

1                                   A bill to be entitled  
2           An act relating to domestic violence and protective  
3           injunctions; amending s. 741.28, F.S.; defining the  
4           term "military protective order"; creating s.  
5           741.2801, F.S.; defining the term "conviction";  
6           reclassifying penalties for committing a domestic  
7           violence offense if a person has a prior conviction  
8           for domestic violence; providing that sentencing and  
9           incentive gain-time eligibility determinations are  
10          made without regard to a penalty enhancement;  
11          providing an exception; creating s. 741.2905, F.S.;  
12          establishing an electronic monitoring pilot program in  
13          a specified county; authorizing, and in certain  
14          circumstances requiring, a court to order electronic  
15          monitoring supervision if certain conditions are met;  
16          requiring the sheriff, in consultation with certain  
17          persons, to design and implement the pilot program;  
18          providing requirements for the pilot program;  
19          requiring the sheriff to complete an evaluation and  
20          provide specified reports to the Legislature;  
21          providing requirements for such reports; requiring an  
22          order for electronic monitoring supervision to  
23          terminate on a specified date; providing for repeal of  
24          the pilot program; creating s. 741.2906, F.S.;  
25          defining the term "department"; establishing an

26 | electronic monitoring pilot program in a specified  
27 | judicial circuit; authorizing, and in certain  
28 | circumstances requiring, a court to order electronic  
29 | monitoring supervision if certain conditions are met;  
30 | providing requirements for the pilot program;  
31 | requiring the Department of Corrections to complete an  
32 | evaluation and provide specified reports to the  
33 | Legislature; providing requirements for such reports;  
34 | requiring an order for electronic monitoring  
35 | supervision to terminate on a specified date;  
36 | providing for repeal of the pilot program; amending s.  
37 | 741.30, F.S.; revising the information contained in a  
38 | petition for injunction for protection against  
39 | domestic violence; revising the factors a judge may  
40 | consider in determining whether to grant a petition  
41 | for injunction against domestic violence; requiring  
42 | the Department of Law Enforcement to enter injunctions  
43 | against dating violence and sexual violence into a  
44 | statewide verification system; amending s. 741.31,  
45 | F.S.; providing that a person who has a prior  
46 | conviction for a crime of domestic violence or  
47 | violation of an injunction or foreign protection  
48 | order, and who subsequently commits a violation of any  
49 | injunction or foreign protection order against the  
50 | same victim, commits a felony of the third degree;

51 requiring a law enforcement officer to make a  
 52 specified notification if he or she has probable cause  
 53 to believe that a person violated a military  
 54 protective order; amending s. 943.05, F.S.; conforming  
 55 provisions to changes made by the act; amending s.  
 56 960.198, F.S.; increasing the dollar amounts for  
 57 relocation assistance for victims of domestic  
 58 violence; providing an effective date.

59

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

61

62 Section 1. Subsection (5) is added to section 741.28,  
 63 Florida Statutes, to read:

64 741.28 Domestic violence; definitions.—As used in ss.  
 65 741.28–741.31:

66 (5) "Military protective order" means a protective order  
 67 issued in accordance with 10 U.S.C. s. 1567 by a commanding  
 68 officer in the Armed Forces of the United States or the National  
 69 Guard of any state against a person under such officer's  
 70 command.

71 Section 2. Section 741.2801, Florida Statutes, is created  
 72 to read:

73 741.2801 Domestic violence; enhanced penalties.—

74 (1) As used in this section, the term "conviction" means a  
 75 determination of guilt that is the result of a plea or trial,

76 regardless of whether adjudication is withheld or a plea of nolo  
77 contendere is entered.

78 (2) The penalty for a crime of domestic violence shall be  
79 reclassified if, at the time of the commission of the offense,  
80 the offender has a prior conviction for a crime of domestic  
81 violence. The reclassification is as follows:

82 (a) A misdemeanor of the second degree is reclassified to  
83 a misdemeanor of the first degree.

84 (b) A misdemeanor of the first degree is reclassified to a  
85 felony of the third degree. For purposes of sentencing under  
86 chapter 921, such offense is ranked in level 1 of the offense  
87 severity ranking chart.

88 (c) A felony of the third degree is reclassified to a  
89 felony of the second degree.

90 (d) A felony of the second degree is reclassified to a  
91 felony of the first degree.

92 (e) A felony of the first degree is reclassified to a life  
93 felony.

94  
95 For purposes of sentencing under chapter 921 and determining  
96 incentive gain-time eligibility under chapter 944, a felony  
97 offense that is reclassified under this section is ranked as  
98 provided in s. 921.0022 or s. 921.0023 without regard to the  
99 penalty enhancement in this section.

100 (3) The penalty enhancement in this section does not apply

101 to a conviction for felony battery under s. 784.03(2).

102 Section 3. Section 741.2905, Florida Statutes, is created  
103 to read:

104 741.2905 Domestic Violence and Violation of Protective  
105 Injunction Electronic Monitoring Pilot Program.-

106 (1) An electronic monitoring pilot program is established  
107 in Pinellas County beginning on July 1, 2026, and ending on June  
108 30, 2028.

109 (2) For an offense committed on or after July 1, 2026, if  
110 a person who is 18 years of age or older is found guilty of, has  
111 adjudication withheld on, or pleads nolo contendere to a  
112 misdemeanor crime of domestic violence as defined in s. 741.28,  
113 a violation of an injunction for protection against domestic  
114 violence under s. 741.31, or a violation of an injunction for  
115 protection against sexual violence or dating violence under s.  
116 784.047, and a court enters a no contact order with the victim  
117 as a condition of the person's probation, the court in the  
118 participating county:

119 (a) May order the person to have electronic monitoring  
120 supervision as a condition of his or her probation.

121 (b) Must order the person to have electronic monitoring  
122 supervision as a condition of his or her probation if the court  
123 finds that there is clear and convincing evidence that the  
124 defendant poses a threat of violence or physical harm to the  
125 victim. In making such determination, the court must consider

126 whether the defendant has previously been convicted for  
127 violating an injunction for protection against domestic  
128 violence, dating violence, sexual violence, or stalking.

129 (3) The sheriff in Pinellas County, in consultation with  
130 the chief judge of the judicial circuit, the state attorney, and  
131 the public defender, shall design and implement the electronic  
132 monitoring pilot program established under this section. The  
133 pilot program must comply with the following:

134 (a) Notwithstanding any other law, the sheriff shall  
135 manage the electronic monitoring supervision of all persons  
136 ordered to such supervision under this section. Any other terms  
137 and conditions of a person's probation shall be managed in  
138 accordance with current law.

139 (b) A person designated by the sheriff must meet with any  
140 person ordered to electronic monitoring under this section, and  
141 he or she must explain the conditions of electronic monitoring  
142 supervision, including identifying prohibited locations, and the  
143 consequences for noncompliance with such conditions.

144 (c) A person ordered to electronic monitoring supervision  
145 under this section must pay the costs for such supervision. The  
146 sheriff, at his or her discretion, may reduce or waive the costs  
147 of electronic monitoring supervision.

148 (d) A court may not order electronic monitoring  
149 supervision in lieu of any other mandatory term or condition of  
150 probation, including participation in a batterers' intervention

151 program required under s. 741.281.

152 (e) The sheriff must specify a procedure by which a person  
153 ordered to electronic monitoring supervision under this section  
154 may petition a court to remove such order, including terminating  
155 the order, if the person establishes a permanent residence in  
156 another state.

157 (4) The sheriff in Pinellas County must complete an  
158 evaluation of the pilot program's effectiveness and provide to  
159 the President of the Senate and the Speaker of the House of  
160 Representatives an initial report by March 1, 2027, a subsequent  
161 report by January 1, 2028, and a final report by September 1,  
162 2028. Each report must include all of the following information:

163 (a) The number of persons placed on electronic monitoring  
164 supervision.

165 (b) The number of violations of electronic monitoring  
166 supervision, including the reason for each violation.

167 (c) The cost of providing electronic monitoring  
168 supervision and how much money the sheriff received to pay for  
169 such supervision.

170 (d) Recommendations on how to improve the efficacy of the  
171 pilot program and any difficulties with implementing the pilot  
172 program.

173 (e) Any other relevant information.

174 (5) An order requiring electronic monitoring supervision  
175 must terminate by June 30, 2028.

176 (6) This section is repealed July 1, 2028.

177 Section 4. Section 741.2906, Florida Statutes, is created  
178 to read:

179 741.2906 Felony Domestic Violence and Violation of  
180 Protective Injunction Electronic Monitoring Pilot Program.—

181 (1) As used in this section, the term "department" means  
182 the Department of Corrections.

183 (2) An electronic monitoring pilot program is established  
184 in the Sixth Judicial Circuit beginning on July 1, 2026, and  
185 ending on June 30, 2028.

186 (3) For an offense committed on or after July 1, 2026, if  
187 a person who is 18 years of age or older is found guilty of, has  
188 adjudication withheld on, or pleads nolo contendere to a felony  
189 crime of domestic violence as defined in s. 741.28, a felony  
190 violation of an injunction for protection against domestic  
191 violence under s. 741.31, or a felony violation of an injunction  
192 for protection against sexual violence or dating violence under  
193 s. 784.047, and a court enters a no contact order with the  
194 victim as a condition of the person's probation, the court in  
195 the judicial circuit:

196 (a) May order the person to have electronic monitoring  
197 supervision as a condition of his or her probation.

198 (b) Must order the person to have electronic monitoring  
199 supervision as a condition of his or her probation if the court  
200 finds that there is clear and convincing evidence that the

201 defendant poses a threat of violence or physical harm to the  
202 victim. In making such determination, the court must consider  
203 whether the defendant has previously been convicted for  
204 violating an injunction for protection against domestic  
205 violence, dating violence, sexual violence, or stalking.

206 (4) The pilot program must comply with the following:

207 (a) A person designated by the department must meet with  
208 any person ordered to electronic monitoring supervision under  
209 this section, and he or she must explain the conditions of  
210 electronic monitoring supervision, including identifying  
211 prohibited locations, and the consequences for noncompliance  
212 with such conditions.

213 (b) A person ordered to electronic monitoring supervision  
214 under this section must pay the costs for such supervision as  
215 provided in s. 948.09.

216 (c) A court may not order electronic monitoring  
217 supervision in lieu of any other mandatory term or condition of  
218 probation, including participation in a batterers' intervention  
219 program required under s. 741.281.

220 (d) The department must specify a procedure by which a  
221 person ordered to electronic monitoring supervision under this  
222 section may petition a court to remove such order.

223 (5) The department must complete an evaluation of the  
224 pilot program's effectiveness and provide to the President of  
225 the Senate and the Speaker of the House of Representatives an

226 initial report by March 1, 2027, a subsequent report by January  
227 1, 2028, and a final report by September 1, 2028. Each report  
228 must include all of the following information:

229 (a) The number of persons placed on electronic monitoring  
230 supervision.

231 (b) The number of violations of electronic monitoring  
232 supervision, including the reason for each violation.

233 (c) The cost of providing electronic monitoring  
234 supervision and how much money the department received to pay  
235 for such supervision.

236 (d) Recommendations on how to improve the efficacy of the  
237 pilot program and any difficulties with implementing the pilot  
238 program.

239 (e) Any other relevant information.

240 (6) The department may adopt rules to implement this  
241 section.

242 (7) This section is repealed July 1, 2028.

243 Section 5. Paragraph (b) of subsection (3), paragraph (b)  
244 of subsection (6), and paragraph (b) of subsection (8) of  
245 section 741.30, Florida Statutes, are amended to read:

246 741.30 Domestic violence; injunction; powers and duties of  
247 court and clerk; petition; notice and hearing; temporary  
248 injunction; issuance of injunction; statewide verification  
249 system; enforcement; public records exemption.—

250 (3)

251 (b) The verified petition shall be in substantially the  
252 following form:

253 PETITION FOR  
254 INJUNCTION FOR PROTECTION  
255 AGAINST DOMESTIC VIOLENCE

256 The undersigned petitioner ...(name)... declares under penalties  
257 of perjury that the following statements are true:

258 (a) Petitioner resides at: ...(address)...

259 (Petitioner may furnish address to the court in a separate  
260 confidential filing if, for safety reasons, the petitioner  
261 requires the location of the current residence to be  
262 confidential.)

263 (b) Respondent resides at: ...(last known address)...

264 (c) Respondent's last known place of employment: ...(name  
265 of business and address)...

266 (d) Physical description of respondent:.....

267 Race.....

268 Sex.....

269 Date of birth.....

270 Height.....

271 Weight.....

272 Eye color.....

273 Hair color.....

274 Distinguishing marks or scars.....

275 (e) Aliases of respondent:.....

276 (f) Respondent is the spouse or former spouse of the  
 277 petitioner or is any other person related by blood or marriage  
 278 to the petitioner or is any other person who is or was residing  
 279 within a single dwelling unit with the petitioner, as if a  
 280 family, or is a person with whom the petitioner has a child in  
 281 common, regardless of whether the petitioner and respondent are  
 282 or were married or residing together, as if a family.

283 (g) The following describes any other cause of action  
 284 currently pending between the petitioner and respondent:.....  
 285

286 The petitioner should also describe any previous or pending  
 287 attempts by the petitioner to obtain an injunction for  
 288 protection against domestic violence in this or any other  
 289 circuit, and the results of that attempt:.....  
 290

291 Case numbers should be included if available.

292 (h) Petitioner is either a victim of domestic violence or  
 293 has reasonable cause to believe he or she is in imminent danger  
 294 of becoming a victim of domestic violence because respondent  
 295 has: ...(mark all sections that apply and describe in the spaces  
 296 below the incidents of violence or threats of violence,  
 297 specifying when and where they occurred, including, but not  
 298 limited to, locations such as a home, school, place of  
 299 employment, or visitation exchange)...

300 .....

301 .....  
 302 ....committed or threatened to commit domestic violence  
 303 defined in s. 741.28, Florida Statutes, as any assault,  
 304 aggravated assault, battery, aggravated battery, sexual assault,  
 305 sexual battery, stalking, aggravated stalking, kidnapping, false  
 306 imprisonment, or any criminal offense resulting in physical  
 307 injury or death of one family or household member by another.  
 308 With the exception of persons who are parents of a child in  
 309 common, the family or household members must be currently  
 310 residing or have in the past resided together in the same single  
 311 dwelling unit.  
 312 ....previously threatened, harassed, stalked, or physically  
 313 abused the petitioner.  
 314 ....attempted to harm the petitioner or family members or  
 315 individuals closely associated with the petitioner.  
 316 ....threatened to conceal, kidnap, or harm the petitioner's  
 317 child or children.  
 318 ....intentionally injured or killed or threatened to injure  
 319 or kill a family pet, including a service animal as defined in  
 320 s. 413.08(1), Florida Statutes, or an emotional support animal  
 321 as defined in s. 760.27(1), Florida Statutes.  
 322 ....used, or has threatened to use, against the petitioner  
 323 any weapons such as guns or knives.  
 324 ....physically restrained the petitioner from leaving the  
 325 home or calling law enforcement.

326           ....a criminal history involving violence or the threat of  
327 violence (if known).

328           ....another order of protection issued against him or her  
329 previously or from another jurisdiction (if known).

330           ....destroyed personal property, including, but not limited  
331 to, telephones or other communication equipment, clothing, or  
332 other items belonging to the petitioner.

333           ....engaged in a pattern of abusive, threatening,  
334 intimidating, or controlling behavior composed of a series of  
335 acts over a period of time, however short.

336           ....engaged in any other behavior or conduct that leads the  
337 petitioner to have reasonable cause to believe he or she is in  
338 imminent danger of becoming a victim of domestic violence.

339           (i) Petitioner alleges the following additional specific  
340 facts: ...(mark appropriate sections)...

341           ....A minor child or minor children reside with the  
342 petitioner whose names and ages are as follows:.....

344           ....Petitioner needs the exclusive use and possession of  
345 the dwelling that the parties share.

346           ....Petitioner is unable to obtain safe alternative housing  
347 because:.....

349           ....Petitioner genuinely fears that respondent imminently  
350 will abuse, remove, or hide the minor child or children from

351 petitioner because:.....

352

353 (j) Petitioner genuinely fears imminent domestic violence  
354 by respondent.

355 (k) Petitioner seeks an injunction: ...(mark appropriate  
356 section or sections)...

357 ....Immediately restraining the respondent from committing  
358 any acts of domestic violence.

359 ....Restraining the respondent from committing any acts of  
360 domestic violence.

361 ....Awarding to the petitioner the temporary exclusive use  
362 and possession of the dwelling that the parties share or  
363 excluding the respondent from the residence of the petitioner.

364 ....Providing a temporary parenting plan, including a  
365 temporary time-sharing schedule, with regard to the minor child  
366 or children of the parties which might involve prohibiting or  
367 limiting time-sharing or requiring that it be supervised by a  
368 third party.

369 ....Designating that the exchange of the minor child or  
370 children of the parties must occur at a neutral safe exchange  
371 location as provided in s. 125.01(8) or a location authorized by  
372 a supervised visitation program as defined in s. 753.01 if  
373 temporary time-sharing of the child is awarded to the  
374 respondent.

375 ....Establishing temporary support for the minor child or

376 children or the petitioner.

377       ....Directing the respondent to participate in a batterers'  
378 intervention program.

379       ....Providing any terms the court deems necessary for the  
380 protection of a victim of domestic violence, or any minor  
381 children of the victim, including any injunctions or directives  
382 to law enforcement agencies.

383       (6)

384       (b) In determining whether a petitioner has reasonable  
385 cause to believe he or she is in imminent danger of becoming a  
386 victim of domestic violence, the court shall consider and  
387 evaluate all relevant factors alleged in the petition,  
388 including, but not limited to:

389           1. The history between the petitioner and the respondent,  
390 including threats, harassment, stalking, and physical abuse.

391           2. Whether the respondent has attempted to harm the  
392 petitioner or family members or individuals closely associated  
393 with the petitioner.

394           3. Whether the respondent has threatened to conceal,  
395 kidnap, or harm the petitioner's child or children.

396           4. Whether the respondent has intentionally injured or  
397 killed or threatened to injure or kill a family pet, including a  
398 service animal as defined in s. 413.08(1) or an emotional  
399 support animal as defined in s. 760.27(1).

400           5. Whether the respondent has used, or has threatened to

401 use, against the petitioner any weapons such as guns or knives.

402 6. Whether the respondent has physically restrained the  
403 petitioner from leaving the home or calling law enforcement.

404 7. Whether the respondent has a criminal history involving  
405 violence or the threat of violence.

406 8. The existence of a verifiable order of protection  
407 issued previously or from another jurisdiction, including a  
408 military protective order.

409 9. Whether the respondent has destroyed personal property,  
410 including, but not limited to, telephones or other  
411 communications equipment, clothing, or other items belonging to  
412 the petitioner.

413 10. Whether the respondent has or had engaged in a pattern  
414 of abusive, threatening, intimidating, or controlling behavior  
415 composed of a series of acts over a period of time, however  
416 short, which evidences a continuity of purpose and which  
417 reasonably causes the petitioner to believe that the petitioner  
418 or his or her minor child or children are in imminent danger of  
419 becoming victims of any act of domestic violence.

420 11. Whether the respondent engaged in any other behavior  
421 or conduct that leads the petitioner to have reasonable cause to  
422 believe that he or she is in imminent danger of becoming a  
423 victim of domestic violence.

424

425 In making its determination under this paragraph, the court is

426 not limited to those factors enumerated in subparagraphs 1.-11.

427 (8)

428 (b) A Domestic, Dating, Sexual, and Repeat Violence  
429 Injunction Statewide Verification System is created within the  
430 Department of Law Enforcement. The department shall establish,  
431 implement, and maintain a statewide communication system capable  
432 of electronically transmitting information to and between  
433 criminal justice agencies relating to domestic violence  
434 injunctions, dating violence injunctions, sexual violence  
435 injunctions, and repeat violence injunctions issued by the  
436 courts throughout the state. Such information must include, but  
437 is not limited to, information as to the existence and status of  
438 any injunction for verification purposes.

439 Section 6. Paragraph (c) of subsection (4) of section  
440 741.31, Florida Statutes, is amended, and subsection (7) is  
441 added to that section, to read:

442 741.31 Violation of an injunction for protection against  
443 domestic violence.—

444 (4)

445 (c) A person who has one ~~two~~ or more prior convictions for  
446 a crime of domestic violence or violation of an injunction or  
447 foreign protection order, and who subsequently commits a  
448 violation of any injunction or foreign protection order against  
449 the same victim, commits a felony of the third degree,  
450 punishable as provided in s. 775.082, s. 775.083 or s. 775.084.

451 For purposes of this paragraph, the term "conviction" means a  
 452 determination of guilt which is the result of a plea or a trial,  
 453 regardless of whether adjudication is withheld or a plea of nolo  
 454 contendere is entered.

455 (7) If a law enforcement officer has probable cause to  
 456 believe that a person committed a violation of subsection (4)  
 457 and such officer determines that a military protective order  
 458 entered into the National Crime Information Center database was  
 459 also issued against such person and the officer has probable  
 460 cause to believe that the person also violated the military  
 461 protective order, the officer, or his or her employing agency,  
 462 must notify the agency that entered the military protective  
 463 order into the database.

464 Section 7. Paragraph (e) of subsection (2) of section  
 465 943.05, Florida Statutes, is amended to read:

466 943.05 Criminal Justice Information Program; duties; crime  
 467 reports.—

468 (2) The program shall:

469 (e) Establish, implement, and maintain a Domestic, Dating,  
 470 Sexual, and Repeat Violence Injunction Statewide Verification  
 471 System capable of electronically transmitting information to and  
 472 between criminal justice agencies relating to domestic violence  
 473 injunctions, dating violence injunctions, sexual violence  
 474 injunctions, repeat violence injunctions, and injunctions to  
 475 prevent child abuse issued under chapter 39, ~~and repeat violence~~

476 ~~injunctions~~ issued by the courts throughout the state. Such  
477 information must include, but is not limited to, information as  
478 to the existence and status of any such injunction for  
479 verification purposes.

480 Section 8. Subsection (1) of section 960.198, Florida  
481 Statutes, is amended to read:

482 960.198 Relocation assistance for victims of domestic  
483 violence.—

484 (1) Notwithstanding the criteria set forth in s. 960.13  
485 for crime victim compensation awards, the department may award a  
486 one-time payment of up to \$2,500 ~~\$1,500~~ on any one claim and a  
487 lifetime maximum of \$5,000 ~~\$3,000~~ to a victim of domestic  
488 violence who needs immediate assistance to escape from a  
489 domestic violence environment.

490 Section 9. This act shall take effect July 1, 2026.