

The Florida Senate

## BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Criminal and Civil Justice

BILL: CS/SB 296

INTRODUCER: Criminal Justice Committee and Senators Berman and Smith

SUBJECT: Victims of Domestic Violence and Dating Violence

DATE: January 12, 2026

REVISED: \_\_\_\_\_

| ANALYST    | STAFF DIRECTOR | REFERENCE | ACTION             |
|------------|----------------|-----------|--------------------|
| 1. Wyant   | Stokes         | CJ        | <u>Fav/CS</u>      |
| 2. Atchley | Harkness       | ACJ       | <u>Pre-meeting</u> |
| 3. _____   | _____          | RC        | _____              |

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

### I. Summary:

CS/SB 296 creates an undesignated section of law to require the Division of Telecommunications within the Department of Management Services to conduct a domestic and dating violence 911 alert system feasibility study. The bill provides terms, requirements, and reporting requirements for such study.

The bill defines “dating violence” and allows a victim of dating violence to apply to participate in the Attorney General’s address confidentiality program.

The bill has an estimated fiscal impact of between \$100,000 and \$250,000 to the Department of Management Services to conduct a feasibility study. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

### II. Present Situation:

Dating violence is physical, sexual, emotional, or verbal abuse from a romantic or sexual partner. It can happen at any age, but young women are most likely to experience dating violence. More than four in 10 college women have experienced violence or abuse in a dating relationship and up to 19% of teens experience dating violence.<sup>1</sup>

<sup>1</sup> Break the Cycle, *Teen Dating Violence Statistics 2024* (January 3, 2025), available at: <https://www.breakthecycle.org/teen-dating-violence-statistics/> (last visited December 8, 2025).

Victims of dating violence may receive support and legal protection in a similar manner to victims of domestic violence; for example, victims of dating violence may petition the court for a protective injunction, and such injunction is transmitted to the Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System. Additionally, victims of dating violence are to be given immediate notice of the legal rights and remedies available and are advised of domestic violence centers from which the victim can receive services. However, victims of dating violence are not included in the Attorney General's Domestic Violence Address Confidentiality Program which provides victims with substitute addresses.

### **Dating Violence**

Section 784.046, F.S., defines the term “dating violence” to mean:

- Violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such relationship must be determined based on the consideration of the following factors:
  - A dating relationship must have existed within the past 6 months;
  - The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
  - The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.<sup>2</sup>

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

The term “violence” is defined to mean any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, or false imprisonment, or any criminal offense resulting in physical injury or death, by a person against any other person.<sup>3</sup>

Any person who is the victim of dating violence and has reasonable cause to believe he or she is in imminent danger of becoming the victim of another act of dating violence, or any person who has reasonable cause to believe he or she is in imminent danger of becoming the victim of an act of dating violence, or the parent or legal guardian of any minor child who is living at home and who seeks an injunction for protection against dating violence of that minor child, has standing in the circuit court to file a verified petition for an injunction for protection against dating violence.<sup>4</sup>

### **Domestic Violence**

Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any

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<sup>2</sup> Section 784.046(1)(d), F.S.

<sup>3</sup> Section 784.046(1)(a), F.S.

<sup>4</sup> Section 784.046(2)(b), F.S.

criminal offense resulting in physical injury or death of one family or household member by another family or household member.<sup>5</sup>

In 2024, 61,216 crimes of domestic violence were reported, resulting in 32,665 arrests.<sup>6</sup> Of those 61,216 reported domestic violence offenses, the relationship of the victims to the offenders varied, including:

- 17,980 were spousal;<sup>7</sup>
- 6,957 were co-habitants;<sup>8</sup> and
- 4,983 were other.<sup>9</sup>

This data was compiled by the FDLE after receiving the number of reports and arrests from local law enforcement agencies.<sup>10</sup>

### ***Domestic Violence Investigations***

Domestic violence investigations require an officer who investigates an alleged incident of domestic violence to:

- Assist the victim to obtain medical treatment if such is required;
- Advise the victim that there is a domestic violence center from which the victim may receive services;
- Administer a lethality assessment if the allegation of domestic violence is against an intimate partner, regardless of whether an arrest is made;
- Give the victim immediate notice of the legal rights and remedies available;<sup>11</sup>
- Make a written report, whether or not an arrest is made, that is complete and clearly indicates the alleged offense was an incident of domestic violence. The report shall be given to the officer's supervisor and filed with the law enforcement agency in a manner that will permit data on domestic violence cases to be compiled. Such report must include all of the following:
  - A description of physical injuries observed, if any.

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<sup>5</sup> Section 741.28(2), F.S.

<sup>6</sup> Florida Department of Law Enforcement, *Crime in Florida: Florida Uniform Crime Report 2022-2024* (on file with the Senate Committee on Criminal Justice).

<sup>7</sup> “Spouse” includes the victim and offender are married by law or have been previously married. This category included ex-spouses.

<sup>8</sup> *Id.* “Co-Habitant” includes the victim lived with the offender as a married couple without legal marriage. This category includes former co-habitants.

<sup>9</sup> *Id.* “Other” includes the victim and offender had a child together but were never married and never lived together.

<sup>10</sup> The data provided represents the information submitted to the FDLE as of the date of the report. The FDLE acts as a data repository for the law enforcement agencies who voluntarily submit UCR data or data required by the state. *See email correspondence from William Grissom* (on file with the Senate Committee on Criminal Justice).

<sup>11</sup> The Legal Rights and Remedies Notice to Victims must include a general summary of s. 741.30, F.S., the resource listing and phone number for the area domestic violence center, and a copy of the following statement: “If you are a victim of domestic violence, you may ask the state attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an injunction for protection from domestic violence which may include, but need not be limited to, provisions which restrain the abuser from further acts of abuse; direct the abuser to leave your household; prevent the abuser from entering your residence, school, business, or place of employment; award you custody of minor children; and direct the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.”

- If a law enforcement officer decides not to make an arrest or decides to arrest two or more parties, the officer must include the grounds for not arresting anyone or for arresting two or more parties.
- A statement which indicates that a copy of the legal rights and remedies notice was given to the victim;
- Obtain a written statement from the victim and witnesses concerning the alleged domestic violence when possible; and
- Make an arrest whenever the officer determines probable cause that an act of domestic violence has been committed.<sup>12, 13</sup>

Basic skills training in handling domestic violence cases is required for law enforcement officers.<sup>14</sup> Every basic skills course required in order for law enforcement officers to obtain initial certification shall include a minimum of six hours of training in handling domestic violence cases and training must include the recognition and determination of the primary aggressor in domestic violence cases and the issues involved in child-to-parent cases.

### ***Address Confidentiality Program***

The Address Confidentiality Program for Victims of Domestic Violence operated by the Office of the Attorney General was designed to provide program participants with a substitute address<sup>15</sup> designated by the Attorney General in order to protect such participants and prevent their assailants or probable assailants from locating them. The program allows a participant to use his or her substitute address in lieu of his or her actual address with state and local agencies, which subsequently allows such agencies to comply with public record requests without jeopardizing the safety of program participants.<sup>16</sup>

### **911 Communications**

The Emergency Communications Act provides legislative intent to establish and implement a statewide emergency communications and response capability using modern technologies and methods and to fund certain costs incurred by the counties associated with public safety

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<sup>12</sup> Section 741.29, F.S.

<sup>13</sup> Section 901.15(7), F.S., provides that a law enforcement officer may arrest a person without a warrant when there is probable cause to believe that the person has committed an act of domestic violence. The decision to arrest does not require consent of the victim or consideration of the relationship of the parties. It is the public policy of this state to strongly discourage arrest and charges of both parties for domestic violence or dating violence on each other and to encourage training of law enforcement and prosecutors in these areas.

<sup>14</sup> Section 943.171, F.S.

<sup>15</sup> “Address” means a residential street address, school address, or work address of an individual, as specified on the individual’s application to be a program participant. Section 741.402(1), F.S.

<sup>16</sup> Section. 741.401, F.S.

emergency responses.<sup>17</sup> The Emergency Communications Act prohibits the misuse of the 911, E911,<sup>18</sup> and NG911<sup>19</sup> systems.

Since 1974, Florida law has designated “911” as the statewide emergency telephone number to provide citizens with rapid direct access to public safety agencies.<sup>20,21</sup> In 1999, the concept of “Enhanced 911” or “E911” service was established in Florida law to describe 911 service provided to wireless telephone users.<sup>22</sup> Today, under the Emergency Communications Number E911 Act,<sup>23</sup> the term “E911,” as used in Florida law, refers more broadly to an enhanced 911 system or service that provides any user of voice communications services<sup>24</sup> with 911 service. E911 service directs calls to appropriate public safety answering points (PSAPs) by selective routing based on the geographical location from which a 911 call originated and provides for automatic number and location identification.<sup>25</sup> PSAPs receiving incoming 911 requests for assistance dispatch appropriate public safety agencies to respond to the requests in accordance with the statewide emergency communications plan.<sup>26</sup>

The next progression in E911 systems is referred to as Next Generation 911 (NG911). NG911 is a digital, internet protocol-based system that replaces the analog 911 infrastructure which, among other things, allows photo, video, and text messages to be transmitted from citizens to PSAPs, in addition to standard voice calls.<sup>27</sup>

### ***Statewide Emergency Communications Plan***

The Division of Telecommunications (Division) within the Department of Management Services (DMS) is responsible for developing, maintaining, and implementing a statewide emergency communications plan. The plan must include:

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<sup>17</sup> Section 365.172(2)(a)-(b), F.S.

<sup>18</sup> “Enhanced 911” or “E911” means an enhanced 911 system or enhanced 911 services that is an emergency telephone system or service that provides a subscriber with 911 service and, in addition, directs 911 calls to appropriate public safety answering points by selective routing based on geographical location from which the call originated, or as otherwise provided in the state plan, and that provides for automatic number identification and automatic location-identification features. Section 365.172(3)(i), F.S.

<sup>19</sup> “Next Generation 911” or “NG911” means an Internet Protocol (IP)-based system composed of managed Emergency Services IP Networks, functional elements (applications), and databases that replicate traditional E911 features and functions and provide additional capabilities. The NG911 system is designed to provide access to emergency services from all connected communication sources and provide multimedia data capabilities for PSAPs and other emergency service organizations. Section 365.172(3)(s), F.S.

<sup>20</sup> Chapter 74-357, L.O.F.

<sup>21</sup> “Public safety agency” means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services. Section 365.172(3)(z), F.S.

<sup>22</sup> Chapter 99-367, L.O.F.

<sup>23</sup> Chapter 2007-78, L.O.F.

<sup>24</sup> “Voice communications services” means two-way voice service, through the use of any technology, which actually provides access to 911 services, and includes communications services, as defined in s. 202.11, F.S., which actually provide access to 911 services and which are required to be included in the provision of 911 services pursuant to orders and rules adopted by the Federal Communications Commission. The term includes voice-over-Internet-protocol service.

Section 365.172(3)(ee), F.S.

<sup>25</sup> Section 365.172(3)(i), F.S.

<sup>26</sup> Section 365.172(3)(aa), F.S.

<sup>27</sup> *Next Generation 911*, National Highway Traffic Safety Administration National 911 Program, <https://www.911.gov/issues/ng911/> (last visited December 8, 2025).

- The public agency<sup>28</sup> emergency communications requirements for each entity of local government in the state.
- A system to meet specific local government requirements. Such system must include law enforcement, firefighting, and emergency medical services and may include other emergency services such as poison control, suicide prevention, and emergency management services.
- Identification of the mutual aid agreements necessary to obtain an effective emergency communications system.
- A funding provision that identifies the cost necessary to implement the emergency communications system.<sup>29</sup>

The Division is responsible for the implementation and coordination of the plan and must adopt any necessary rules and schedules related to public agencies for implementing and coordinating the plan.<sup>30</sup>

The Secretary of DMS, or his or her designee, acts as the director of the statewide emergency communications system and is authorized to coordinate the activities of the system with state, county, local, and private agencies. The director must consult, cooperate, and coordinate with local law enforcement agencies.<sup>31</sup> No emergency communications number E911 system can be established and no present system can be expanded without prior approval of the Division.<sup>32</sup>

### **III. Effect of Proposed Changes:**

#### **911 Feasibility Study**

The bill creates an undesignated section of law to establish a domestic and dating violence 911 alert system feasibility study.

The bill requires the Division of Telecommunications within the DMS (Division) to consult with Enhanced 911 and Next Generation 911 service providers; state, county, and municipal PSAPs; and state and local public safety agencies to conduct a feasibility study regarding the creation of a web-based 911 alert system for use by victims of domestic violence and dating violence which is capable of:

- Ensuring real-time data-sharing between PSAPs and law enforcement agencies.
- Creating a unique telephone number for each user which will connect the user to a PSAP.
- Creating a user-generated numerical code or phrase that can be utilized by the user after contacting a PSAP and that indicated the user's need for immediate law enforcement assistance.
- Transmitting specified data to law enforcement agencies when a user calls from his or her unique telephone number and enters his or her numerical code or phrase.

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<sup>28</sup> "Public agency" means the state and any city, county, city and county, municipal corporation, chartered organization, public district, or public authority located in whole or in part within this state which provides, or has authority to provide, firefighting, law enforcement, ambulance, medical, or other emergency services. Section 365.171(3)(c), F.S.

<sup>29</sup> Section 365.171(4), F.S.

<sup>30</sup> *Id.*

<sup>31</sup> Section 365.171(5), F.S.

<sup>32</sup> Section 365.171(9), F.S.

The Division is required to report the results of the feasibility study to the President of the Senate and the Speaker of the House of Representatives by January 31, 2027.

### **Address Confidentiality Program**

The bill amends s. 741.402, F.S., to define “dating violence” to mean any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death, or the threat of any such act, committed by an individual who has or has had a continuing and significant relationship of a romantic or intimate nature as determined by the factors listed in s. 784.046(1)(d), F.S., with the victim, regardless of whether it has been reported to law enforcement officers. This definition includes a threat of violence and only applies for purposes of the address confidentiality program.

Further, a victim of dating violence must be given information about the address confidentiality program and may participate in the program and receive assistance and counseling.

The bill takes effect July 1, 2026.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

### **D. State Tax or Fee Increases:**

None.

### **E. Other Constitutional Issues:**

None.

## **V. Fiscal Impact Statement:**

### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The Department of Management Services will have costs associated with conducting a feasibility study for the creation of a web-based 911 alert system for use of victims of domestic violence and dating violence. The cost of the study is unknown, but based on previous studies directed by the Legislature, it is estimated that the study would cost between \$100,000 and \$250,000.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 741.401, 741.402, 741.403, 741.408, 741.4651, and 960.001.

This bill creates an undesignated section of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Criminal Justice on December 9, 2025:**

This Committee Substitute:

- Removes language creating the Helping Abuse Victims Escape Now (HAVEN) Coordinating Council.
- Creates an undesignated section of law to establish a domestic and dating violence 911 alert system feasibility study and: defines terms; requires the Division of Telecommunications within the Department of Management Services to consult with specified agencies to conduct such feasibility study regarding the creation of a web-based 911 alert system for victims of domestic and dating violence with certain capabilities; and provides a reporting requirement.
- Amends s. 741.402, F.S., to define “dating violence” in s. 741.402, F.S., and amends the address confidentiality program under the Office of the Attorney General, to allow victims of dating violence to be eligible and extend the public records exemption therein.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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