

A bill to be entitled
An act relating to child pornography terminology;
amending ss. 39.0138, 92.56, 92.561, 435.07, 456.074,
775.0847, 827.071, 827.072, 836.13, 836.14, 847.001,
847.002, 847.01357, 847.0139, 903.011, 948.06, 960.03,
and 960.197, F.S.; replacing the term "child
pornography" with the term "child sexual abuse
material"; amending ss. 847.0137 and 921.0022, F.S.;
replacing the terms "pornography" and "child
pornography" with the term "child sexual abuse
material"; providing an effective date.

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

**Section 1. Paragraph (c) of subsection (3) of section
39.0138, Florida Statutes, is amended to read:**

39.0138 Criminal history and other records checks; limit
on placement of a child.—

(3) The department may not place a child with a person
other than a parent if the criminal history records check
reveals that the person has been convicted of any felony that
falls within any of the following categories:

(c) Child sexual abuse material ~~pornography~~ or other
felony in which a child was a victim of the offense; or

Section 2. Subsection (3) of section 92.56, Florida

26 **Statutes, is amended to read:**

27 92.56 Judicial proceedings and court records involving
28 sexual offenses and human trafficking.—

29 (3) The state may use a pseudonym instead of the victim's
30 name to designate the victim of a crime described in s.
31 787.06(3)(a)1., (c)1., or (e)1., in s. 787.06(3)(b), (d), (f),
32 or (g), or in chapter 794 or chapter 800, or of child abuse,
33 aggravated child abuse, or sexual performance by a child as
34 described in chapter 827, or any crime involving the production,
35 possession, or promotion of child sexual abuse material
36 ~~pornography~~ as described in chapter 847, in all court records
37 and records of court proceedings, both civil and criminal.

38 **Section 3. Section 92.561, Florida Statutes, is amended to**
39 **read:**

40 92.561 Prohibition on reproduction of child sexual abuse
41 material ~~pornography~~.—

42 (1) In a criminal proceeding, any property or material
43 that portrays sexual performance by a child as defined in s.
44 827.071, constitutes generated child sexual abuse material
45 ~~pornography~~ as defined in s. 827.072, or constitutes child
46 sexual abuse material ~~pornography~~ as defined in s. 847.001, must
47 remain secured or locked in the care, custody, and control of a
48 law enforcement agency, the state attorney, or the court.

49 (2) Notwithstanding any law or rule of court, a court
50 shall deny, in a criminal proceeding, any request by the

defendant to copy, photograph, duplicate, or otherwise reproduce any property or material that portrays sexual performance by a child, constitutes generated child sexual abuse material ~~pornography~~, or constitutes child sexual abuse material ~~pornography~~ so long as the state attorney makes the property or material reasonably available to the defendant.

(3) For purposes of this section, property or material is deemed to be reasonably available to the defendant if the state attorney provides ample opportunity at a designated facility for the inspection, viewing, and examination of the property or material that portrays sexual performance by a child, constitutes generated child sexual abuse material ~~pornography~~, or constitutes child sexual abuse material ~~pornography~~ by the defendant, his or her attorney, or any individual whom the defendant uses as an expert during the discovery process or at a court proceeding.

Section 4. Paragraph (c) of subsection (4) of section 435.07, Florida Statutes, is amended to read:

435.07 Exemptions from disqualification.—Unless otherwise provided by law, the provisions of this section apply to exemptions from disqualification for disqualifying offenses revealed pursuant to background screenings required under this chapter, regardless of whether those disqualifying offenses are listed in this chapter or other laws.

(4)

76 (c) Disqualification from employment under this chapter
77 may not be removed from, and an exemption may not be granted to,
78 any current or prospective child care personnel, as defined in
79 s. 402.302(3), and such a person is disqualified from employment
80 as child care personnel, regardless of any previous exemptions
81 from disqualification, if the person has been registered as a
82 sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C) or has
83 been arrested for and is awaiting final disposition of, has been
84 convicted or found guilty of, or entered a plea of guilty or
85 nolo contendere to, regardless of adjudication, or has been
86 adjudicated delinquent and the record has not been sealed or
87 expunged for, any offense prohibited under any of the following
88 provisions of state law or a similar law of another
89 jurisdiction:

90 1. A felony offense prohibited under any of the following
91 statutes:

92 a. Chapter 741, relating to domestic violence.

93 b. Section 782.04, relating to murder.

94 c. Section 782.07, relating to manslaughter; aggravated
95 manslaughter of an elderly person or disabled adult; aggravated
96 manslaughter of a child; or aggravated manslaughter of an
97 officer, a firefighter, an emergency medical technician, or a
98 paramedic.

99 d. Section 784.021, relating to aggravated assault.

100 e. Section 784.045, relating to aggravated battery.

- f. Section 787.01, relating to kidnapping.
- g. Section 787.025, relating to luring or enticing a child.
- h. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.
- i. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.
- j. Section 794.011, relating to sexual battery.
- k. Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.
- l. Section 794.05, relating to unlawful sexual activity with certain minors.
- m. Section 794.08, relating to female genital mutilation.
- n. Section 806.01, relating to arson.
- o. Section 826.04, relating to incest.
- p. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.
- q. Section 827.04, relating to contributing to the delinquency or dependency of a child.

126 r. Section 827.071, relating to sexual performance by a
127 child.

128 s. Chapter 847, relating to child sexual abuse material
129 ~~pornography~~.

130 t. Chapter 893, relating to a drug abuse prevention and
131 control offense, if that offense was committed in the preceding
132 5 years.

133 u. Section 985.701, relating to sexual misconduct in
134 juvenile justice programs.

135 2. A misdemeanor offense prohibited under any of the
136 following statutes:

137 a. Section 784.03, relating to battery, if the victim of
138 the offense was a minor.

139 b. Section 787.025, relating to luring or enticing a
140 child.

141 c. Chapter 847, relating to child sexual abuse material
142 ~~pornography~~.

143 3. A criminal act committed in another state or under
144 federal law which, if committed in this state, constitutes an
145 offense prohibited under any statute listed in subparagraph 1.
146 or subparagraph 2.

147 **Section 5. Paragraph (aa) of subsection (5) of section**
148 **456.074, Florida Statutes, is amended to read:**

149 456.074 Certain health care practitioners; immediate
150 suspension of license.—

(5) The department shall issue an emergency order suspending the license of any health care practitioner who is arrested for committing or attempting, soliciting, or conspiring to commit any act that would constitute a violation of any of the following criminal offenses in this state or similar offenses in another jurisdiction:

(aa) Section 847.0137, relating to the transmission of child sexual abuse material ~~pornography~~ by electronic device or equipment.

Section 6. Paragraph (b) of subsection (1) and paragraph (a) of subsection (2) of section 775.0847, Florida Statutes, are amended to read:

775.0847 Possession or promotion of certain images of child sexual abuse material ~~pornography~~; reclassification.—

(1) For purposes of this section:

(b) "Child sexual abuse material ~~pornography~~" means:

1. Any image depicting a minor engaged in sexual conduct;
or

2. Any image that has been created, altered, adapted, or modified by electronic, mechanical, or other means, to portray an identifiable minor engaged in sexual conduct.

(2) A violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138 shall be reclassified to the next higher degree as provided in subsection (3) if:

(a) The offender possesses 10 or more images of any form

176 of child sexual abuse material ~~pornography~~ regardless of
177 content; and
178

179 For purposes of sentencing under chapter 921 and determining
180 incentive gain-time eligibility under chapter 944, a felony
181 offense that is reclassified under this section is ranked one
182 level above the ranking under s. 921.0022 or s. 921.0023 of the
183 offense committed.

184 **Section 7. Paragraph (b) of subsection (1), subsection**
185 **(4), and paragraph (a) of subsection (5) of section 827.071,**
186 **Florida Statutes, are amended to read:**

187 827.071 Sexual performance by a child; child sexual abuse
188 material ~~pornography~~; penalties.—

189 (1) As used in this section, the following definitions
190 shall apply:

191 (b) "Child sexual abuse material ~~pornography~~" means:

192 1. Any image depicting a minor engaged in sexual conduct;
193 or

194 2. Any image that has been created, altered, adapted, or
195 modified by electronic, mechanical, or other means, to portray
196 an identifiable minor engaged in sexual conduct.

197 (4) It is unlawful for any person to possess with the
198 intent to promote any photograph, motion picture, exhibition,
199 show, representation, or other presentation which, in whole or
200 in part, includes child sexual abuse material ~~pornography~~. The

possession of three or more copies of such photograph, motion picture, representation, or presentation is prima facie evidence of an intent to promote. A person who violates this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5)(a) It is unlawful 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 child sexual abuse material ~~pornography~~. The solicitation, possession, control, or intentional viewing of each such photograph, motion picture, exhibition, show, image, data, computer depiction, representation, or presentation is a separate offense. If such photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation includes child sexual abuse material ~~pornography~~ depicting more than one child, then each such child in each such photograph, motion picture, exhibition, show, representation, image, data, computer depiction, or other presentation that is knowingly solicited, possessed, controlled, or intentionally viewed is a separate offense. A person who violates this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 8. Paragraph (a) of subsection (1) and paragraphs (a) and (b) of subsection (2) of section 827.072, Florida

Statutes, are amended to read:

827.072 Generated child sexual abuse material
~~pornography~~.—

(1) As used in this section, the term:

(a) "Generated child sexual abuse material ~~pornography~~" means any image that has been created, altered, adapted, or modified by electronic, mechanical, or other computer-generated means to portray a fictitious person, who a reasonable person would regard as being a real person younger than 18 years of age, engaged in sexual conduct.

(2)(a) It is unlawful for a person to knowingly possess or control or intentionally view a photograph, a motion picture, a representation, an image, a data file, a computer depiction, or any other presentation which, in whole or in part, he or she knows includes generated child sexual abuse material ~~pornography~~. The possession, control, or intentional viewing of each such photograph, motion picture, representation, image, data file, computer depiction, or other presentation is a separate offense. A person who violates this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person who intentionally creates generated child sexual abuse material ~~pornography~~ commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 9. Subsection (11) of section 836.13, Florida Statutes, is amended to read:

836.13 Altered sexual depictions; prohibited acts; penalties; applicability.—

(11) Prosecution of a person for an offense under this section does not preclude prosecution of that person in this state for a violation of any other law of this state, including a law providing for greater penalties than prescribed in this section or any other crime related to child sexual abuse material ~~pornography~~ or the sexual performance or the sexual exploitation of children.

Section 10. Subsection (9) of section 836.14, Florida Statutes, is amended to read:

836.14 Theft or unauthorized promotion of a sexually explicit image.—

(9) Prosecution of a person for an offense under this section does not preclude prosecution of that person in this state for a violation of any other law of this state, including a law providing for greater penalties than prescribed in this section or any other crime related to child sexual abuse material ~~pornography~~ or the sexual performance or the sexual exploitation of children.

Section 11. Subsection (3) of section 847.001, Florida Statutes, is amended to read:

847.001 Definitions.—As used in this chapter, the term:

(3) "Child sexual abuse material ~~pornography~~" means:

(a) Any image depicting a minor engaged in sexual conduct;

or

(b) Any image that has been created, altered, adapted, or modified by electronic, mechanical, or other means, to portray an identifiable minor engaged in sexual conduct.

Section 12. Section 847.002, Florida Statutes, is amended to read:

847.002 Child sexual abuse material ~~pornography~~ prosecutions.—

(1) Any law enforcement officer who, pursuant to a criminal investigation, recovers images or movies of child sexual abuse material ~~pornography~~ shall:

(a) Provide such images or movies to the law enforcement agency representative assigned to the Child Victim Identification Program at the National Center for Missing and Exploited Children, as required by the center's guidelines.

(b) Request the law enforcement agency contact information from the Child Victim Identification Program for any images or movies recovered which contain an identified victim of child sexual abuse material ~~pornography~~ as defined in s. 960.03.

(c) Provide case information to the Child Victim Identification Program, as required by the National Center for Missing and Exploited Children guidelines, in any case where the law enforcement officer identifies a previously unidentified

301 victim of child sexual abuse material ~~pornography~~.

302 (2) Any law enforcement officer submitting a case for
303 prosecution which involves the production, promotion, or
304 possession of child sexual abuse material ~~pornography~~ shall
305 submit to the designated prosecutor the law enforcement agency
306 contact information provided by the Child Victim Identification
307 Program at the National Center for Missing and Exploited
308 Children, for any images or movies involved in the case which
309 contain the depiction of an identified victim of child sexual
310 abuse material ~~pornography~~ as defined in s. 960.03.

311 (3) In every filed case involving an identified victim of
312 child sexual abuse material ~~pornography~~, as defined in s.
313 960.03, the prosecuting agency shall enter the following
314 information into the Victims in Child Pornography Tracking
315 Repeat Exploitation database maintained by the Office of the
316 Attorney General:

- 317 (a) The case number and agency file number.
318 (b) The named defendant.
319 (c) The circuit court division and county.
320 (d) Current court dates and the status of the case.
321 (e) Contact information for the prosecutor assigned.
322 (f) Verification that the prosecutor is or is not in
323 possession of a victim impact statement and will use the
324 statement in sentencing.

325 **Section 13. Subsections (1) and (4) of section 847.01357,**

Florida Statutes, are amended to read:

847.01357 Exploited children's civil remedy.—

(1) Any person who, while under the age of 18, was a victim of a sexual abuse crime listed in chapter 794, chapter 800, chapter 827, or chapter 847, where any portion of such abuse was used in the production of child sexual abuse material ~~pornography~~, and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images or movies, may bring an action in an appropriate state court against the producer, promoter, or possessor of such images or movies, regardless of whether the victim is now an adult. In any action brought under this section, a prevailing plaintiff shall recover the actual damages such person sustained and the cost of the suit, including reasonable attorney's fees. Any victim who is awarded damages under this section shall be deemed to have sustained damages of at least \$150,000.

(4) It is not a defense to a civil cause of action under this section that the respondent did not know the victim or commit the abuse depicted in any image of child sexual abuse material ~~pornography~~.

Section 14. Subsections (2), (3), and (4) of section 847.0137, Florida Statutes, are amended to read:

847.0137 Transmission of child sexual abuse material ~~pornography~~ by electronic device or equipment prohibited; penalties.—

(2) Notwithstanding ss. 847.012 and 847.0133, any person in this state who knew or reasonably should have known that he or she was transmitting child sexual abuse material ~~pornography~~, as defined in s. 847.001, to another person in this state or in another jurisdiction commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) Notwithstanding ss. 847.012 and 847.0133, any person in any jurisdiction other than this state who knew or reasonably should have known that he or she was transmitting child sexual abuse material ~~pornography~~, as defined in s. 847.001, to any person in this state commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) This section shall not be construed to preclude prosecution of a person in this state or another jurisdiction for a violation of any law of this state, including a law providing for greater penalties than prescribed in this section, for the transmission of child sexual abuse material ~~pornography~~, as defined in s. 847.001, to any person in this state.

The provisions of this section do not apply to subscription-based transmissions such as list servers.

Section 15. Section 847.0139, Florida Statutes, is amended to read:

847.0139 Immunity from civil liability for reporting child sexual abuse material ~~pornography~~, transmission of child sexual

abuse material ~~pornography~~, or any image, information, or data harmful to minors to a minor in this state.—Any person who reports to a law enforcement officer what the person reasonably believes to be child sexual abuse material ~~pornography~~, transmission of child sexual abuse material ~~pornography~~, or any image, information, or data that is harmful to minors to a minor in this state may not be held civilly liable for such reporting. For purposes of this section, such reporting may include furnishing the law enforcement officer with any image, information, or data that the person reasonably believes to be evidence of child sexual abuse material ~~pornography~~, transmission of child sexual abuse material ~~pornography~~, or an image, information, or data that is harmful to minors to a minor in this state.

Section 16. Paragraph (g) of subsection (6) of section 903.011, Florida Statutes, is amended to read:

903.011 Pretrial release; general terms; statewide uniform bond schedule.—

(6) A person may not be released before his or her first appearance hearing or bail determination and a judge must determine the appropriate bail, if any, based on an individualized consideration of the criteria in s. 903.046(2), if the person meets any of the following criteria:

(g) The person's current offense of arrest is for one or more of the following crimes:

1. A capital felony, life felony, felony of the first degree, or felony of the second degree;
2. A homicide under chapter 782; or any attempt, solicitation, or conspiracy to commit a homicide;
3. Assault in furtherance of a riot or an aggravated riot; felony battery; domestic battery by strangulation; domestic violence, as defined in s. 741.28; stalking; mob intimidation; assault or battery on a law enforcement officer; assault or battery on juvenile probation officer, or other staff of a detention center or commitment facility, or a staff member of a commitment facility, or health services personnel; assault or battery on a person 65 years of age or older; robbery; burglary; carjacking; or resisting an officer with violence;
4. Kidnapping, false imprisonment, human trafficking, or human smuggling;
5. Possession of a firearm or ammunition by a felon, violent career criminal, or person subject to an injunction against committing acts of domestic violence, stalking, or cyberstalking;
6. Sexual battery; indecent, lewd, or lascivious touching; exposure of sexual organs; incest; luring or enticing a child; or child sexual abuse material ~~pornography~~;
7. Abuse, neglect, or exploitation of an elderly person or disabled adult;
8. Child abuse or aggravated child abuse;

9. Arson; riot, aggravated riot, inciting a riot, or aggravated inciting a riot; or a burglary or theft during a riot;

10. Escape; tampering or retaliating against a witness, victim, or informant; destruction of evidence; or tampering with a jury;

11. Any offense committed for the purpose of benefiting, promoting, or furthering the interests of a criminal gang;

12. Trafficking in a controlled substance, including conspiracy to engage in trafficking in a controlled substance;

13. Racketeering; or

14. Failure to appear at required court proceedings while on bail.

Section 17. Paragraphs (e), (f), and (g) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(e) LEVEL 5

Florida Statute	Felony Degree	Description
316.027(2)(a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop;

leaving scene.

446

316.1935 (3) (a) 2nd Driving at high speed or with
wanton disregard for safety
while fleeing or attempting to
elude law enforcement officer
who is in a patrol vehicle with
siren and lights activated.

447

316.80 (2) 2nd Unlawful conveyance of fuel;
obtaining fuel fraudulently.

448

322.34 (6) 3rd Careless operation of motor
vehicle with suspended license,
resulting in death or serious
bodily injury.

449

327.30 (5) (a) 2. 3rd Vessel accidents involving
personal injuries other than
serious bodily injury; leaving
scene.

450

365.172 2nd Misuse of emergency
(14) (b) 2. communications system resulting
in death.

451 | 379.365(2)(c)1. 3rd Violation of rules relating to:
willful molestation of stone
crab traps, lines, or buoys;
illegal bartering, trading, or
sale, conspiring or aiding in
such barter, trade, or sale, or
supplying, agreeing to supply,
aiding in supplying, or giving
away stone crab trap tags or
certificates; making, altering,
forging, counterfeiting, or
reproducing stone crab trap
tags; possession of forged,
counterfeit, or imitation stone
crab trap tags; and engaging in
the commercial harvest of stone
crabs while license is
suspended or revoked.

452 | 379.367(4) 3rd Willful molestation of a
commercial harvester's spiny
lobster trap, line, or buoy.

453 | 379.407(5)(b)3. 3rd Possession of 100 or more

CS/HB 245

2026

undersized spiny lobsters.

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

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

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

440.381(2) 3rd Submission of false,
misleading, or incomplete
information with the purpose of
avoiding or reducing workers'
compensation premiums.

624.401(4)(b)2. 2nd Transacting insurance without a
certificate or authority;
premium collected \$20,000 or
more but less than \$100,000.

626.902(1)(c) 2nd Representing an unauthorized
insurer; repeat offender.

CS/HB 245

2026

460	790.01 (3)	3rd	Unlawful carrying of a concealed firearm.
461	790.162	2nd	Threat to throw or discharge destructive device.
462	790.163 (1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
463	790.221 (1)	2nd	Possession of short-barreled shotgun or machine gun.
464	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
465	796.05 (1)	2nd	Live on earnings of a prostitute; 1st offense.
466	800.04 (6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.

Page 22 of 67

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hb245-01-c1

CS/HB 245

2026

467	800.04 (7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
468	806.111 (1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
469	810.145 (4)	3rd	Commercial digital voyeurism dissemination.
470	810.145 (7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
471	810.145 (8) (a)	2nd	Digital voyeurism; certain minor victims.
472	812.014 (2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
473	812.0145 (2) (b)	2nd	Theft from person 65 years of

Page 23 of 67

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hb245-01-c1

CS/HB 245

2026

age or older; \$10,000 or more
but less than \$50,000.

812.015 3rd Retail theft; property stolen
(8) (a) & (c) - is valued at \$750 or more and
(e) one or more specified acts.

812.015 (8) (f) 3rd Retail theft; multiple thefts
within specified period.

812.015 (8) (g) 3rd Retail theft; committed with
specified number of other
persons.

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

812.081 (3) 2nd Trafficking in trade secrets.

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

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

817.034 (4) (a) 2. 2nd Communications fraud, value

CS/HB 245

2026

\$20,000 to \$50,000.

482	817.234 (11) (b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
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483	817.2341 (1), (2) (a) & (3) (a)	3rd	Filing false financial statements, making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity.
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484	817.568 (2) (b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
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485	817.611 (2) (a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or
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CS/HB 245

2026

related documents.

486

817.625 (2) (b)

2nd

Second or subsequent fraudulent
use of scanning device,
skimming device, or reencoder.

487

825.1025 (4)

3rd

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

488

828.12 (2)

3rd

Tortures any animal with intent
to inflict intense pain,
serious physical injury, or
death.

489

836.14 (4)

2nd

Person who willfully promotes
for financial gain a sexually
explicit image of an
identifiable person without
consent.

490

839.13 (2) (b)

2nd

Falsifying records of an
individual in the care and
custody of a state agency
involving great bodily harm or

CS/HB 245

2026

death.

491

843.01 (1) 3rd Resist officer with violence to
person; resist arrest with
violence.

492

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

493

847.0137 3rd Transmission of child sexual
(2) & (3) abuse material ~~pornography~~ by
electronic device or equipment.

494

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

495

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

496

874.05 (2) (a) 2nd Encouraging or recruiting
person under 13 years of age to

join a criminal gang.

497

893.13(1)(a)1. 2nd Sell, manufacture, or deliver
cocaine (or other s.
893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)5.
drugs).

498

893.13(1)(c)2. 2nd Sell, manufacture, or deliver
cannabis (or other s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) drugs)
within 1,000 feet of a child
care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

499

893.13(1)(d)1. 1st Sell, manufacture, or deliver
cocaine (or other s.
893.03(1)(a), (1)(b), (1)(d),
(2)(a), (2)(b), or (2)(c)5.

drugs) within 1,000 feet of
university.

500

893.13(1)(e)2. 2nd Sell, manufacture, or deliver
cannabis or other drug
prohibited under s.
893.03(1)(c), (2)(c)1.,
(2)(c)2., (2)(c)3., (2)(c)6.,
(2)(c)7., (2)(c)8., (2)(c)9.,
(2)(c)10., (3), or (4) within
1,000 feet of property used for
religious services or a
specified business site.

501

893.13(1)(f)1. 1st Sell, manufacture, or deliver
cocaine (or other s.
893.03(1)(a), (1)(b), (1)(d),
or (2)(a), (2)(b), or (2)(c)5.
drugs) within 1,000 feet of
public housing facility.

502

893.13(4)(b) 2nd Use or hire of minor; deliver
to minor other controlled
substance.

503

CS/HB 245

2026

504	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
505	(f) LEVEL 6		
506			
507	Florida Statute	Felony Degree	Description
	316.027(2)(b)	2nd	Leaving the scene of a crash involving serious bodily injury.
508			
	316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
509			
	316.1935(4)(a)	2nd	Aggravated fleeing or eluding.
510			
	327.30(5)(a)3.	2nd	Vessel accidents involving serious bodily injury; leaving scene.
511			
	400.9935(4)(c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.

CS/HB 245

2026

512	499.0051(2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
513	499.0051(3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized person.
514	499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
515	775.0875(1)	3rd	Taking firearm from law enforcement officer.
516	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
517	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
518	784.041	3rd	Felony battery; domestic battery by strangulation.

Page 31 of 67

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hb245-01-c1

CS/HB 245

2026

519	784.048 (3)	3rd	Aggravated stalking; credible threat.
520	784.048 (5)	3rd	Aggravated stalking of person under 16.
521	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
522	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
523	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
524	784.081 (2)	2nd	Aggravated assault on specified official or employee.
525	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
526	784.083 (2)	2nd	Aggravated assault on code

Page 32 of 67

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb245-01-c1

CS/HB 245

2026

inspector.

527

787.02 (2) 3rd False imprisonment; restraining
with purpose other than those
in s. 787.01.

528

787.025 (2) (a) 3rd Luring or enticing a child.

529

790.115 (2) (d) 2nd Discharging firearm or weapon
on school property.

530

790.161 (2) 2nd Make, possess, or throw
destructive device with intent
to do bodily harm or damage
property.

531

790.164 (1) 2nd False report concerning bomb,
explosive, weapon of mass
destruction, act of arson or
violence to state property, or
use of firearms in violent
manner.

532

790.19 2nd Shooting or throwing deadly
missiles into dwellings,

CS/HB 245

2026

vessels, or vehicles.

533

794.011 (8) (a) 3rd Solicitation of minor to
participate in sexual activity
by custodial adult.

534

794.05 (1) 2nd Unlawful sexual activity with
specified minor.

535

800.04 (5) (d) 3rd Lewd or lascivious molestation;
victim 12 years of age or older
but less than 16 years of age;
offender less than 18 years.

536

800.04 (6) (b) 2nd Lewd or lascivious conduct;
offender 18 years of age or
older.

537

806.031 (2) 2nd Arson resulting in great bodily
harm to firefighter or any
other person.

538

810.02 (3) (c) 2nd Burglary of occupied structure;
unarmed; no assault or battery.

539

CS/HB 245

2026

540	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
541	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
542	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
543	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
544	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
545	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 120 days is \$3,000 or more; coordination of others.
	812.015 (9) (d)	2nd	Retail theft; multiple thefts

Page 35 of 67

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb245-01-c1

CS/HB 245

2026

within specified period.

546

812.015 (9) (e) 2nd Retail theft; committed with
specified number of other
persons and use of social media
platform.

547

812.13 (2) (c) 2nd Robbery, no firearm or other
weapon (strong-arm robbery).

548

817.4821 (5) 2nd Possess cloning paraphernalia
with intent to create cloned
cellular telephones.

549

817.49 (2) (b) 2. 2nd Willful making of a false
report of a crime resulting in
death.

550

817.505 (4) (b) 2nd Patient brokering; 10 or more
patients.

551

817.5695 (3) (b) 2nd Exploitation of person 65 years
of age or older, value \$10,000
or more, but less than \$50,000.

552

CS/HB 245

2026

553	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.
554	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
555	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
556	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
557	827.03 (2) (c)	3rd	Abuse of a child.
558	827.03 (2) (d)	3rd	Neglect of a child.
559	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child <u>sexual abuse material</u> pornography .

CS/HB 245

2026

560	828.126(3)	3rd	Sexual activities involving animals.
561	836.05	2nd	Threats; extortion.
562	836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
563	843.12	3rd	Aids or assists person to escape.
564	847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
565	847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
	847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.

Page 38 of 67

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hb245-01-c1

CS/HB 245

2026

566	893.131	2nd	Distribution of controlled substances resulting in overdose or serious bodily injury.
567	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
568	918.13 (2) (b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
569	944.35 (3) (a) 2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
570	944.40	2nd	Escapes.
571	944.46	3rd	Harboring, concealing, aiding escaped prisoners.

Page 39 of 67

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb245-01-c1

CS/HB 245

2026

572	944.47 (1) (a) 5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
573	951.22 (1) (i)	3rd	Firearm or weapon introduced into county detention facility.
574	(g) LEVEL 7		
575			
576	Florida	Felony	
	Statute	Degree	Description
577	316.027 (2) (c)	1st	Accident involving death, failure to stop; leaving scene.
578	316.193 (3) (c) 2.	3rd	DUI resulting in serious bodily injury.
579	316.1935 (3) (b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer

CS/HB 245

2026

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

327.35 (3) (a) 3.b. 3rd Vessel BUI resulting in serious
bodily injury.

402.319 (2) 2nd Misrepresentation and
negligence or intentional act
resulting in great bodily harm,
permanent disfiguration,
permanent disability, or death.

409.920 3rd Medicaid provider fraud;
(2) (b) 1.a. \$10,000 or less.

409.920 2nd Medicaid provider fraud; more
(2) (b) 1.b. than \$10,000, but less than
\$50,000.

456.065 (2) 3rd Practicing a health care
profession without a license.

456.065 (2) 2nd Practicing a health care
profession without a license
which results in serious bodily

CS/HB 245

2026

injury.

586

458.327(1)

3rd

Practicing medicine without a
license.

587

459.013(1)

3rd

Practicing osteopathic medicine
without a license.

588

460.411(1)

3rd

Practicing chiropractic
medicine without a license.

589

461.012(1)

3rd

Practicing podiatric medicine
without a license.

590

462.17

3rd

Practicing naturopathy without
a license.

591

463.015(1)

3rd

Practicing optometry without a
license.

592

464.016(1)

3rd

Practicing nursing without a
license.

593

465.015(2)

3rd

Practicing pharmacy without a
license.

CS/HB 245

2026

594	466.026 (1)	3rd	Practicing dentistry or dental hygiene without a license.
595	467.201	3rd	Practicing midwifery without a license.
596	468.366	3rd	Delivering respiratory care services without a license.
597	483.828 (1)	3rd	Practicing as clinical laboratory personnel without a license.
598	483.901 (7)	3rd	Practicing medical physics without a license.
599	484.013 (1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
600	484.053	3rd	Dispensing hearing aids without a license.
601	494.0018 (2)	1st	Conviction of any violation of chapter 494 in which the total

Page 43 of 67

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb245-01-c1

CS/HB 245

2026

money and property unlawfully
obtained exceeded \$50,000 and
there were five or more
victims.

602

560.123(8)(b)1. 3rd Failure to report currency or
payment instruments exceeding
\$300 but less than \$20,000 by a
money services business.

603

560.125(5)(a) 3rd Money services business by
unauthorized person, currency
or payment instruments
exceeding \$300 but less than
\$20,000.

604

655.50(10)(b)1. 3rd Failure to report financial
transactions exceeding \$300 but
less than \$20,000 by financial
institution.

605

775.21(10)(a) 3rd Sexual predator; failure to
register; failure to renew
driver license or
identification card; other

CS/HB 245

2026

registration violations.

775.21(10)(b) 3rd Sexual predator working where
children regularly congregate.

775.21(10)(g) 3rd Failure to report or providing
false information about a
sexual predator; harbor or
conceal a sexual predator.

782.051(3) 2nd Attempted felony murder of a
person by a person other than
the perpetrator or the
perpetrator of an attempted
felony.

782.07(1) 2nd Killing of a human being by the
act, procurement, or culpable
negligence of another
(manslaughter).

782.071 2nd Killing of a human being or
unborn child by the operation
of a motor vehicle in a
reckless manner (vehicular

CS/HB 245

2026

618	784.074 (1) (a)	1st	Aggravated battery on sexually violent predators facility staff.
619	784.08 (2) (a)	1st	Aggravated battery on a person 65 years of age or older.
620	784.081 (1)	1st	Aggravated battery on specified official or employee.
621	784.082 (1)	1st	Aggravated battery by detained person on visitor or other detainee.
622	784.083 (1)	1st	Aggravated battery on code inspector.
623	787.025 (2) (b)	2nd	Luring or enticing a child; second or subsequent offense.
624	787.025 (2) (c)	2nd	Luring or enticing a child with a specified prior conviction.
625	787.06 (3) (a) 2.	1st	Human trafficking using

Page 47 of 67

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hb245-01-c1

CS/HB 245

2026

coercion for labor and services
of an adult.

626

787.06 (3) (e) 2. 1st Human trafficking using
coercion for labor and services
by the transfer or transport of
an adult from outside Florida
to within the state.

627

790.07 (4) 1st Specified weapons violation
subsequent to previous
conviction of s. 790.07 (1) or
(2).

628

790.16 (1) 1st Discharge of a machine gun
under specified circumstances.

629

790.165 (2) 2nd Manufacture, sell, possess, or
deliver hoax bomb.

630

790.165 (3) 2nd Possessing, displaying, or
threatening to use any hoax
bomb while committing or
attempting to commit a felony.

631

CS/HB 245

2026

632	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.
633	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting to commit a felony.
634	790.23	1st,PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.
635	794.08(4)	3rd	Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.
636	796.05(1)	1st	Live on earnings of a prostitute; 2nd offense.
	796.05(1)	1st	Live on earnings of a

Page 49 of 67

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hb245-01-c1

prostitute; 3rd and subsequent offense.

637

800.04 (5) (c) 1. 2nd Lewd or lascivious molestation;
victim younger than 12 years of
age; offender younger than 18
years of age.

638

800.04 (5) (c) 2. 2nd Lewd or lascivious molestation;
victim 12 years of age or older
but younger than 16 years of
age; offender 18 years of age
or older.

639

800.04 (5) (e) 1st Lewd or lascivious molestation;
victim 12 years of age or older
but younger than 16 years;
offender 18 years or older;
prior conviction for specified
sex offense.

640

806.01 (2) 2nd Maliciously damage structure by
fire or explosive.

641

810.02 (3) (a) 2nd Burglary of occupied dwelling;

unarmed; no assault or battery.

642

810.02 (3) (b)

2nd

Burglary of unoccupied
dwelling; unarmed; no assault
or battery.

643

810.02 (3) (d)

2nd

Burglary of occupied
conveyance; unarmed; no assault
or battery.

644

810.02 (3) (e)

2nd

Burglary of authorized
emergency vehicle.

645

812.014 (2) (a) 1.

1st

Property stolen, valued at
\$100,000 or more or a
semitrailer deployed by a law
enforcement officer; property
stolen while causing other
property damage; 1st degree
grand theft.

646

812.014 (2) (b) 2.

2nd

Property stolen, cargo valued
at less than \$50,000, grand
theft in 2nd degree.

647

CS/HB 245

2026

648	812.014 (2) (b) 3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.
649	812.014 (2) (b) 4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.
650	812.014 (2) (g)	2nd	Grand theft; second degree; firearm with previous conviction of s. 812.014 (2) (c) 5.
651	812.0145 (2) (a)	1st	Theft from person 65 years of age or older; \$50,000 or more.
652	812.019 (2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.
653	812.131 (2) (a)	2nd	Robbery by sudden snatching.
	812.133 (2) (b)	1st	Carjacking; no firearm, deadly weapon, or other weapon.

Page 52 of 67

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hb245-01-c1

CS/HB 245

2026

654	817.034 (4) (a) 1.	1st	Communications fraud, value greater than \$50,000.
655	817.234 (8) (a)	2nd	Solicitation of motor vehicle accident victims with intent to defraud.
656	817.234 (9)	2nd	Organizing, planning, or participating in an intentional motor vehicle collision.
657	817.234 (11) (c)	1st	Insurance fraud; property value \$100,000 or more.
658	817.2341 (2) (b) & (3) (b)	1st	Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
659	817.418 (2) (a)	3rd	Offering for sale or advertising personal protective

Page 53 of 67

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb245-01-c1

CS/HB 245

2026

equipment with intent to
defraud.

660

817.504 (1) (a) 3rd Offering or advertising a
vaccine with intent to defraud.

661

817.535 (2) (a) 3rd Filing false lien or other
unauthorized document.

662

817.611 (2) (b) 2nd Traffic in or possess 15 to 49
counterfeit credit cards or
related documents.

663

825.102 (3) (b) 2nd Neglecting an elderly person or
disabled adult causing great
bodily harm, disability, or
disfigurement.

664

825.103 (3) (b) 2nd Exploiting an elderly person or
disabled adult and property is
valued at \$10,000 or more, but
less than \$50,000.

665

827.03 (2) (b) 2nd Neglect of a child causing
great bodily harm, disability,

CS/HB 245

2026

or disfigurement.

827.04(3) 3rd Impregnation of a child under
16 years of age by person 21
years of age or older.

827.071(2) & (3) 2nd Use or induce a child in a
sexual performance, or promote
or direct such performance.

827.071(4) 2nd Possess with intent to promote
any photographic material,
motion picture, etc., which
includes child sexual abuse
material ~~pornography~~.

837.05(2) 3rd Giving false information about
alleged capital felony to a law
enforcement officer.

838.015 2nd Bribery.

838.016 2nd Unlawful compensation or reward
for official behavior.

CS/HB 245

2026

673	838.021 (3) (a)	2nd	Unlawful harm to a public servant.
674	838.22	2nd	Bid tampering.
675	843.0855 (2)	3rd	Impersonation of a public officer or employee.
676	843.0855 (3)	3rd	Unlawful simulation of legal process.
677	843.0855 (4)	3rd	Intimidation of a public officer or employee.
678	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
679	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
680	872.06	2nd	Abuse of a dead human body.
	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a

Page 56 of 67

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hb245-01-c1

criminal gang; second or
subsequent offense.

681

874.10 1st, PBL Knowingly initiates, organizes,
plans, finances, directs,
manages, or supervises criminal
gang-related activity.

682

893.13 (1) (c) 1. 1st Sell, manufacture, or deliver
cocaine (or other drug
prohibited under s.
893.03 (1) (a), (1) (b), (1) (d),
(2) (a), (2) (b), or (2) (c) 5.)
within 1,000 feet of a child
care facility, school, or
state, county, or municipal
park or publicly owned
recreational facility or
community center.

683

893.13 (1) (e) 1. 1st Sell, manufacture, or deliver
cocaine or other drug
prohibited under s.
893.03 (1) (a), (1) (b), (1) (d),
(2) (a), (2) (b), or (2) (c) 5.,

within 1,000 feet of property
used for religious services or
a specified business site.

893.13 (4) (a) 1st Use or hire of minor; deliver
to minor other controlled
substance.

893.135 (1) (a) 1. 1st Trafficking in cannabis, more
than 25 lbs., less than 2,000
lbs.

893.135 1st Trafficking in cocaine, more
(1) (b) 1.a. than 28 grams, less than 200
grams.

893.135 1st Trafficking in illegal drugs,
(1) (c) 1.a. more than 4 grams, less than 14
grams.

893.135 1st Trafficking in hydrocodone, 28
(1) (c) 2.a. grams or more, less than 50
grams.

893.135 1st Trafficking in hydrocodone, 50

CS/HB 245

2026

690	(1) (c) 2.b.		grams or more, less than 100 grams.
	893.135	1st	Trafficking in oxycodone, 7
	(1) (c) 3.a.		grams or more, less than 14 grams.
691			
	893.135	1st	Trafficking in oxycodone, 14
	(1) (c) 3.b.		grams or more, less than 25 grams.
692			
	893.135	1st	Trafficking in fentanyl, 4
	(1) (c) 4.b. (I)		grams or more, less than 14 grams.
693			
	893.135	1st	Trafficking in phencyclidine,
	(1) (d) 1.a.		28 grams or more, less than 200 grams.
694			
	893.135 (1) (e) 1.	1st	Trafficking in methaqualone,
			200 grams or more, less than 5 kilograms.
695			
	893.135 (1) (f) 1.	1st	Trafficking in amphetamine, 14 grams or more, less than 28

CS/HB 245

2026

grams.

696

893.135 1st Trafficking in flunitrazepam, 4
(1) (g) 1.a. grams or more, less than 14
grams.

697

893.135 1st Trafficking in gamma-
(1) (h) 1.a. hydroxybutyric acid (GHB), 1
kilogram or more, less than 5
kilograms.

698

893.135 1st Trafficking in 1,4-Butanediol,
(1) (j) 1.a. 1 kilogram or more, less than 5
kilograms.

699

893.135 1st Trafficking in Phenethylamines,
(1) (k) 2.a. 10 grams or more, less than 200
grams.

700

893.135 1st Trafficking in synthetic
(1) (m) 2.a. cannabinoids, 280 grams or
more, less than 500 grams.

701

893.135 1st Trafficking in synthetic
(1) (m) 2.b. cannabinoids, 500 grams or

CS/HB 245

2026

more, less than 1,000 grams.

702

893.135
(1) (n) 2.a.

1st

Trafficking in n-benzyl
phenethylamines, 14 grams or
more, less than 100 grams.

703

893.1351(2)

2nd

Possession of place for
trafficking in or manufacturing
of controlled substance.

704

896.101(5) (a)

3rd

Money laundering, financial
transactions exceeding \$300 but
less than \$20,000.

705

896.104(4) (a) 1.

3rd

Structuring transactions to
evade reporting or registration
requirements, financial
transactions exceeding \$300 but
less than \$20,000.

706

943.0435(4) (c)

2nd

Sexual offender vacating
permanent residence; failure to
comply with reporting
requirements.

707

CS/HB 245

2026

708	943.0435 (8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
709	943.0435 (9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
710	943.0435 (13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
711	943.0435 (14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
712	944.607 (9)	3rd	Sexual offender; failure to comply with reporting requirements.
	944.607 (10) (a)	3rd	Sexual offender; failure to

Page 62 of 67

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hb245-01-c1

CS/HB 245

2026

submit to the taking of a
digitized photograph.

713

944.607(12)

3rd

Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

714

944.607(13)

3rd

Sexual offender; failure to
report and reregister; failure
to respond to address
verification; providing false
registration information.

715

985.4815(10)

3rd

Sexual offender; failure to
submit to the taking of a
digitized photograph.

716

985.4815(12)

3rd

Failure to report or providing
false information about a
sexual offender; harbor or
conceal a sexual offender.

717

985.4815(13)

3rd

Sexual offender; failure to
report and reregister; failure

to respond to address
verification; providing false
registration information.

**Section 18. Paragraph (c) of subsection (8) of section
948.06, Florida Statutes, is amended to read:**

948.06 Violation of probation or community control;
revocation; modification; continuance; failure to pay
restitution or cost of supervision.—

(8)

(c) For purposes of this section, the term "qualifying
offense" means any of the following:

1. Kidnapping or attempted kidnapping under s. 787.01,
false imprisonment of a child under the age of 13 under s.
787.02(3), or luring or enticing a child under s. 787.025(2) (b)
or (c).

2. Murder or attempted murder under s. 782.04, attempted
felony murder under s. 782.051, or manslaughter under s. 782.07.

3. Aggravated battery or attempted aggravated battery
under s. 784.045.

4. Sexual battery or attempted sexual battery under s.
794.011(2), (3), (4), or (8) (b) or (c).

5. Lewd or lascivious battery or attempted lewd or
lascivious battery under s. 800.04(4), lewd or lascivious
molestation under s. 800.04(5) (b) or (c)2., lewd or lascivious

conduct under s. 800.04(6)(b), lewd or lascivious exhibition under s. 800.04(7)(b), or lewd or lascivious exhibition on computer under s. 847.0135(5)(b).

6. Robbery or attempted robbery under s. 812.13, carjacking or attempted carjacking under s. 812.133, or home invasion robbery or attempted home invasion robbery under s. 812.135.

7. Lewd or lascivious offense upon or in the presence of an elderly or disabled person or attempted lewd or lascivious offense upon or in the presence of an elderly or disabled person under s. 825.1025.

8. Sexual performance by a child or attempted sexual performance by a child under s. 827.071.

9. Computer pornography under s. 847.0135(2) or (3), transmission of child sexual abuse material ~~pornography~~ under s. 847.0137, or selling or buying of minors under s. 847.0145.

10. Poisoning food or water under s. 859.01.

11. Abuse of a dead human body under s. 872.06.

12. Any burglary offense or attempted burglary offense that is either a first degree felony or second degree felony under s. 810.02(2) or (3).

13. Arson or attempted arson under s. 806.01(1).

14. Aggravated assault under s. 784.021.

15. Aggravated stalking under s. 784.048(3), (4), (5), or (7).

16. Aircraft piracy under s. 860.16.

17. Unlawful throwing, placing, or discharging of a destructive device or bomb under s. 790.161(2), (3), or (4).

18. Treason under s. 876.32.

19. Any offense committed in another jurisdiction which would be an offense listed in this paragraph if that offense had been committed in this state.

Section 19. Paragraph (e) of subsection (3) and subsection (10) of section 960.03, Florida Statutes, are amended to read:

960.03 Definitions; ss. 960.01-960.28.—As used in ss. 960.01-960.28, unless the context otherwise requires, the term:

(3) "Crime" means:

(e) A violation of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.0138, related to online sexual exploitation and child sexual abuse material ~~pornography~~.

(10) "Identified victim of child sexual abuse material ~~pornography~~" means any person who, while under the age of 18, is depicted in any image or movie of child sexual abuse material ~~pornography~~ and who is identified through a report generated by a law enforcement agency and provided to the National Center for Missing and Exploited Children's Child Victim Identification Program.

Section 20. Paragraph (b) of subsection (1) of section 960.197, Florida Statutes, is amended to read:

960.197 Assistance to victims of online sexual

790 exploitation and child sexual abuse material ~~pornography~~.—

791 (1) Notwithstanding the criteria set forth in s. 960.13
792 for crime victim compensation awards, the department may award
793 compensation for counseling and other mental health services to
794 treat psychological injury or trauma to:

795 (b) Any person who, while younger than age 18, was
796 depicted in any image or movie, regardless of length, of child
797 sexual abuse material ~~pornography~~ as defined in s. 847.001, who
798 has been identified by a law enforcement agency or the National
799 Center for Missing and Exploited Children as an identified
800 victim of child sexual abuse material ~~pornography~~, who suffers
801 psychiatric or psychological injury as a direct result of the
802 crime, and who does not otherwise sustain a personal injury or
803 death.

804 **Section 21.** This act shall take effect July 1, 2026.
805