person who must  
20 wear or use the electronic monitoring device is charged with or  
21 serving a sentence for a misdemeanor or a third degree felony.

22       (b) Felony of the second degree, punishable as provided in  
23 s. 775.082, s. 775.083, or s. 775.084, if the person who must  
24 wear or use the electronic monitoring device is charged with or  
25 serving a sentence for a second degree felony.

26       (c) Felony of the first degree, punishable as provided in  
27 s. 775.082, s. 775.083, or s. 775.084, if the person who must  
28 wear or use the electronic monitoring device is charged with or  
29 serving a sentence for a first degree felony, a first degree  
30 felony punishable by a term of years not exceeding life, a life  
31 felony, or a capital felony.

32       (4) A person under 18 years of age who violates this  
33 section commits a felony of the third degree, punishable as  
34 provided in s. 775.082, s. 775.083, or s. 775.084.

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36  
37                   **T I T L E   A M E N D M E N T**

38       Remove lines 4-6 and insert:

39       revising elements of the offense of tampering with an  
40       electronic monitoring device; reclassifying the

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41 offense to provide graduated penalties; providing a  
42 specified penalty for a person under 18 years of age  
43 who commits the offense; requiring termination of  
44 pretrial release