House

Florida Senate - 2025 Bill No. CS for CS for HB 903



LEGISLATIVE ACTION

Senate

Floor: 1/F/3R 04/29/2025 04:48 PM

Senator Grall moved the following:

Senate Amendment (with title amendment)

Delete lines 108 - 376

and insert:

Statutes, are amended, and paragraph (i) is added to subsection (5) of that section, to read:

95.11 Limitations other than for the recovery of real property.-Actions other than for recovery of real property shall be commenced as follows:

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(2) WITHIN FIVE YEARS.-

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(b) A legal or equitable action on a contract, obligation,

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12 or liability founded on a written instrument, except for an 13 action to enforce a claim against a payment bond, which shall be 14 governed by the applicable provisions of paragraph (6)(e), s. 255.05(10), s. 337.18(1), or s. 713.23(1)(e), and except for an 15 action for a deficiency judgment governed by paragraph (6)(f) 16 17 (6)(h). (5) WITHIN TWO YEARS.-18 19 (i) Except for actions described in subsection (9), or a 20 petition challenging a criminal conviction, all petitions; 21 extraordinary writs; tort actions, including those under s. 22 768.28(14); or other actions which concern any condition of 23 confinement of a prisoner filed by or on behalf of a prisoner as 24 defined in s. 57.085. Any petition, writ, or action brought 25 under this paragraph must be commenced within 2 years after the time the incident, conduct, or conditions occurred or within 2 26 27 years after the time the incident, conduct, or conditions were 28 discovered, or should have been discovered. 29 (6) WITHIN ONE YEAR.-(f) Except for actions described in subsection (9), a 30 31 petition for extraordinary writ, other than a petition 32 challenging a criminal conviction, filed by or on behalf of a 33 prisoner as defined in s. 57.085. (g) Except for actions described in subsection (9), an 34 35 action brought by or on behalf of a prisoner, as defined in s. 36 57.085, relating to the conditions of the prisoner's 37 confinement. 38 (h) An action to enforce a claim of a deficiency related to 39 a note secured by a mortgage against a residential property that is a one-family to four-family dwelling unit. The limitations 40 Page 2 of 11

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41	period shall commence on the day after the certificate is issued
42	by the clerk of court or the day after the mortgagee accepts a
43	deed in lieu of foreclosure.
44	Section 3. Section 760.701, Florida Statutes, is created to
45	read:
46	760.701 Lawsuits by prisoners
47	(1) For the purposes of this section, the term "prisoner"
48	means any person incarcerated or detained in any jail, prison,
49	or other correctional facility, who is accused of, convicted of,
50	sentenced for, or adjudicated delinquent for, violations of
51	criminal law or the terms and conditions of parole, probation,
52	pretrial release, or diversionary program.
53	(2) An action may not be brought by or on behalf of a
54	prisoner relating to the conditions of the prisoner's
55	confinement under 42 U.S.C. s. 1983, or any other state or
56	federal law, until such administrative remedies as are available
57	are fully exhausted.
58	(3) The court shall on its own motion or on the motion of a
59	party dismiss any action brought relating to the conditions of
60	the prisoner's confinement under 42 U.S.C. s. 1983, or any other
61	state or federal law, by a prisoner if the court is satisfied
62	that the action is frivolous, malicious, fails to state a claim
63	upon which relief can be granted, or seeks monetary relief from
64	a defendant who is immune from such relief. The court shall
65	review any such action pursuant to s. 57.085(6).
66	(4) An action may not be brought in state court by or on
67	behalf of a prisoner relating to the conditions of the
68	prisoner's confinement under 42 U.S.C. s. 1983, or any state
69	tort action, for mental or emotional injury suffered while in

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74period as described in s. 95.11(5)(i).75Section 4. Paragraph (d) of subsection (2) of section76775.087, Florida Statutes, is amended, paragraph (e) is added77that subsection, paragraph (e) of subsection (3) is redesignate78as paragraph (f), paragraph (d) of that subsection is amended,79new paragraph (e) is added to that subsection, and paragraph80of subsection (2) and paragraph (a) of subsection (3) are81republished, to read:82775.087 Possession or use of weapon; aggravated battery;83felony reclassification; minimum sentence84(2) (a)1. Any person who is convicted of a felony or an85attempt to commit a felony, regardless of whether the use of a86weapon is an element of the felony, and the conviction was for87a. Murder;88b. Sexual battery;90d. Burglary;91e. Arson;92f. Aggravated battery;93g. Kidnapping;94h. Escape;95i. Aircraft piracy;96j. Aggravated child abuse;97k. Aggravated abuse of an elderly person or disabled adure		
(5) The time for bringing an action which concerns any condition of confinement of a prisoner shall be the limitation period as described in s. 95.11(5)(i). Section 4. Paragraph (d) of subsection (2) of section 775.087, Florida Statutes, is amended, paragraph (e) is added that subsection, paragraph (e) of subsection (3) is redesignat as paragraph (f), paragraph (d) of that subsection is amended, new paragraph (e) is added to that subsection, and paragraph of subsection (2) and paragraph (a) of subsection (3) are republished, to read: 775.087 Possession or use of weapon; aggravated battery; felony reclassification; minimum sentence (2) (a) 1. Any person who is convicted of a felony or an attempt to commit a felony, regardless of whether the use of a weapon is an element of the felony, and the conviction was for a. Murder; b. Sexual battery; c. Robbery; d. Burglary; e. Arson; f. Aggravated battery; g. Kidnapping; h. Escape; i. Aircraft piracy; j. Aggravated child abuse; k. Aggravated abuse of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of an elderly person or disabled adured to the set of the set of an elderly person or disabled adured to the set of the set of an elderly person or disabled adured to the set of the set of the set of an elderly person or disabled adured to the set of		
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76 775.087, Florida Statutes, is amended, paragraph (e) is added 77 that subsection, paragraph (e) of subsection (3) is redesignat 78 as paragraph (f), paragraph (d) of that subsection is amended, 79 new paragraph (e) is added to that subsection, and paragraph 80 of subsection (2) and paragraph (a) of subsection (3) are 81 republished, to read: 82 775.087 Possession or use of weapon; aggravated battery; 83 felony reclassification; minimum sentence 84 (2) (a) 1. Any person who is convicted of a felony or an 85 attempt to commit a felony, regardless of whether the use of a 86 weapon is an element of the felony, and the conviction was for 87 a. Murder; 88 b. Sexual battery; 89 c. Robbery; 90 d. Burglary; 91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu	74	period as described in s. 95.11(5)(i).
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<pre>81 republished, to read: 82 775.087 Possession or use of weapon; aggravated battery; 83 felony reclassification; minimum sentence 84 (2)(a)1. Any person who is convicted of a felony or an 85 attempt to commit a felony, regardless of whether the use of a 86 weapon is an element of the felony, and the conviction was for 87 a. Murder; 88 b. Sexual battery; 89 c. Robbery; 90 d. Burglary; 91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu</pre>	79	new paragraph (e) is added to that subsection, and paragraph (a)
775.087 Possession or use of weapon; aggravated battery; felony reclassification; minimum sentence.— (2) (a)1. Any person who is convicted of a felony or an attempt to commit a felony, regardless of whether the use of a weapon is an element of the felony, and the conviction was for a. Murder; b. Sexual battery; b. Sexual battery; c. Robbery; d. Burglary; e. Arson; f. Aggravated battery; g. Kidnapping; h. Escape; i. Aircraft piracy; j. Aggravated child abuse; k. Aggravated abuse of an elderly person or disabled adu	80	of subsection (2) and paragraph (a) of subsection (3) are
<pre>felony reclassification; minimum sentence felony reclassification; minimum sentence felony reclassification; minimum sentence felony (2) (a) 1. Any person who is convicted of a felony or an felony attempt to commit a felony, regardless of whether the use of a felony is an element of the felony, and the conviction was for a. Murder; felony a. Murder; felony a. Murder; felony and the conviction was for a. Murder;</pre>	81	republished, to read:
84 (2) (a) 1. Any person who is convicted of a felony or an 85 attempt to commit a felony, regardless of whether the use of a 86 weapon is an element of the felony, and the conviction was for 87 a. Murder; 88 b. Sexual battery; 89 c. Robbery; 90 d. Burglary; 91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu	82	775.087 Possession or use of weapon; aggravated battery;
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<pre>86 weapon is an element of the felony, and the conviction was for 87 a. Murder; 88 b. Sexual battery; 89 c. Robbery; 90 d. Burglary; 91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu</pre>	84	(2)(a)1. Any person who is convicted of a felony or an
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<pre>89 c. Robbery; 90 d. Burglary; 91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu</pre>	87	a. Murder;
<pre>90 d. Burglary; 91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu</pre>	88	b. Sexual battery;
<pre>91 e. Arson; 92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu</pre>	89	c. Robbery;
<pre>92 f. Aggravated battery; 93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu</pre>	90	d. Burglary;
93 g. Kidnapping; 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu	91	e. Arson;
 94 h. Escape; 95 i. Aircraft piracy; 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu 	92	f. Aggravated battery;
 95 95 96 97 97 98 99 99 90 90 91 92 93 94 95 95 96 97 <	93	g. Kidnapping;
 96 j. Aggravated child abuse; 97 k. Aggravated abuse of an elderly person or disabled adu 	94	h. Escape;
97 k. Aggravated abuse of an elderly person or disabled adu	95	i. Aircraft piracy;
	96	j. Aggravated child abuse;
98 l. Unlawful throwing, placing, or discharging of a	97	k. Aggravated abuse of an elderly person or disabled adult;
	98	l. Unlawful throwing, placing, or discharging of a

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99	destructive device or bomb;
100	m. Carjacking;
101	n. Home-invasion robbery;
102	o. Aggravated stalking;
103	p. Trafficking in cannabis, trafficking in cocaine, capital
104	importation of cocaine, trafficking in illegal drugs, capital
105	importation of illegal drugs, trafficking in phencyclidine,
106	capital importation of phencyclidine, trafficking in
107	methaqualone, capital importation of methaqualone, trafficking
108	in amphetamine, capital importation of amphetamine, trafficking
109	in flunitrazepam, trafficking in gamma-hydroxybutyric acid
110	(GHB), trafficking in 1,4-Butanediol, trafficking in
111	Phenethylamines, or other violation of s. 893.135(1);
112	q. Possession of a firearm by a felon; or
113	r. Human trafficking
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115	and during the commission of the offense, such person actually
116	possessed a "firearm" or "destructive device" as those terms are
117	defined in s. 790.001, shall be sentenced to a minimum term of
118	imprisonment of 10 years, except that a person who is convicted
119	for possession of a firearm by a felon or burglary of a
120	conveyance shall be sentenced to a minimum term of imprisonment
121	of 3 years if such person possessed a "firearm" or "destructive
122	device" during the commission of the offense. However, if an
123	offender who is convicted of the offense of possession of a
124	firearm by a felon has a previous conviction of committing or
125	attempting to commit a felony listed in s. 775.084(1)(b)1. and
126	actually possessed a firearm or destructive device during the
127	commission of the prior felony, the offender shall be sentenced

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128 to a minimum term of imprisonment of 10 years.

129 2. Any person who is convicted of a felony or an attempt to 130 commit a felony listed in sub-subparagraphs 1.a.-p. or sub-131 subparagraph 1.r., regardless of whether the use of a weapon is 132 an element of the felony, and during the course of the 133 commission of the felony such person discharged a "firearm" or 134 "destructive device" as defined in s. 790.001 shall be sentenced 135 to a minimum term of imprisonment of 20 years.

136 3. Any person who is convicted of a felony or an attempt to 137 commit a felony listed in sub-subparagraphs 1.a.-p. or sub-138 subparagraph 1.r., regardless of whether the use of a weapon is 139 an element of the felony, and during the course of the 140 commission of the felony such person discharged a "firearm" or 141 "destructive device" as defined in s. 790.001 and, as the result 142 of the discharge, death or great bodily harm was inflicted upon 143 any person, the convicted person shall be sentenced to a minimum 144 term of imprisonment of not less than 25 years and not more than 145 a term of imprisonment of life in prison.

(d) It is the intent of the Legislature that offenders who 146 147 actually possess, carry, display, use, threaten to use, or 148 attempt to use firearms or destructive devices be punished to the fullest extent of the law. The court shall impose, and the 149 150 minimum term terms of imprisonment required under paragraph (a) 151 imposed pursuant to this subsection shall be imposed for each 152 qualifying felony offense count for which the person is 153 convicted. If the offender is convicted of multiple felony 154 offenses for which paragraph (a) requires the imposition of a 155 minimum term of imprisonment, the court shall impose any such terms term of imprisonment provided for in this subsection 156

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157	consecutively to any other term of imprisonment imposed for any
158	other felony offense.
159	(e) If an offender commits a felony enumerated in
160	subparagraph (a)1. in conjunction with any other felony offense
161	not enumerated in subparagraph (a)1., the court may impose any
162	term of imprisonment provided for in paragraph (a) consecutively
163	to any other term of imprisonment imposed for any other felony
164	offense not enumerated in subparagraph (a)1.
165	(3)(a)1. Any person who is convicted of a felony or an
166	attempt to commit a felony, regardless of whether the use of a
167	firearm is an element of the felony, and the conviction was for:
168	a. Murder;
169	b. Sexual battery;
170	c. Robbery;
171	d. Burglary;
172	e. Arson;
173	f. Aggravated battery;
174	g. Kidnapping;
175	h. Escape;
176	i. Sale, manufacture, delivery, or intent to sell,
177	manufacture, or deliver any controlled substance;
178	j. Aircraft piracy;
179	k. Aggravated child abuse;
180	1. Aggravated abuse of an elderly person or disabled adult;
181	m. Unlawful throwing, placing, or discharging of a
182	destructive device or bomb;
183	n. Carjacking;
184	o. Home-invasion robbery;
185	p. Aggravated stalking;

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186 Trafficking in cannabis, trafficking in cocaine, capital q. 187 importation of cocaine, trafficking in illegal drugs, capital 188 importation of illegal drugs, trafficking in phencyclidine, capital importation of phencyclidine, trafficking in 189 190 methaqualone, capital importation of methaqualone, trafficking 191 in amphetamine, capital importation of amphetamine, trafficking 192 in flunitrazepam, trafficking in gamma-hydroxybutyric acid 193 (GHB), trafficking in 1,4-Butanediol, trafficking in 194 Phenethylamines, or other violation of s. 893.135(1); or

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r. Human trafficking

and during the commission of the offense, such person possessed a semiautomatic firearm and its high-capacity detachable box magazine or a machine gun as defined in s. 790.001, shall be sentenced to a minimum term of imprisonment of 15 years.

2. Any person who is convicted of a felony or an attempt to 201 202 commit a felony listed in subparagraph 1., regardless of whether the use of a weapon is an element of the felony, and during the course of the commission of the felony such person discharged a 205 semiautomatic firearm and its high-capacity box magazine or a 206 "machine gun" as defined in s. 790.001 shall be sentenced to a 207 minimum term of imprisonment of 20 years.

208 3. Any person who is convicted of a felony or an attempt to commit a felony listed in subparagraph 1., regardless of whether 209 210 the use of a weapon is an element of the felony, and during the 211 course of the commission of the felony such person discharged a 212 semiautomatic firearm and its high-capacity box magazine or a "machine gun" as defined in s. 790.001 and, as the result of the 213 discharge, death or great bodily harm was inflicted upon any 214

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215 person, the convicted person shall be sentenced to a minimum 216 term of imprisonment of not less than 25 years and not more than 217 a term of imprisonment of life in prison.

218 (d) It is the intent of the Legislature that offenders who 219 possess, carry, display, use, threaten to use, or attempt to use 220 a semiautomatic firearm and its high-capacity detachable box 221 magazine or a machine gun as defined in s. 790.001 be punished 222 to the fullest extent of the law. The court shall impose, and 223 the minimum term terms of imprisonment required under paragraph 224 (a) imposed pursuant to this subsection shall be imposed for 225 each qualifying felony offense count for which the person is 226 convicted. If the offender is convicted of multiple felony 227 offenses for which paragraph (a) requires the imposition of a 228 minimum term of imprisonment, the court shall impose any such 229 terms term of imprisonment provided for in this subsection 230 consecutively to any other term of imprisonment imposed for any 231 other felony offense.

(e) If an offender commits a felony enumerated in subparagraph (a)1. in conjunction with any other felony offense not enumerated in subparagraph (a)1., the court may impose any term of imprisonment provided for in paragraph (a) consecutively to any other term of imprisonment imposed for any other felony offense not enumerated in subparagraph (a)1.

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(f) (e) As used in this subsection, the term:

239 1. "High-capacity detachable box magazine" means any 240 detachable box magazine, for use in a semiautomatic firearm, 241 which is capable of being loaded with more than 20 centerfire 242 cartridges.

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2. "Semiautomatic firearm" means a firearm which is capable

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244	of firing a series of rounds by separate successive depressions
245	of the trigger and which uses the energy of discharge to perform
246	a portion of the operating cycle.
247	Section 5. Subsection (13) of section 517.191, Florida
248	Statutes, is amended to read:
249	517.191 Enforcement by the Office of Financial Regulation;
250	enforcement by Attorney General
251	(13) Notwithstanding s. 95.11(5)(f), An enforcement action
252	brought under this section based on a violation of this chapter
253	or any rule or order issued under this chapter shall be brought
254	within 6 years after the facts giving rise to the cause of
255	action were discovered or should have been discovered with the
256	exercise of due diligence, but not more than 8 years after the
257	date such violation occurred.
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259	========== T I T L E A M E N D M E N T ===============
260	And the title is amended as follows:
261	Delete lines 7 - 25
262	and insert:
263	providing for a 2-year period of limitation for
264	bringing certain actions relating to the condition of
265	confinement of prisoners; creating s. 760.701, F.S.;
266	defining the term "prisoner"; requiring exhaustion of
267	administrative remedies before certain actions
268	concerning confinement of prisoners may be brought;
269	providing for dismissal of certain actions involving
270	prisoner confinement in certain circumstances;
271	requiring a showing of physical injury or the
272	commission of a certain act as a condition precedent

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273	for bringing certain actions relating to prisoner
274	confinement; specifying a time limitation period for
275	bringing an action concerning any condition of
276	confinement; amending s. 775.087, F.S.; providing that
277	prison terms for certain offenses committed in
278	conjunction with another felony offense may be
279	sentenced to be served consecutively; amending s.
280	517.191, F.S.; conforming a provision to changes made
281	by the act;