

**By** the Committee on Criminal Justice; and Senators Calatayud and Berman

591-02048A-26

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A bill to be entitled

An act relating to violent criminal offenses; providing a short title; amending s. 365.171, F.S.; requiring the emergency communications state plan to include a system or process to flag specified addresses; requiring that such system correspond between all emergency services; requiring that an address remain flagged for a specified period of time; providing that such period of time resets under certain circumstances; requiring a county to integrate such system or process in accordance with the county's resources and availability; amending s. 401.27, F.S.; requiring the Department of Health to establish by rule certain training criteria; requiring emergency medical technicians and paramedics to complete training in the subjects of domestic violence, dating violence, and strangulation for certification and recertification; providing requirements for such training; requiring emergency medical technicians and paramedics who are trained outside this state or in the military to provide proof of successful completion of such training; amending s. 633.408, F.S.; requiring the Division of State Fire Marshal within the Department of Financial Services to establish by rule certain training courses; requiring the division to provide training on the subjects of domestic violence, dating violence, and strangulation for the certification of career and volunteer firefighters; providing requirements for such training, beginning on

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a specified date; amending s. 741.28, F.S.; revising the definition of the term "domestic violence"; defining the terms "coercive control" and "electronic monitoring"; creating s. 741.2801, F.S.; authorizing the enhancement of criminal penalties for certain acts of domestic violence under certain circumstances; providing a burden of proof for a specified purpose; providing such enhancements; providing that certain felony offenses are ranked in a certain manner for the purposes of sentencing and determining incentive gain-time eligibility; amending s. 741.281, F.S.; authorizing, and in certain circumstances requiring, a court to order electronic monitoring supervision in domestic violence cases; creating s. 741.282, F.S.; authorizing a state attorney to enter into a written agreement with certain persons to participate in a domestic violence deferred sentencing program or an alternative treatment court program, under certain circumstances; providing eligibility requirements; requiring the Department of Corrections to supervise domestic violence deferred sentencing programs; requiring that specified conditions be included in a written deferred sentencing agreement and accepted by a person participating in such a program; providing requirements for a person participating in such a program; requiring a qualified professional to provide a treatment plan under certain circumstances; requiring a qualified professional to provide to the court weekly treatment progress reports; requiring a

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59 qualified professional to make a specified  
60 certification to the court; requiring the state  
61 attorney to permit a defendant to withdraw his or her  
62 plea upon successful completion of such program and  
63 enter a nolle prosequere; requiring the state attorney to  
64 notify the court, and the court to set the case for  
65 sentencing, under certain circumstances; requiring the  
66 collection of certain information; authorizing the  
67 state attorney to retain certain information; creating  
68 s. 741.285, F.S.; authorizing the reclassification of  
69 domestic violence offenses that occur during an active  
70 state of emergency in an affected area to increase  
71 criminal penalties; providing such reclassifications;  
72 amending s. 741.29, F.S.; revising the information a  
73 law enforcement officer is required to provide to a  
74 victim of an alleged incident of domestic violence;  
75 amending s. 741.30, F.S.; revising the information  
76 contained in a petition for injunction for protection  
77 against domestic violence; revising the information  
78 that a court must consider and evaluate when making a  
79 certain determination relating to such a petition;  
80 revising the name of a certain statewide verification  
81 system created within the Department of Law  
82 Enforcement; amending s. 741.31, F.S.; reclassifying a  
83 subsequent violation of an injunction for protection  
84 against domestic violence as a third degree felony  
85 offense, regardless of whether the violation is  
86 against the same victim; authorizing, and in certain  
87 circumstances requiring, a court to order electronic

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88 monitoring for a specified duration in domestic  
89 violence cases; requiring the respondent to pay for  
90 such electronic monitoring services; amending s.  
91 784.046, F.S.; revising the information contained in a  
92 petition for injunction for protection against repeat  
93 violence, sexual violence, or dating violence;  
94 revising the information a law enforcement officer  
95 must provide to a victim of an alleged incident of  
96 dating violence; requiring a law enforcement officer  
97 to administer a lethality assessment in an alleged  
98 incident of dating violence; amending s. 784.047,  
99 F.S.; reclassifying a subsequent violation of an  
100 injunction for protection against repeat violence,  
101 sexual violence, or dating violence as a third degree  
102 felony offense, regardless of whether the violation is  
103 against the same victim; authorizing, and in certain  
104 circumstances requiring, a court to order electronic  
105 monitoring supervision for a specified duration for  
106 violating an injunction for protection against repeat  
107 violence, sexual violence, or dating violence;  
108 requiring the respondent to pay for such electronic  
109 monitoring services; creating s. 784.0471, F.S.;  
110 authorizing reclassification of violations of  
111 injunctions for protection against dating violence,  
112 repeat violence, and sexual violence that occur during  
113 an active state of emergency in an affected area to  
114 increase criminal penalties; providing such  
115 reclassifications; amending s. 960.198, F.S.;  
116 increasing the maximum payment amounts for relocation

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assistance for victims of domestic violence; amending  
ss. 921.0024, 943.0584, and 943.171, F.S.; conforming  
cross-references; providing an effective date.

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

Section 1. This act may be cited as the "Domestic Emergency  
and Batterers Reform and Accountability Act."

Section 2. Subsection (6) of section 365.171, Florida  
Statutes, is amended, and paragraph (e) is added to subsection  
(4) of that section, to read:

365.171 Emergency communications state plan.—

(4) STATE PLAN.—The office shall develop, maintain, and  
implement appropriate modifications for a statewide emergency  
communications plan. The plan shall provide for:

(e) A system or process to flag addresses at which a "911"  
call reported an alleged incident of domestic violence or dating  
violence. Such system must correspond between all emergency  
services, including, but not limited to, law enforcement,  
firefighting, emergency medical services, poison control,  
suicide prevention, and emergency management services. An  
address must remain flagged in the system for at least 1 year  
after the "911" call was placed that initiated the flag. The 1-  
year time period resets after each call relating to an alleged  
incident of domestic violence or dating violence at the same  
address.

The office shall be responsible for the implementation and  
coordination of such plan. The office shall adopt any necessary

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146 rules and schedules related to public agencies for implementing  
147 and coordinating the plan, pursuant to chapter 120.

148 (6) REGIONAL SYSTEMS.—This section does not prohibit or  
149 discourage the formation of multijurisdictional or regional  
150 systems; and any system established pursuant to this section may  
151 include the jurisdiction, or any portion thereof, of more than  
152 one public agency. It is the intent of the Legislature that  
153 emergency communications services be available throughout the  
154 state. Expenditure by counties of the fee authorized and imposed  
155 under s. 365.172 should support this intent to the greatest  
156 extent feasible within the context of local service needs and  
157 fiscal capability. Each county shall integrate the system or  
158 process created in paragraph (4)(e) based on the county's  
159 resources and availability. This section does not prohibit two  
160 or more counties from establishing a combined emergency  
161 communications service by an interlocal agreement and using the  
162 fees authorized and imposed by s. 365.172 for such combined  
163 service.

164 Section 3. Subsections (4), (5), and (11) of section  
165 401.27, Florida Statutes, are amended, and paragraph (c) is  
166 added to subsection (2) of that section, to read:

167 401.27 Personnel; standards and certification.—

168 (2) The department shall establish by rule educational and  
169 training criteria and examinations for the certification and  
170 recertification of emergency medical technicians and paramedics.  
171 Such rules must require, but need not be limited to:

172 (c) For emergency medical technicians and paramedics, a  
173 training program approved by the department for instruction in  
174 the subjects of domestic violence, dating violence, and

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175 strangulation.

176 (4) An applicant for certification or recertification as an  
177 emergency medical technician or paramedic must do all of the  
178 following:

179 (a) Have completed an appropriate training program as  
180 follows:

181 1. For an emergency medical technician, an emergency  
182 medical technician training program approved by the department  
183 as equivalent to the most recent EMT-Basic National Standard  
184 Curriculum or the National EMS Education Standards of the United  
185 States Department of Transportation; or

186 2. For a paramedic, a paramedic training program approved  
187 by the department as equivalent to the most recent EMT-Paramedic  
188 National Standard Curriculum or the National EMS Education  
189 Standards of the United States Department of Transportation.~~†~~

190 (b) Have completed a training program approved by the  
191 department for instruction in the subjects of domestic violence,  
192 dating violence, and strangulation.

193 1. Beginning December 1, 2026, emergency medical  
194 technicians and paramedics seeking initial certification must  
195 complete a minimum of 2 hours of training in handling domestic  
196 violence, dating violence, and strangulation cases.

197 2. Emergency medical technicians and paramedics who were  
198 certified before December 1, 2026, must complete a minimum of 2  
199 hours of training in handling domestic violence, dating  
200 violence, and strangulation cases during the refresher training  
201 program required under subsection (5).

202 (c)~~(b)~~ Attest that he or she is not addicted to alcohol or  
203 any controlled substance.~~†~~

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(d)~~(e)~~ Attest that he or she is free from any physical or mental defect or disease that might impair the applicant's ability to perform his or her duties.~~†~~

(e)~~(d)~~ Within 2 years after program completion have passed an examination developed or required by the department.~~†~~

(f)1.~~(e)1.~~ For an emergency medical technician, hold a current American Heart Association cardiopulmonary resuscitation course card or an American Red Cross cardiopulmonary resuscitation course card or its equivalent as defined by department rule; or

2. For a paramedic, hold a certificate of successful course completion in advanced cardiac life support from the American Heart Association or its equivalent as defined by department rule.~~†~~

(g)~~(f)~~ Submit the certification fee and the nonrefundable examination fee prescribed in s. 401.34, which examination fee will be required for each examination administered to an applicant.~~†~~~~and~~

(h)~~(g)~~ Submit a completed application to the department, which application documents compliance with paragraphs (a)~~-(d)~~, ~~(b)~~, ~~(e)~~, ~~(e)~~, (f), (g), and this paragraph, and, if applicable, paragraph (e) ~~(d)~~.

(5)(a) The department shall establish by rule a procedure for biennial renewal certification of emergency medical technicians. Such rules must require a United States Department of Transportation refresher training program of at least 30 hours which must include a 2-hour training program for instruction in the subjects of domestic violence, dating violence, and strangulation as approved by the department every



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233 2 years. The refresher program may be offered in multiple  
234 presentations spread over the 2-year period. The rules must also  
235 provide that the refresher course requirement may be satisfied  
236 by passing a challenge examination.

237 (b) The department shall establish by rule a procedure for  
238 biennial renewal certification of paramedics. Such rules must  
239 require candidates for renewal to have taken at least 30 hours  
240 of continuing education units which must include a 2-hour  
241 training program for instruction in the subjects of domestic  
242 violence, dating violence, and strangulation during the 2-year  
243 period. The rules must provide that the continuing education  
244 requirement may be satisfied by passing a challenge examination.

245 (11) An applicant for certification as an emergency medical  
246 technician or a paramedic who is trained outside the state, or  
247 trained in the military, must provide proof of a current,  
248 nationally recognized emergency medical technician or paramedic  
249 certification or registration that is recognized by the  
250 department and based upon successful completion of a training  
251 program approved by the department as being equivalent to the  
252 most recent EMT-Basic or EMT-Paramedic National Standard  
253 Curriculum or the National EMS Education Standards of the United  
254 States Department of Transportation and hold a current  
255 certificate of successful course completion in cardiopulmonary  
256 resuscitation (CPR) or advanced cardiac life support for  
257 emergency medical technicians or paramedics, respectively, to be  
258 eligible for the certification. An applicant for certification  
259 as an emergency medical technician or a paramedic who is trained  
260 outside this state, or trained in the military, must provide  
261 proof of successful completion of a training program that

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262 included instruction on the subjects of domestic violence,  
263 dating violence, and strangulation as required under paragraph  
264 (4) (b).

265 Section 4. Present subsection (9) of section 633.408,  
266 Florida Statutes, is redesignated as subsection (10), a new  
267 subsection (9) is added to that section, and paragraph (e) is  
268 added to subsection (1) of that section, to read:

269 633.408 Firefighter and volunteer firefighter training and  
270 certification.—

271 (1) The division shall establish by rule:

272 (e) Courses to provide training for career and volunteer  
273 firefighters on the subjects of domestic violence, dating  
274 violence, and strangulation. Such training must be a requirement  
275 for obtaining a Firefighter Certificate of Compliance, a  
276 Volunteer Firefighter Certificate of Completion, or a Special  
277 Certificate of Compliance.

278 (9) The division shall establish a program to provide  
279 training in the subjects of domestic violence, dating violence,  
280 and strangulation for career and volunteer firefighters.

281 (a) Beginning December 1, 2026, career and volunteer  
282 firefighters seeking initial certification must complete a  
283 minimum of 2 hours of training in handling domestic violence,  
284 dating violence, and strangulation cases.

285 (b) Career and volunteer firefighters certified before  
286 December 1, 2026, must complete a minimum of 2 hours of training  
287 in handling domestic violence, dating violence, and  
288 strangulation cases during the continuing training required  
289 under paragraph (1) (c).

290 Section 5. Present subsections (1), (2), (3), and (4) of

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section 741.28, Florida Statutes, are redesignated as subsections (2), (3), (5), and (6), respectively, new subsections (1) and (4) are added to that section, and present subsection (2) of that section is amended, to read:

741.28 Domestic violence; definitions.—As used in ss. 741.28-741.31:

(1) "Coercive control" means a knowing pattern or course of conduct by a person against a family or household member that, in purpose or effect, unreasonably interferes with the free will, personal liberty, autonomy, economic security, or psychological safety of that person, whether or not physical force is used, and that is used to establish, maintain, or enforce power, domination, or dependency within the relationship.

(3)(2) "Domestic violence" means 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 of one family or household member by another family or household member, or any of the following criminal offenses if committed by a family or household member:

(a) Assault.

(b) Aggravated assault.

(c) Battery.

(d) Aggravated battery.

(e) Battery by strangulation.

(f) Domestic battery by strangulation.

(g) Sexual assault.

(h) Sexual battery.

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320       (i) Stalking.

321       (j) Aggravated stalking.

322       (k) Child abuse.

323       (l) Aggravated child abuse.

324       (m) Kidnapping.

325       (n) False imprisonment.

326       (o) Violation of an injunction for protection against  
327 domestic violence, repeat violence, dating violence, sexual  
328 violence, or stalking.

329       (p) Criminal mischief, committed with the intent to  
330 intimidate, threaten, or harass, or as a means of coercive  
331 control.

332       (q) Installation or use of tracking devices or tracking  
333 applications.

334       (r) Sexual cyberharassment.

335       (s) Cyberstalking.

336       (t) Offenses against users of computers, computer systems,  
337 computer networks, and electronic devices.

338       (u) Cruelty or threat of cruelty to a family pet committed  
339 with the intent to intimidate, threaten, or harass, or as a  
340 means of coercive control. A family pet includes a service  
341 animal as defined in s. 413.08(1) and an emotional support  
342 animal as defined in s. 760.27(1).

343       (4) "Electronic monitoring" means tracking the location of  
344 a person through the use of technology that is capable of  
345 determining or identifying the monitored person's presence or  
346 absence at a particular location, including, but not limited to:

347       (a) Radio frequency signaling technology, which detects  
348 whether the monitored person is or is not at an approved

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location and notifies the monitoring agency of the time that the monitored person either leaves the approved location or tampers with or removes the monitoring device; or

(b) Active or passive global positioning system technology, which detects the location of the monitored person and notifies the monitoring agency of the monitored person's location and which may also include electronic monitoring with victim notification technology that is capable of notifying a victim or protected party, either directly or through a monitoring agency, if the monitored person enters within the restricted distance of a victim or protected party or within the restricted distance of a designated location.

Section 6. Section 741.2801, Florida Statutes, is created to read:

741.2801 Domestic violence offenses; enhanced penalties.—  
Upon a finding by the factfinder that the defendant committed the charged offense and that the charged offense constitutes an act of domestic violence, the penalty for any felony or misdemeanor, or any delinquent act or violation of law which would be a felony or misdemeanor if committed by an adult, may be enhanced. Penalty enhancement affects the applicable statutory maximum penalty only. Each of the findings required as a basis for such sentence shall be found beyond a reasonable doubt. The enhancement is as follows:

(1) A misdemeanor of the second degree may be punished as if it were a misdemeanor of the first degree.

(2) A misdemeanor of the first degree may be punished as if it were a felony of the third degree.

(3) A felony of the third degree may be punished as if it

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were a felony of the second degree.

(4) A felony of the second degree may be punished as if it were a felony of the first degree.

(5) A felony of the first degree may be punished as if it were a life felony.

For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, such felony offense is ranked as provided in s. 921.0022 or s. 921.0023, and without regard to the penalty enhancement in this section.

Section 7. Section 741.281, Florida Statutes, is amended to read:

741.281 Court to order batterers' intervention program attendance; electronic monitoring.—

(1) If a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, ~~as defined in s. 741.28,~~ that person shall be ordered by the court to a minimum term of 1 year's probation and the court shall order that the defendant attend and complete a batterers' intervention program as a condition of probation. The court must impose the condition of the batterers' intervention program for a defendant under this section, but the court, in its discretion, may determine not to impose the condition if it states on the record why a batterers' intervention program might be inappropriate. The court must impose the condition of the batterers' intervention program for a defendant placed on probation unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. 741.325. The imposition of probation under this section does not

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preclude the court from imposing any sentence of imprisonment authorized by s. 775.082.

(2) If a person is found guilty of, has adjudication withheld on, or pleads nolo contendere to a crime of domestic violence, the court may order the person to have electronic monitoring supervision as a condition of his or her probation. The court must order electronic monitoring supervision in the following situations:

(a) The court finds there is clear and convincing evidence that the defendant poses a continuing threat to the victim;

(b) The defendant has previously violated an injunction for protection against domestic violence, dating violence, repeat violence, sexual violence, or stalking; or

(c) During the investigation of an alleged incident of domestic violence, there is evidence of strangulation or other indications that warrant a higher level of concern for the well-being of the petitioner.

Section 8. Section 741.282, Florida Statutes, is created to read:

741.282 Domestic violence deferred sentencing program.—

(1) The state attorney may enter into a written plea agreement with a defendant to allow such person to defer sentencing so that he or she may participate in a domestic violence deferred sentencing program. If a domestic violence deferred sentencing program does not exist, a defendant may enter into a written plea agreement to defer sentencing to allow such person to participate in an alternative treatment court program if he or she meets eligibility criteria. The Department of Corrections shall supervise the domestic violence deferred

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436 sentencing programs.

437 (2) Notwithstanding s. 741.283, a person is eligible to  
438 participate in a domestic violence deferred sentencing program,  
439 or alternative treatment court program, as applicable, if the  
440 person is charged with the commission of a misdemeanor of  
441 domestic violence under s. 741.31 and the person is a first-time  
442 domestic violence offender.

443 (3) The written deferred sentencing agreement must include  
444 all of the following conditions, which must be accepted by the  
445 person:

446 (a) The person must enter a plea of guilty or nolo  
447 contendere. Notwithstanding any law to the contrary, a person  
448 entering such deferred sentencing agreement may not be remanded  
449 to custody pending sentencing unless he or she has violated the  
450 terms of the deferred sentencing agreement.

451 (b) The person agrees to attend and participate in a  
452 domestic violence deferred sentencing program.

453 (c) The person knowingly signs a waiver of his or her right  
454 to a speedy trial for the period of his or her participation in  
455 the deferred sentencing program.

456 (d) All terms necessary for successful completion of the  
457 deferred sentencing program.

458 (4) A person who participates in a domestic violence  
459 deferred sentencing program must:

460 (a) Appear before the court within 45 days after entering  
461 the domestic violence deferred sentencing program to determine  
462 the person's compliance with the conditions and requirements of  
463 the written agreement. The court may set additional status  
464 hearings to monitor the person's progress in the deferred



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465 sentencing program.

466 (b) Complete the domestic violence deferred sentencing  
467 program within 1 year after the person enters the program.

468 (c) Complete a batterers' intervention program within 9  
469 months after the person enters the program.

470 (d) Participate in a clinical assessment conducted by a  
471 qualified professional as defined in s. 39.01 to determine if  
472 the person has a mental health or substance use disorder.

473 1. If a qualified professional determines that the person  
474 has a mental health or substance use disorder, the qualified  
475 professional must provide a treatment plan for the person. A  
476 qualified professional who provides a treatment according to the  
477 treatment plan for a person in the program must provide to the  
478 court weekly treatment progress reports.

479 2. At the end of the domestic violence deferred sentencing  
480 program, the qualified professional must certify to the court  
481 that the person has complied with all requirements of the  
482 treatment plan.

483 (5)(a) Upon successful completion of the domestic violence  
484 deferred sentencing program, the state attorney must permit the  
485 defendant to withdraw his or her plea and the state attorney  
486 must enter a nolle prosequere.

487 (b) If at any time the state attorney finds that the  
488 defendant has violated the deferred sentencing program or that  
489 the defendant has not successfully completed the deferred  
490 sentencing program, the state attorney must notify the court and  
491 the court must set the case for sentencing.

492 (6) Notwithstanding this section, data relating to domestic  
493 violence offenses must be collected pursuant to s. 900.05, and

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the state attorney may retain information relating to the  
defendant's participation in the deferred sentencing program.

Section 9. Section 741.285, Florida Statutes, is created to  
read:

741.285 Domestic violence during an active state of  
emergency.—If a person commits an offense of domestic violence  
during an emergency, as defined in s. 252.34(4), for which a  
state of emergency is declared under s. 252.36, such offense may  
be reclassified if the offense occurred within the affected area  
of such emergency and there is in effect a curfew or evacuation  
order or the ingress and egress to the affected area is  
controlled. The reclassification is as follows:

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

(2) A misdemeanor of the first degree is reclassified to a  
felony of the third degree.

(3) A felony of the third degree is reclassified to a  
felony of the second degree.

(4) A felony of the second degree is reclassified to a  
felony of the first degree.

(5) A felony of the first degree is reclassified to a life  
felony.

Section 10. Subsection (1) of section 741.29, Florida  
Statutes, is amended to read:

741.29 Domestic violence; investigation of incidents;  
notice to victims of legal rights and remedies; reporting.—

(1) Any law enforcement officer who investigates an alleged  
incident of domestic violence shall do all of the following:

(a) Assist the victim to obtain medical treatment if ~~such~~

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is required as a result of the alleged incident to which the officer responds.~~.~~

(b) Advise the victim of such violence that there is a domestic violence center from which the victim may receive services.~~.~~

(c) Administer a lethality assessment consistent with the requirements established in subsection (2) if the allegation of domestic violence is against an intimate partner, regardless of whether an arrest is made.~~.~~ and

(d) Give the victim immediate notice of the legal rights and remedies available on a standard form developed and distributed by the department. As necessary, the department shall revise the Legal Rights and Remedies Notice to Victims to include a general summary of s. 741.30 using simple English as well as Spanish, and shall distribute the notice as a model form to be used by all law enforcement agencies throughout this state. The notice must include all of the following:

1. The resource listing, including telephone number, for the area domestic violence center designated by the Department of Children and Families.

2. Information on text-to-911 services and whether text-to-911 services are available in the victim's jurisdiction.~~.~~ and

3.2. A copy of the following statement:

IF YOU ARE THE 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

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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 your minor child or children; and direct the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.

(e) Give the victim a pamphlet developed and distributed by the department which describes the short-term and long-term effects of strangulation and the importance of seeking medical treatment if the victim was strangled.

Section 11. Paragraph (b) of subsection (3), paragraph (b) of subsection (6), and paragraph (b) of subsection (8) of section 741.30, Florida Statutes, are amended to read:

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

(3)

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

PETITION FOR  
INJUNCTION FOR PROTECTION  
AGAINST DOMESTIC VIOLENCE

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

1.~~(a)~~ Petitioner resides at: ...(address)...

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

2.~~(b)~~ Respondent resides at: ...(last known address)...

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

4.~~(d)~~ Physical description of respondent:.....

Race.....

Sex.....

Date of birth.....

Height.....

Weight.....

Eye color.....

Hair color.....

Distinguishing marks or scars.....

5.~~(e)~~ Aliases of respondent:.....

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

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

The petitioner should also describe any previous or pending attempts by the petitioner to obtain an injunction for

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610 protection against domestic violence in this or any other  
611 circuit, and the results of that attempt:.....  
612 .....  
613 Case numbers should be included if available.

614 8.~~(h)~~ Petitioner is either a victim of domestic violence or  
615 has reasonable cause to believe he or she is in imminent danger  
616 of becoming a victim of domestic violence because respondent  
617 has: ...(mark all sections that apply and describe in the spaces  
618 below the incidents of violence or threats of violence,  
619 specifying when and where they occurred, including, but not  
620 limited to, locations such as a home, school, place of  
621 employment, or visitation exchange)...

622 .....  
623 .....  
624 ....committed or threatened to commit domestic violence  
625 defined in s. 741.28, Florida Statutes,~~as any assault,~~  
626 ~~aggravated assault, battery, aggravated battery, sexual assault,~~  
627 ~~sexual battery, stalking, aggravated stalking, kidnapping, false~~  
628 ~~imprisonment, or any criminal offense resulting in physical~~  
629 ~~injury or death of one family or household member by another.~~

630 With the exception of persons who are parents of a child in  
631 common, the family or household members must be currently  
632 residing or have in the past resided together in the same single  
633 dwelling unit. Refer to s. 741.28, Florida Statutes, to view the  
634 enumerated criminal offenses that may constitute domestic  
635 violence.

636 ....previously threatened, harassed, stalked, or physically  
637 abused the petitioner.

638 ....attempted to harm the petitioner or family members or

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individuals closely associated with the petitioner.

....threatened to conceal, kidnap, or harm the petitioner's child or children.

....intentionally injured or killed a family pet or used the family pet as a means of coercive control. A family pet includes a service animal as defined in s. 413.08(1), Florida Statutes, and an emotional support animal as defined in s. 760.27(1), Florida Statutes.

....used, or has threatened to use, against the petitioner any weapons such as guns or knives.

....physically restrained the petitioner from leaving the home or calling law enforcement.

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

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

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

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

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

9.-(i) Petitioner alleges the following additional specific facts: ...(mark appropriate sections)...

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

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

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

....Petitioner genuinely fears that respondent imminently will abuse, remove, or hide the minor child or children from petitioner because:

10.~~(j)~~ Petitioner genuinely fears imminent domestic violence by respondent.

11.~~(k)~~ Petitioner seeks an injunction: ...(mark appropriate section or sections)...

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

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

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

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

....Designating that the exchange of the minor child or children of the parties must occur at a neutral safe exchange location as provided in s. 125.01(8), Florida Statutes, or a



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location authorized by a supervised visitation program as defined in s. 753.01, Florida Statutes, if temporary time-sharing of the child is awarded to the respondent.

....Establishing temporary support for the minor child or children or the petitioner.

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

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

(6)

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

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

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

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

4. Whether the respondent has intentionally injured or killed a family pet or used the family pet as a means of coercive control. A family pet includes a service animal as defined in s. 413.08(1) and an emotional support animal as defined in s. 760.27(1).

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5. Whether the respondent has used, or has threatened to use, against the petitioner any weapons such as guns or knives.

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

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

8. The existence of a verifiable order of protection issued previously or from another jurisdiction.

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

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

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

In making its determination under this paragraph, the court is not limited to those factors enumerated in subparagraphs 1.-11.

(8)

(b) A Domestic, Dating, Sexual, and Repeat Violence Injunction Statewide Verification System is created within the

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Department of Law Enforcement. The department shall establish, implement, and maintain a statewide communication system capable of electronically transmitting information to and between criminal justice agencies relating to domestic violence injunctions, dating violence injunctions, sexual violence injunctions, and repeat violence injunctions issued by the courts throughout the state. Such information must include, but is not limited to, information as to the existence and status of any injunction for verification purposes.

Section 12. Present subsection (6) of section 741.31, Florida Statutes, is redesignated as subsection (7) and amended, a new subsection (6) is added to that section, and paragraph (c) of subsection (4) and subsection (5) of that section are amended, to read:

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

(4)

(c) A person who has a ~~two or more~~ prior conviction ~~convictions~~ for a violation of an injunction or a foreign protection order, and who subsequently commits another ~~a~~ violation of any injunction or foreign protection order, regardless of whether the violation is against the same victim, 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 paragraph, the term "conviction" means a determination of guilt which is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(5) Regardless of whether ~~or not~~ there is a criminal

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prosecution under subsection (4), the court:

(a) Shall order the respondent to attend a batterers' intervention program if it finds a willful violation of a domestic violence injunction, unless the court makes written factual findings in its judgment or order which are based on substantial evidence, stating why a batterers' intervention program would be inappropriate.

(b) May order the respondent to electronic monitoring supervision for a period of 1 year, if the injunction for protection remains in effect. The court may extend such an order if the respondent violates the injunction for protection or commits a new criminal offense. If electronic monitoring is ordered, the court must establish exclusion zones and include safety planning and informed consent for the petitioner. The respondent is responsible for paying for the electronic monitoring services as provided in s. 948.09(2).

(6) The court shall order the respondent to electronic monitoring supervision in any situation under s. 741.281(2).

(7)~~(6)~~ Any person who suffers an injury and/or loss as a result of a violation of an injunction for protection against domestic violence may be awarded economic damages for that injury and/or loss by the court issuing the injunction. Damages includes costs and attorney ~~attorneys'~~ fees for enforcement of the injunction.

Section 13. Paragraph (b) of subsection (4) and subsection (11) of section 784.046, Florida Statutes, are amended to read:

784.046 Action by victim of repeat violence, sexual violence, or dating violence for protective injunction; dating violence investigations, notice to victims, and reporting;

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pretrial release violations; public records exemption.—

(4)

(b) The verified petition must be in substantially the following form:

PETITION FOR INJUNCTION FOR PROTECTION  
AGAINST REPEAT VIOLENCE, SEXUAL  
VIOLENCE, OR DATING VIOLENCE

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

1. Petitioner resides at ...(address)... (A petitioner for an injunction for protection against sexual violence may furnish an address to the court in a separate confidential filing if, for safety reasons, the petitioner requires the location of his or her current residence to be confidential pursuant to s. 119.071(2)(j), Florida Statutes.)

2. Respondent resides at ...(address)....

3.a. Petitioner has suffered repeat violence as demonstrated by the fact that the respondent has: ...(enumerate incidents of violence)...

b. Petitioner has suffered sexual violence as demonstrated by the fact that the respondent has: ...(enumerate incident of

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violence and include incident report number from law enforcement agency or attach notice of inmate release)...

c. Petitioner is a victim of dating violence and has reasonable cause to believe that he or she is in imminent danger of becoming the victim of another act of dating violence or has reasonable cause to believe that he or she is in imminent danger of becoming a victim of dating violence, as demonstrated by the fact that the respondent has: ...(list the specific incident or incidents of violence and describe the length of time of the relationship, whether it has been in existence during the last 6 months, the nature of the relationship of a romantic or intimate nature, the frequency and type of interaction, and any other facts that characterize the relationship)...

4. Has respondent engaged in a pattern of abusive, threatening, intimidating, or controlling behavior composed of a series of acts over a period of time, however short?... (if the answer is yes, list the specific incident or incidents) ...

.....  
.....

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871       ~~5.4.~~ Petitioner genuinely fears repeat violence by the  
872 respondent.

873       ~~6.5.~~ Petitioner seeks: an immediate injunction against the  
874 respondent, enjoining him or her from committing any further  
875 acts of violence; an injunction enjoining the respondent from  
876 committing any further acts of violence; and an injunction  
877 providing any terms the court deems necessary for the protection  
878 of the petitioner and the petitioner's immediate family,  
879 including any injunctions or directives to law enforcement  
880 agencies.

881       (11) Any law enforcement officer who investigates an  
882 alleged incident of dating violence shall do all of the  
883 following:

884       (a) Assist the victim to obtain medical treatment if ~~such~~  
885 ~~is~~ required as a result of the alleged incident to which the  
886 officer responds.

887       ~~(b) Any law enforcement officer who investigates an alleged~~  
888 ~~incident of dating violence shall~~ Advise the victim of such  
889 violence that there is a domestic violence center from which the  
890 victim may receive services.

891       ~~(c) The law enforcement officer shall~~ Give the victim  
892 immediate notice of the legal rights and remedies available on a  
893 standard form developed and distributed by the Department of Law  
894 Enforcement. As necessary, the Department of Law Enforcement  
895 shall revise the Legal Rights and Remedies Notice to Victims to  
896 include a general summary of this section, using simple English  
897 as well as Spanish, and shall distribute the notice as a model  
898 form to be used by all law enforcement agencies throughout the  
899 state. The notice must ~~shall~~ include all of the following:

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900       ~~1.(a)~~ The resource listing, including telephone number, for  
901 the area domestic violence center designated by the Department  
902 of Children and Families.

903       2. Information on text-to-911 services and whether text-to-  
904 911 services are available in the victim's jurisdiction. ~~and~~

905       ~~3.(b)~~ A copy of the following statement:

906  
907       "IF YOU ARE THE VICTIM OF DATING VIOLENCE, you may ask  
908 the state attorney to file a criminal complaint. You  
909 also have the right to go to court and file a petition  
910 requesting an injunction for protection from dating  
911 violence which may include, but need not be limited  
912 to, provisions that restrain the abuser from further  
913 acts of abuse; direct the abuser to leave your  
914 household; and prevent the abuser from entering your  
915 residence, school, business, or place of employment."

916  
917       (d) Give the victim a pamphlet developed and distributed by  
918 the department which describes the short-term and long-term  
919 effects of strangulation and the importance of seeking medical  
920 treatment if the victim was strangled.

921       (e) If applicable, administer a lethality assessment  
922 pursuant to s. 741.29(2)(e) and follow the requirements of s.  
923 741.29(2)(f)-(i).

924       Section 14. Subsection (2) of section 784.047, Florida  
925 Statutes, is amended, and subsection (3) is added to that  
926 section, to read:

927       784.047 Penalties for violating protective injunction  
928 against violators.—



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(2) A person who has a ~~two or more~~ prior conviction ~~convictions~~ for a violation of an injunction or foreign protection order, and who subsequently commits another a violation of any injunction or foreign protection order, regardless of whether the violation is against the same victim, 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 which is the result of a plea or a trial, regardless of whether adjudication is withheld or a plea of nolo contendere is entered.

(3)(a) The court may order the respondent to electronic monitoring supervision for a period of 1 year, if the injunction for protection remains in effect. The court may extend such an order if the respondent violates the injunction for protection or commits a new criminal offense. If electronic monitoring is ordered, the court must establish exclusion zones and include safety planning and informed consent for the petitioner. The respondent is responsible for paying for the electronic monitoring services as provided in s. 948.09(2).

(b) The court shall order the respondent to electronic monitoring supervision in any situation under s. 741.281(2).

Section 15. Section 784.0471, Florida Statutes, is created to read:

784.0471 Violation of a protective injunction during an active state of emergency.—If a person commits a violation of an injunction for protection against dating violence, repeat violence, or sexual violence during an emergency, as defined in s. 252.34(4), for which a state of emergency is declared under

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s. 252.36, such offense may be reclassified if the offense occurred within the affected area of such emergency and there is in effect a curfew or evacuation order or the ingress and egress to the affected area is controlled. The reclassification is as follows:

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

(2) A misdemeanor of the first degree is reclassified to a felony of the third degree.

(3) A felony of the third degree is reclassified to a felony of the second degree.

(4) A felony of the second degree is reclassified to a felony of the first degree.

(5) A felony of the first degree is reclassified to a life felony.

Section 16. Subsection (1) of section 960.198, Florida Statutes, is amended to read:

960.198 Relocation assistance for victims of domestic violence.—

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

Section 17. Paragraph (b) of subsection (1) of section 921.0024, Florida Statutes, is amended to read:

921.0024 Criminal Punishment Code; worksheet computations; scoresheets.—

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(1)

(b) WORKSHEET KEY:

Legal status points are assessed when any form of legal status existed at the time the offender committed an offense before the court for sentencing. Four (4) sentence points are assessed for an offender's legal status.

Community sanction violation points are assessed when a community sanction violation is before the court for sentencing. Six (6) sentence points are assessed for each community sanction violation and each successive community sanction violation, unless any of the following apply:

1. If the community sanction violation includes a new felony conviction before the sentencing court, twelve (12) community sanction violation points are assessed for the violation, and for each successive community sanction violation involving a new felony conviction.

2. If the community sanction violation is committed by a violent felony offender of special concern as defined in s. 948.06:

a. Twelve (12) community sanction violation points are assessed for the violation and for each successive violation of felony probation or community control where:

I. The violation does not include a new felony conviction; and

II. The community sanction violation is not based solely on the probationer or offender's failure to pay costs or fines or make restitution payments.

b. Twenty-four (24) community sanction violation points are

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assessed for the violation and for each successive violation of felony probation or community control where the violation includes a new felony conviction.

Multiple counts of community sanction violations before the sentencing court shall not be a basis for multiplying the assessment of community sanction violation points.

Prior serious felony points: If the offender has a primary offense or any additional offense ranked in level 8, level 9, or level 10, and one or more prior serious felonies, a single assessment of thirty (30) points shall be added. For purposes of this section, a prior serious felony is an offense in the offender's prior record that is ranked in level 8, level 9, or level 10 under s. 921.0022 or s. 921.0023 and for which the offender is serving a sentence of confinement, supervision, or other sanction or for which the offender's date of release from confinement, supervision, or other sanction, whichever is later, is within 3 years before the date the primary offense or any additional offense was committed.

Prior capital felony points: If the offender has one or more prior capital felonies in the offender's criminal record, points shall be added to the subtotal sentence points of the offender equal to twice the number of points the offender receives for the primary offense and any additional offense. A prior capital felony in the offender's criminal record is a previous capital felony offense for which the offender has entered a plea of nolo contendere or guilty or has been found guilty; or a felony in

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another jurisdiction which is a capital felony in that jurisdiction, or would be a capital felony if the offense were committed in this state.

Possession of a firearm, semiautomatic firearm, or machine gun: If the offender is convicted of committing or attempting to commit any felony other than those enumerated in s. 775.087(2) while having in his or her possession: a firearm as defined in s. 790.001, an additional eighteen (18) sentence points are assessed; or if the offender is convicted of committing or attempting to commit any felony other than those enumerated in s. 775.087(3) while having in his or her possession a semiautomatic firearm as defined in s. 775.087(3) or a machine gun as defined in s. 790.001, an additional twenty-five (25) sentence points are assessed.

Sentencing multipliers:

Aggravated Animal Cruelty: If the primary offense is aggravated animal cruelty under s. 828.12(2), which included the knowing and intentional torture or torment of an animal that injured, mutilated, or killed the animal, the subtotal sentence points are multiplied by 1.25. As used in this paragraph, the term "animal" does not include an animal used for agricultural purposes or permitted as captive wildlife as authorized under s. 379.303.

Drug trafficking: If the primary offense is drug trafficking under s. 893.135, the subtotal sentence points are multiplied,

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at the discretion of the court, for a level 7 or level 8 offense, by 1.5. The state attorney may move the sentencing court to reduce or suspend the sentence of a person convicted of a level 7 or level 8 offense, if the offender provides substantial assistance as described in s. 893.135(4).

Violent offenses committed against specified justice system personnel: If the primary offense is a violation of s. 775.0823(2), (3), or (4), the subtotal sentence points are multiplied by 2.5. If the primary offense is a violation of s. 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points are multiplied by 2.0. If the primary offense is a violation of s. 784.07(3) or s. 775.0875(1), or s. 775.0823(10) or (11), the subtotal sentence points are multiplied by 1.5.

Grand theft of a motor vehicle: If the primary offense is grand theft of the third degree involving a motor vehicle and in the offender's prior record, there are three or more grand thefts of the third degree involving a motor vehicle, the subtotal sentence points are multiplied by 1.5.

Fleeing or attempting to elude a law enforcement officer: If the primary offense is fleeing or attempting to elude a law enforcement officer or aggravated fleeing or eluding in violation of s. 316.1935, and in the offender's prior record, there is one or more violation of s. 316.1935, the subtotal sentence points are multiplied by 1.5.

Offense related to a criminal gang: If the offender is convicted

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of the primary offense and committed that offense for the purpose of benefiting, promoting, or furthering the interests of a criminal gang as defined in s. 874.03, the subtotal sentence points are multiplied by 1.5. If applying the multiplier results in the lowest permissible sentence exceeding the statutory maximum sentence for the primary offense under chapter 775, the court may not apply the multiplier and must sentence the defendant to the statutory maximum sentence.

Domestic violence in the presence of a child: If the offender is convicted of the primary offense and the primary offense is a crime of domestic violence, as defined in s. 741.28, which was committed in the presence of a child under 16 years of age who is a family or household member, as defined in s. 741.28, ~~s. 741.28(3)~~ with the victim or perpetrator, the subtotal sentence points are multiplied by 1.5.

Adult-on-minor sex offense: If the offender was 18 years of age or older and the victim was younger than 18 years of age at the time the offender committed the primary offense, and if the primary offense was an offense committed on or after October 1, 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed a sexual battery under chapter 794 or a lewd act under s. 800.04 or s. 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s. 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s. 800.04; or s. 847.0135(5), the subtotal sentence points are multiplied by 2.0. If applying the multiplier results in the

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lowest permissible sentence exceeding the statutory maximum sentence for the primary offense under chapter 775, the court may not apply the multiplier and must sentence the defendant to the statutory maximum sentence.

Section 18. Paragraph (f) of subsection (2) of section 943.0584, Florida Statutes, is amended to read:

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

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

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

Section 19. Paragraph (b) of subsection (2) of section 943.171, Florida Statutes, is amended to read:

943.171 Basic skills training in handling domestic violence cases.—

(2) As used in this section, the term:

(b) "Household member" has the meaning set forth in s. 741.28 ~~s. 741.28(3)~~.

Section 20. This act shall take effect July 1, 2026.