

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 Committee on Rules

BILL: SB 624

INTRODUCER: Senators Yarborough and Harrell

SUBJECT: Batterers' Intervention Program Activities

DATE: January 26, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Kennedy</u>	<u>Tuszynski</u>	<u>CF</u>	Favorable
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	Favorable
3.	<u>Kennedy</u>	<u>Kruse</u>	<u>RC</u>	Favorable

I. Summary:

SB 624 authorizes batterers' intervention programs to offer "supplemental faith-based activities" to participants. However, no participant may be required to participate in a faith-based activity while in the program. The "activities" are supplemental to the core curriculum and, although not stated in the bill, might involve homework, journaling, group discussion, or additional support groups.

Batterers' intervention programs are court-ordered programs designed to address the root causes of domestic violence and hold a batterer accountable for his or her actions. The program must last at least 29 weeks and include 24 weekly sessions. The Department of Children and Families is tasked with certifying and monitoring these programs. There are currently 80 certified programs operating in the state.

The program is funded by user fees paid by the batterers who attend the program; therefore, the bill does not appear to have a significant fiscal impact on state government.

The bill is effective July 1, 2026.

II. Present Situation:

Batterers' Intervention Programs

Overview

A batterers' intervention program (BIP) is designed to address and change the behavior of an individual who has committed acts of domestic violence. According to an agency analysis, as of January 2026, the Department of Children and Families (DCF) currently certifies 80 programs in

the state.¹ These programs aim to enhance accountability,² reduce recidivism, and promote the safety of victims of domestic violence. These goals are pursued by educating participants on the impact of their actions and teaching them non-violent conflict resolution strategies.³ Unlike anger management programs, BIPs focus on power and control dynamics that fuel abusive behaviors.⁴ Additionally, the program is funded by user fees paid by the batterers who attend the programs which allows the participants to take responsibility for their acts of violence.⁵

Program Curriculum vs. “Supplemental” Activities

While DCF reviews and certifies each BIP provider’s program curriculum for compliance with administrative rules, a provider may offer additional “supplemental” activities for participants. These voluntary activities might include journaling, group discussions, homework, meetings of support groups, or something similar. According to a recent agency legislative analysis, DCF currently allows program providers to include “supplemental” faith-based activities to participants; however, this faith-based content cannot be required as a mandatory part of the program’s curriculum.⁶

Sentencing

If an individual is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, the court must impose a minimum term of 1 year of probation and require the defendant to attend and complete a batterers' intervention program as a condition of probation.⁷ The statute allows a court to waive this requirement if the court states on the record why a batterers' intervention program might be inappropriate. Unless a court determines that the defendant who is placed on probation does not meet the qualifications for the batterers’ intervention program, the program must be imposed.⁸

State Law and Administrative Rules

In 1995, the Florida Legislature enacted requirements for BIPs, including a minimum duration of 29 weeks and a curriculum based on cognitive behavioral therapy models that focus on power and control dynamics in abusive relationships. The program was initially established within the

¹ Florida Department of Children and Families, House Bill 491, *2026 Agency Legislative Bill Analysis* (on file with the Senate Committee on Judiciary).

² The Florida Department of Children and Families, Child Welfare and Child Protection, <https://www.myflfamilies.com/services/abuse/domestic-violence/programs/child-welfare-child-protection> (last visited Jan. 13, 2026).

³ Rule 65H-2.017, F.A.C.; The Florida State Courts, *What Is the Difference Between Anger Management and a Certified Batterer Intervention Program (BIP)*, available at: <https://www.flcourts.gov/content/download/864671/file/Differences%20between%20AM%20and%20BIP.pdf> (June 2023).

⁴ The Florida Department of Children and Families, *Common Differences Between Anger Management and Batterer Intervention Programs*, <https://www.myflfamilies.com/sites/default/files/2025-04/Common%20Differences%20Between%20Anger%20Management%20and%20Batterer%20Intervention%20Programs.pdf> (Sept. 2000).

⁵ Section 741.325(1)(e), F.S.

⁶ Florida Department of Children and Families, Senate Bill 894, *2025 Agency Legislative Bill Analysis* (on file with the Committee on Judiciary). This 2025 analysis addressed a bill very similar to SB 624 (2026).

⁷ Section 741.281, F.S.

⁸ *Id.*

Department of Corrections.⁹ In 2001, the Legislature transferred the regulatory authority of the program to the Department of Children and Family Services and directed DCF to oversee certification and compliance.¹⁰ Accordingly, the state does not offer the programs; rather, the state contracts with private entities that offer programs. The role of DCF is to certify and regulate the providers.

In September 2022, DCF finalized an administrative rule that establishes program curriculum requirements for batterers' intervention programs. The rule states that "The program curriculum shall not include ... [f]aith-based ideology associated with a particular religion or denomination."¹¹

Program Criteria

Generally, BIP curricula must follow a cognitive behavioral therapy¹² or psychoeducational intervention model,¹³ addressing power and control dynamics and incorporate elements that include:¹⁴

- The batterer taking responsibility for the violence.
- Viewing intimate partner violence as a learned behavior.
- Healthy expression of feelings.
- Communication and listening skills.
- Negotiation and conflict resolution skills.
- The effects of domestic violence on children.

The program curriculum may not include:

- Couples, marriage or family therapy, or any manner of victim participation.
- Anger management techniques that identify anger as the cause of domestic violence.
- Theories or techniques that identify poor impulse control as the primary cause of the domestic violence.
- Fair fighting techniques.
- Faith-based ideology associated with a particular religion or denomination.

The 80 programs operating statewide are available to circuit courts and individuals who require services.¹⁵ Of these programs, there are several organizations that are faith-based, including the Salvation Army, Healing Hearts Ministry Outreach, Community Hands of Hope, and Free Spirit

⁹ Ch. 95-195, ss. 4, 16, and 17, Laws of Fla.

¹⁰ Section 741.327, F.S.; Ch. 2001-183, s. 1, Laws of Fla.

¹¹ Fla. Admin. Code R. 65H-2.017(2)(e).

¹² A cognitive behavioral therapy model is defined as a therapeutic intervention that has been demonstrated to be effective for a range of problems whereby participants can learn to change their own thinking, problematic emotions, and behavior. Fla. Admin. Code R. 65H-2.014(8).

¹³ A psychoeducational intervention model is defined as a psychotherapeutic intervention that uses a critical thinking program model and structured didactic interventions with batterers. Fla. Admin. Code R. 65H-2.014(23).

¹⁴ See generally Fla. Admin. Code R. 65H-2.017.

¹⁵ Florida Department of Children and Families, House Bill 491, *2026 Agency Legislative Bill Analysis*, (on file with the Committee on Judiciary).

Evangelistic Outreach Ministries.¹⁶ These faith-based programs are certified by DCF and provide BIP programs without providing integrated faith-based content.

First Amendment Free Exercise Challenge; Recent Litigation on BIP Administrative Rules

The Department’s BIP curriculum standard, which prohibits faith-based ideology associated with a particular religion or denomination, was recently challenged in federal court on First Amendment grounds.¹⁷ The challenge was brought by a minister and former BIP provider, whose credentials were not renewed as a BIP provider because his curriculum incorporated a faith-based view of domestic violence. The district court issued a summary judgment ruling in favor of the Department and the minister appealed. The Eleventh Circuit Court of Appeals weighed the minister’s free speech and free exercise rights against the Department’s government speech authority. In September 2025, the court upheld the Department’s rule.

The First Amendment to the United States Constitution contains the Establishment and Free Exercise Clauses. Together those clauses read:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; ... ”¹⁸

This language has been interpreted by the U.S. Supreme Court to mean that the “government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.” Yet, “At the same time, a government entity has the right to speak for itself.”¹⁹ This has generally been interpreted to mean that the federal and state governments cannot create laws that establish the belief in a specific religion nor can they prohibit citizens from exercising their religious beliefs freely. While the Free Speech Clause prohibits the government from regulating private speech it does not regulate government speech.²⁰

The court concluded “that the curriculum and presentation of court-ordered BIPs are government speech,” and therefore, the minister could not “sustain a claim under the Free Speech or Free Exercise Clause of the First Amendment.”²¹

III. Effect of Proposed Changes:

SB 624 authorizes batterers’ intervention programs to offer voluntary “supplemental faith-based activities” to participants. However, no participant may be required to participate in a faith-based activity while in the program. The “activities” that are supplemental to the core curriculum, although not stated in the bill, might involve homework, journaling, group discussion, or additional support groups.

¹⁶The Florida Department of Children and Families, *Find a Local Batterers’ Intervention Program*, available at: <https://www.myflfamilies.com/services/abuse/domestic-violence/resources/find-local-batterers-intervention-program> (last visited Jan. 15, 2026).

¹⁷ *Nussbaumer v. Secretary, Florida Department of Children and Families*, 150 F. 4th 1371 (11th Cir. 2025).

¹⁸ U.S. CONST. amend. I.

¹⁹ *Nussbaumer* at 1377 (quoting *Police Dept. of City of Chicago v. Mosley*, 408 U.S. 92, 95 (1972) and *Pleasant Grove City v. Summum*, 555 U.S. 460, 467 (2009)).

²⁰ *Id.* at 1377.

²¹ *Id.* at 1381.

These changes allow participants the option of participating in programs that offer faith-based activities and content. However, while the language allows supplemental faith-based activities, it clearly prevents the programs from *requiring* participation in any offered supplemental faith-based activities as a condition of completing the batterers' intervention program.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends s. 741.325 of Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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