

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

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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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30 a specified date; amending s. 741.28, F.S.; revising
31 the definition of the term "domestic violence";
32 defining the terms "coercive control" and "electronic
33 monitoring"; creating s. 741.2801, F.S.; authorizing
34 the enhancement of criminal penalties for certain acts
35 of domestic violence under certain circumstances;
36 providing a burden of proof for a specified purpose;
37 providing such enhancements; providing that certain
38 felony offenses are ranked in a certain manner for the
39 purposes of sentencing and determining incentive gain-
40 time eligibility; amending s. 741.281, F.S.;
41 authorizing, and in certain circumstances requiring, a
42 court to order electronic monitoring supervision in
43 domestic violence cases; creating s. 741.282, F.S.;
44 authorizing a state attorney to enter into a written
45 agreement with certain persons to participate in a
46 domestic violence deferred sentencing program or an
47 alternative treatment court program, under certain
48 circumstances; providing eligibility requirements;
49 requiring the Department of Corrections to supervise
50 domestic violence deferred sentencing programs;
51 requiring that specified conditions be included in a
52 written deferred sentencing agreement and accepted by
53 a person participating in such a program; providing
54 requirements for a person participating in such a
55 program; requiring a qualified professional to provide
56 a treatment plan under certain circumstances;
57 requiring a qualified professional to provide to the
58 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 prossse; 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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117 assistance for victims of domestic violence; amending
118 ss. 921.0024, 943.0584, and 943.171, F.S.; conforming
119 cross-references; providing an effective date.

120

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

122

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

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

128 365.171 Emergency communications state plan.—

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

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

143

144 The office shall be responsible for the implementation and
145 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; or186 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.⁷190 (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.⁷

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

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

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

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

218 (g) Submit the certification fee and the nonrefundable
219 examination fee prescribed in s. 401.34, which examination fee
220 will be required for each examination administered to an
221 applicant.~~;~~ and

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

226 (5) (a) The department shall establish by rule a procedure
227 for biennial renewal certification of emergency medical
228 technicians. Such rules must require a United States Department
229 of Transportation refresher training program of at least 30
230 hours which must include a 2-hour training program for
231 instruction in the subjects of domestic violence, dating
232 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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291 section 741.28, Florida Statutes, are redesignated as
292 subsections (2), (3), (5), and (6), respectively, new
293 subsections (1) and (4) are added to that section, and present
294 subsection (2) of that section is amended, to read:

295 741.28 Domestic violence; definitions.—As used in ss.

296 741.28-741.31:

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

305 (3) (2) "Domestic violence" means any assault, aggravated
306 assault, battery, aggravated battery, sexual assault, sexual
307 battery, stalking, aggravated stalking, kidnapping, false
308 imprisonment, or any criminal offense resulting in physical
309 injury or death of one family or household member by another
310 family or household member, or any of the following criminal
311 offenses if committed by a family or household member:

312 (a) Assault.
313 (b) Aggravated assault.
314 (c) Battery.
315 (d) Aggravated battery.
316 (e) Battery by strangulation.
317 (f) Domestic battery by strangulation.
318 (g) Sexual assault.
319 (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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349 location and notifies the monitoring agency of the time that the
350 monitored person either leaves the approved location or tampers
351 with or removes the monitoring device; or

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

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

363 741.2801 Domestic violence offenses; enhanced penalties.—
364 Upon a finding by the factfinder that the defendant committed
365 the charged offense and that the charged offense constitutes an
366 act of domestic violence, the penalty for any felony or
367 misdemeanor, or any delinquent act or violation of law which
368 would be a felony or misdemeanor if committed by an adult, may
369 be enhanced. Penalty enhancement affects the applicable
370 statutory maximum penalty only. Each of the findings required as
371 a basis for such sentence shall be found beyond a reasonable
372 doubt. The enhancement is as follows:

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

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

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

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378 were a felony of the second degree.379 (4) A felony of the second degree may be punished as if it
380 were a felony of the first degree.381 (5) A felony of the first degree may be punished as if it
382 were a life felony.383
384 For purposes of sentencing under chapter 921 and determining
385 incentive gain-time eligibility under chapter 944, such felony
386 offense is ranked as provided in s. 921.0022 or s. 921.0023, and
387 without regard to the penalty enhancement in this section.388 Section 7. Section 741.281, Florida Statutes, is amended to
389 read:390 741.281 Court to order batterers' intervention program
391 attendance; electronic monitoring.—392 (1) If a person is found guilty of, has adjudication
393 withheld on, or pleads nolo contendere to a crime of domestic
394 violence, as defined in s. 741.28, that person shall be ordered
395 by the court to a minimum term of 1 year's probation and the
396 court shall order that the defendant attend and complete a
397 batterers' intervention program as a condition of probation. The
398 court must impose the condition of the batterers' intervention
399 program for a defendant under this section, but the court, in
400 its discretion, may determine not to impose the condition if it
401 states on the record why a batterers' intervention program might
402 be inappropriate. The court must impose the condition of the
403 batterers' intervention program for a defendant placed on
404 probation unless the court determines that the person does not
405 qualify for the batterers' intervention program pursuant to s.
406 741.325. The imposition of probation under this section does not

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

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

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

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

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

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

426 741.282 Domestic violence deferred sentencing program.—

427 (1) The state attorney may enter into a written plea
428 agreement with a defendant to allow such person to defer
429 sentencing so that he or she may participate in a domestic
430 violence deferred sentencing program. If a domestic violence
431 deferred sentencing program does not exist, a defendant may
432 enter into a written plea agreement to defer sentencing to allow
433 such person to participate in an alternative treatment court
434 program if he or she meets eligibility criteria. The Department
435 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 prossse.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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494 the state attorney may retain information relating to the
495 defendant's participation in the deferred sentencing program.

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

498 741.285 Domestic violence during an active state of
499 emergency.—If a person commits an offense of domestic violence
500 during an emergency, as defined in s. 252.34(4), for which a
501 state of emergency is declared under s. 252.36, such offense may
502 be reclassified if the offense occurred within the affected area
503 of such emergency and there is in effect a curfew or evacuation
504 order or the ingress and egress to the affected area is
505 controlled. The reclassification is as follows:

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

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

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

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

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

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

518 741.29 Domestic violence; investigation of incidents;
519 notice to victims of legal rights and remedies; reporting.—

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

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

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

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

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

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

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

543 2. Information on text-to-911 services and whether text-to-
544 911 services are available in the victim's jurisdiction.~~;~~ and

545 3.2. A copy of the following statement:

547 IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you may
548 ask the state attorney to file a criminal complaint.

549 You also have the right to go to court and file a
550 petition requesting an injunction for protection from
551 domestic violence which may include, but need not be

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552 limited to, provisions which restrain the abuser from
553 further acts of abuse; direct the abuser to leave your
554 household; prevent the abuser from entering your
555 residence, school, business, or place of employment;
556 award you custody of your minor child or children; and
557 direct the abuser to pay support to you and the minor
558 children if the abuser has a legal obligation to do
559 so.

560

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

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

568 741.30 Domestic violence; injunction; powers and duties of
569 court and clerk; petition; notice and hearing; temporary
570 injunction; issuance of injunction; statewide verification
571 system; enforcement; public records exemption.—

572 (3)

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

575 PETITION FOR
576 INJUNCTION FOR PROTECTION
577 AGAINST DOMESTIC VIOLENCE

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

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

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

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

586 3.(e) Respondent's last known place of employment: ... (name
587 of business and address) ...

588 4.(d) Physical description of respondent:

589 Race.....

590 Sex.....

591 Date of birth.....

592 Height.....

593 Weight.....

594 Eye color.....

595 Hair color.....

596 Distinguishing marks or scars.....

597 5.(e) Aliases of respondent:

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

605 7.(g) The following describes any other cause of action
606 currently pending between the petitioner and respondent:.....
607

608 The petitioner should also describe any previous or pending
609 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
624committed 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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639 individuals closely associated with the petitioner.

640threatened to conceal, kidnap, or harm the petitioner's
641 child or children.

642intentionally injured or killed a family pet or used
643 the family pet as a means of coercive control. A family pet
644 includes a service animal as defined in s. 413.08(1), Florida
645 Statutes, and an emotional support animal as defined in s.
646 760.27(1), Florida Statutes.

647used, or has threatened to use, against the petitioner
648 any weapons such as guns or knives.

649physically restrained the petitioner from leaving the
650 home or calling law enforcement.

651a criminal history involving violence or the threat of
652 violence (if known).

653another order of protection issued against him or her
654 previously or from another jurisdiction (if known).

655destroyed personal property, including, but not limited
656 to, telephones or other communication equipment, clothing, or
657 other items belonging to the petitioner.

658engaged in a pattern of abusive, threatening,
659 intimidating, or controlling behavior composed of a series of
660 acts over a period of time, however short.

661engaged in any other behavior or conduct that leads the
662 petitioner to have reasonable cause to believe he or she is in
663 imminent danger of becoming a victim of domestic violence.

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

666A minor child or minor children reside with the
667 petitioner whose names and ages are as follows:

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668

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

671 Petitioner is unable to obtain safe alternative housing
672 because:

673

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

677

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

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

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

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

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

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

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

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

700Establishing temporary support for the minor child or
701 children or the petitioner.

702Directing the respondent to participate in a batterers'
703 intervention program.

704Providing any terms the court deems necessary for the
705 protection of a victim of domestic violence, or any minor
706 children of the victim, including any injunctions or directives
707 to law enforcement agencies.

708 (6)

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

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

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

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

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

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

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

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

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

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

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

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

749
750 In making its determination under this paragraph, the court is
751 not limited to those factors enumerated in subparagraphs 1.-11.

752 (8)

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

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

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

769 741.31 Violation of an injunction for protection against
770 domestic violence.—

771 (4)

772 (c) A person who has a two or more prior conviction
773 convictions for a violation of an injunction or a foreign
774 protection order, and who subsequently commits another a
775 violation of any injunction or foreign protection order,
776 regardless of whether the violation is against the same victim,
777 commits a felony of the third degree, punishable as provided in
778 s. 775.082, s. 775.083 or s. 775.084. For purposes of this
779 paragraph, the term "conviction" means a determination of guilt
780 which is the result of a plea or a trial, regardless of whether
781 adjudication is withheld or a plea of nolo contendere is
782 entered.

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

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784 prosecution under subsection (4), the court:

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

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

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

802 (7)-(6) Any person who suffers an injury and/or loss as a
803 result of a violation of an injunction for protection against
804 domestic violence may be awarded economic damages for that
805 injury and/or loss by the court issuing the injunction. Damages
806 includes costs and attorney attorneys' fees for enforcement of
807 the injunction.

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

810 784.046 Action by victim of repeat violence, sexual
811 violence, or dating violence for protective injunction; dating
812 violence investigations, notice to victims, and reporting;

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813 pretrial release violations; public records exemption.-

814 (4)

815 (b) The verified petition must be in substantially the
816 following form:817
818 PETITION FOR INJUNCTION FOR PROTECTION
819 AGAINST REPEAT VIOLENCE, SEXUAL
820 VIOLENCE, OR DATING VIOLENCE821
822 The undersigned petitioner ... (name) ... declares under
823 penalties of perjury that the following statements are true:824
825 1. Petitioner resides at ... (address) ... (A petitioner for
826 an injunction for protection against sexual violence may furnish
827 an address to the court in a separate confidential filing if,
828 for safety reasons, the petitioner requires the location of his
829 or her current residence to be confidential pursuant to s.
830 119.071(2)(j), Florida Statutes.)

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

832 3.a. Petitioner has suffered repeat violence as
833 demonstrated by the fact that the respondent has: ... (enumerate
834 incidents of violence) ...835
836
837
838
839
840 b. Petitioner has suffered sexual violence as demonstrated
841 by the fact that the respondent has: ... (enumerate incident of

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

844

845

846

847

848

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

860

861

862

863

864

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

869

870

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

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

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

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

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

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

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

975 960.198 Relocation assistance for victims of domestic
976 violence.—

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

983 Section 17. Paragraph (b) of subsection (1) of section
984 921.0024, Florida Statutes, is amended to read:

985 921.0024 Criminal Punishment Code; worksheet computations;
986 scoresheets.—

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987 (1)

988 (b) WORKSHEET KEY:

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

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

998 1. If the community sanction violation includes a new
999 felony conviction before the sentencing court, twelve (12)
1000 community sanction violation points are assessed for the
1001 violation, and for each successive community sanction violation
1002 involving a new felony conviction.

1003 2. If the community sanction violation is committed by a
1004 violent felony offender of special concern as defined in s.
1005

1006 948.06:

1007 a. Twelve (12) community sanction violation points are
1008 assessed for the violation and for each successive violation of
1009 felony probation or community control where:

1010 I. The violation does not include a new felony conviction;
1011 and

1012 II. The community sanction violation is not based solely on
1013 the probationer or offender's failure to pay costs or fines or
1014 make restitution payments.

1015 b. Twenty-four (24) community sanction violation points are

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1016 assessed for the violation and for each successive violation of
1017 felony probation or community control where the violation
1018 includes a new felony conviction.

1019
1020 Multiple counts of community sanction violations before the
1021 sentencing court shall not be a basis for multiplying the
1022 assessment of community sanction violation points.

1023
1024 Prior serious felony points: If the offender has a primary
1025 offense or any additional offense ranked in level 8, level 9, or
1026 level 10, and one or more prior serious felonies, a single
1027 assessment of thirty (30) points shall be added. For purposes of
1028 this section, a prior serious felony is an offense in the
1029 offender's prior record that is ranked in level 8, level 9, or
1030 level 10 under s. 921.0022 or s. 921.0023 and for which the
1031 offender is serving a sentence of confinement, supervision, or
1032 other sanction or for which the offender's date of release from
1033 confinement, supervision, or other sanction, whichever is later,
1034 is within 3 years before the date the primary offense or any
1035 additional offense was committed.

1036
1037 Prior capital felony points: If the offender has one or more
1038 prior capital felonies in the offender's criminal record, points
1039 shall be added to the subtotal sentence points of the offender
1040 equal to twice the number of points the offender receives for
1041 the primary offense and any additional offense. A prior capital
1042 felony in the offender's criminal record is a previous capital
1043 felony offense for which the offender has entered a plea of nolo
1044 contendere or guilty or has been found guilty; or a felony in

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1045 another jurisdiction which is a capital felony in that
1046 jurisdiction, or would be a capital felony if the offense were
1047 committed in this state.

1048

1049 Possession of a firearm, semiautomatic firearm, or machine gun:
1050 If the offender is convicted of committing or attempting to
1051 commit any felony other than those enumerated in s. 775.087(2)
1052 while having in his or her possession: a firearm as defined in
1053 s. 790.001, an additional eighteen (18) sentence points are
1054 assessed; or if the offender is convicted of committing or
1055 attempting to commit any felony other than those enumerated in
1056 s. 775.087(3) while having in his or her possession a
1057 semiautomatic firearm as defined in s. 775.087(3) or a machine
1058 gun as defined in s. 790.001, an additional twenty-five (25)
1059 sentence points are assessed.

1060

1061 Sentencing multipliers:

1062

1063 Aggravated Animal Cruelty: If the primary offense is aggravated
1064 animal cruelty under s. 828.12(2), which included the knowing
1065 and intentional torture or torment of an animal that injured,
1066 mutilated, or killed the animal, the subtotal sentence points
1067 are multiplied by 1.25. As used in this paragraph, the term
1068 "animal" does not include an animal used for agricultural
1069 purposes or permitted as captive wildlife as authorized under s.
1070 379.303.

1071

1072 Drug trafficking: If the primary offense is drug trafficking
1073 under s. 893.135, the subtotal sentence points are multiplied,

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1074 at the discretion of the court, for a level 7 or level 8
1075 offense, by 1.5. The state attorney may move the sentencing
1076 court to reduce or suspend the sentence of a person convicted of
1077 a level 7 or level 8 offense, if the offender provides
1078 substantial assistance as described in s. 893.135(4).
1079
1080 Violent offenses committed against specified justice system
1081 personnel: If the primary offense is a violation of s.
1082 775.0823(2), (3), or (4), the subtotal sentence points are
1083 multiplied by 2.5. If the primary offense is a violation of s.
1084 775.0823(5), (6), (7), (8), or (9), the subtotal sentence points
1085 are multiplied by 2.0. If the primary offense is a violation of
1086 s. 784.07(3) or s. 775.0875(1), or s. 775.0823(10) or (11), the
1087 subtotal sentence points are multiplied by 1.5.
1088
1089 Grand theft of a motor vehicle: If the primary offense is grand
1090 theft of the third degree involving a motor vehicle and in the
1091 offender's prior record, there are three or more grand thefts of
1092 the third degree involving a motor vehicle, the subtotal
1093 sentence points are multiplied by 1.5.
1094
1095 Fleeing or attempting to elude a law enforcement officer: If the
1096 primary offense is fleeing or attempting to elude a law
1097 enforcement officer or aggravated fleeing or eluding in
1098 violation of s. 316.1935, and in the offender's prior record,
1099 there is one or more violation of s. 316.1935, the subtotal
1100 sentence points are multiplied by 1.5.
1101
1102 Offense related to a criminal gang: If the offender is convicted

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1103 of the primary offense and committed that offense for the
1104 purpose of benefiting, promoting, or furthering the interests of
1105 a criminal gang as defined in s. 874.03, the subtotal sentence
1106 points are multiplied by 1.5. If applying the multiplier results
1107 in the lowest permissible sentence exceeding the statutory
1108 maximum sentence for the primary offense under chapter 775, the
1109 court may not apply the multiplier and must sentence the
1110 defendant to the statutory maximum sentence.

1111
1112 Domestic violence in the presence of a child: If the offender is
1113 convicted of the primary offense and the primary offense is a
1114 crime of domestic violence, as defined in s. 741.28, which was
1115 committed in the presence of a child under 16 years of age who
1116 is a family or household member, as defined in s. 741.28, s.
1117 ~~741.28(3)~~ with the victim or perpetrator, the subtotal sentence
1118 points are multiplied by 1.5.

1119
1120 Adult-on-minor sex offense: If the offender was 18 years of age
1121 or older and the victim was younger than 18 years of age at the
1122 time the offender committed the primary offense, and if the
1123 primary offense was an offense committed on or after October 1,
1124 2014, and is a violation of s. 787.01(2) or s. 787.02(2), if the
1125 violation involved a victim who was a minor and, in the course
1126 of committing that violation, the defendant committed a sexual
1127 battery under chapter 794 or a lewd act under s. 800.04 or s.
1128 847.0135(5) against the minor; s. 787.01(3)(a)2. or 3.; s.
1129 787.02(3)(a)2. or 3.; s. 794.011, excluding s. 794.011(10); s.
1130 800.04; or s. 847.0135(5), the subtotal sentence points are
1131 multiplied by 2.0. If applying the multiplier results in the

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1132 lowest permissible sentence exceeding the statutory maximum
1133 sentence for the primary offense under chapter 775, the court
1134 may not apply the multiplier and must sentence the defendant to
1135 the statutory maximum sentence.

1136 Section 18. Paragraph (f) of subsection (2) of section
1137 943.0584, Florida Statutes, is amended to read:

1138 943.0584 Criminal history records ineligible for court-
1139 ordered expunction or court-ordered sealing.—

1140 (2) A criminal history record is ineligible for a
1141 certificate of eligibility for expunction or a court-ordered
1142 expunction pursuant to s. 943.0585 or a certificate of
1143 eligibility for sealing or a court-ordered sealing pursuant to
1144 s. 943.059 if the record is a conviction for any of the
1145 following offenses:

1146 (f) Assault or battery, as defined in ss. 784.011 and
1147 784.03, respectively, of one family or household member by
1148 another family or household member, as defined in s. 741.28 s.
1149 741.28(3);

1150 Section 19. Paragraph (b) of subsection (2) of section
1151 943.171, Florida Statutes, is amended to read:

1152 943.171 Basic skills training in handling domestic violence
1153 cases.—

1154 (2) As used in this section, the term:

1155 (b) "Household member" has the meaning set forth in s.
1156 741.28 s. 741.28(3).

1157 Section 20. This act shall take effect July 1, 2026.