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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
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	.	

The Committee on Criminal Justice (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete lines 15 - 46
and insert:

(3) "Gang-related language" is any verbal or written statement that signals gang affiliation, supports gang activity, or uses recognized gang codes, symbols, or terminology associated with criminal organizations. Written statements include any digital or electronic statements, including statements made on any online platform or social media.



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11 (4) "Criminal gang member" means ~~is~~ a person who meets two
12 or more of the following criteria:

13 (a) Admits in person or on an online platform or social
14 media that he or she is a criminal gang member.

15 (b) ~~(a)~~ Is identified or claimed by a ~~Admits to~~ criminal
16 gang as one of its members ~~membership.~~

17 (c) ~~(b)~~ Is identified as a criminal gang member by a parent,
18 or guardian, or spouse living with the person.

19 (d) ~~(c)~~ Is identified as a criminal gang member by a
20 documented reliable informant.

21 (e) ~~(d)~~ Adopts the style of dress of a criminal gang.

22 (f) ~~(e)~~ Adopts the use of a hand sign identified as used by
23 a criminal gang.

24 (g) ~~(f)~~ Has a tattoo identified as used by a criminal gang.

25 (h) ~~(g)~~ Associates with one or more known criminal gang
26 members.

27 (i) ~~(h)~~ Is identified as a criminal gang member by an
28 informant of previously untested reliability and such
29 identification is corroborated by independent information.

30 (j) ~~(i)~~ Is identified as a criminal gang member by physical
31 evidence.

32 (k) ~~(j)~~ Has been observed in the company of one or more
33 known criminal gang members two ~~four~~ or more times. Observation
34 in a custodial setting requires a willful association. It is the
35 intent of the Legislature to allow this criterion to be used to
36 identify gang members who recruit and organize in jails,
37 prisons, and other detention settings.

38 (l) ~~(k)~~ Has authored any communication indicating gang
39 affiliation or gang activity or accepting responsibility for the



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commission of any crime by a ~~the~~ criminal gang member.

(m) Uses gang-related language on an online platform or
social media.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 3

and insert:

874.03, F.S.; defining "gang-related language";
revising the definition of the term