

CS/HB 623

2026

A bill to be entitled
An act relating to felony battery; amending s. 784.03, F.S.; providing enhanced criminal penalties for persons who commit a subsequent battery after having a prior conviction for resisting an officer with violence; reenacting s. 943.0584(2), F.S., relating to criminal history records ineligible for court-ordered expunction or court-ordered sealing, to incorporate the amendment made to s. 784.03, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (2) of section 784.03, Florida

Statutes, is amended to read:

784.03 Battery; felony battery.—

(2) A person who has one prior conviction for battery, aggravated battery, ~~or~~ felony battery, or resisting an officer with violence under s. 843.01 and who commits any ~~second or~~ subsequent battery commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For purposes of this subsection, the term "conviction" means a determination of guilt that is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

26 **Section 2. For the purpose of incorporating the amendment**
27 **made by this act to section 784.03, Florida Statutes, in a**
28 **reference thereto, subsection (2) of section 943.0584, Florida**
29 **Statutes, is reenacted to read:**

30 943.0584 Criminal history records ineligible for court-
31 ordered expunction or court-ordered sealing.—

32 (2) A criminal history record is ineligible for a
33 certificate of eligibility for expunction or a court-ordered
34 expunction pursuant to s. 943.0585 or a certificate of
35 eligibility for sealing or a court-ordered sealing pursuant to
36 s. 943.059 if the record is a conviction for any of the
37 following offenses:

38 (a) Sexual misconduct, as defined in s. 393.135, s.
39 394.4593, or s. 916.1075;

40 (b) Illegal use of explosives, as defined in chapter 552;

41 (c) Terrorism, as defined in s. 775.30;

42 (d) Murder, as defined in s. 782.04, s. 782.065, or s.
43 782.09;

44 (e) Manslaughter or homicide, as defined in s. 782.07, s.
45 782.071, or s. 782.072;

46 (f) Assault or battery, as defined in ss. 784.011 and
47 784.03, respectively, of one family or household member by
48 another family or household member, as defined in s. 741.28(3);

49 (g) Aggravated assault, as defined in s. 784.021;

50 (h) Felony battery, domestic battery by strangulation, or

51 aggravated battery, as defined in ss. 784.03, 784.041, and
52 784.045, respectively;

53 (i) Stalking or aggravated stalking, as defined in s.
54 784.048;

55 (j) Luring or enticing a child, as defined in s. 787.025;

56 (k) Human trafficking, as defined in s. 787.06;

57 (l) Kidnapping or false imprisonment, as defined in s.
58 787.01 or s. 787.02;

59 (m) Any offense defined in chapter 794;

60 (n) Procuring a person less than 18 years of age for
61 prostitution, as defined in former s. 796.03;

62 (o) Lewd or lascivious offenses committed upon or in the
63 presence of persons less than 16 years of age, as defined in s.
64 800.04;

65 (p) Arson, as defined in s. 806.01;

66 (q) Burglary of a dwelling, as defined in s. 810.02;

67 (r) Voyeurism or digital voyeurism, as defined in ss.
68 810.14 and 810.145, respectively;

69 (s) Robbery or robbery by sudden snatching, as defined in
70 ss. 812.13 and 812.131, respectively;

71 (t) Carjacking, as defined in s. 812.133;

72 (u) Home-invasion robbery, as defined in s. 812.135;

73 (v) A violation of the Florida Communications Fraud Act,
74 as provided in s. 817.034;

75 (w) Abuse of an elderly person or disabled adult, or

76 aggravated abuse of an elderly person or disabled adult, as
77 defined in s. 825.102;

78 (x) Lewd or lascivious offenses committed upon or in the
79 presence of an elderly person or disabled person, as defined in
80 s. 825.1025;

81 (y) Child abuse or aggravated child abuse, as defined in
82 s. 827.03;

83 (z) Sexual performance by a child, as defined in s.
84 827.071;

85 (aa) Any offense defined in chapter 839;

86 (bb) Certain acts in connection with obscenity, as defined
87 in s. 847.0133;

88 (cc) Any offense defined in s. 847.0135;

89 (dd) Selling or buying of minors, as defined in s.
90 847.0145;

91 (ee) Aircraft piracy, as defined in s. 860.16;

92 (ff) Manufacturing a controlled substance in violation of
93 chapter 893;

94 (gg) Drug trafficking, as defined in s. 893.135; or

95 (hh) Any violation specified as a predicate offense for
96 registration as a sexual predator pursuant to s. 775.21, or
97 sexual offender pursuant to s. 943.0435, without regard to
98 whether that offense alone is sufficient to require such
99 registration.

100 **Section 3.** This act shall take effect July 1, 2026.