

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 849 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)

ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)

ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)

FAILED TO ADOPT \_\_\_\_\_ (Y/N)

WITHDRAWN \_\_\_\_\_ (Y/N)

OTHER

Committee/Subcommittee hearing bill: Judiciary Committee  
Representative Abbott offered the following:

**Amendment (with title amendment)**

Between lines 85 and 86, insert:

**Section 4. Paragraph (d) is added to subsection (3) of  
section 406.135, Florida Statutes to read:**

406.135 Autopsies; confidentiality of photographs and  
video and audio recordings; confidentiality of reports of minor  
victims of domestic violence; exemption.—

(3)

(d) Notwithstanding subsection (2), in order to facilitate  
an anatomical gift or transplantation, an organ procurement  
organization, an eye bank, or a tissue bank as those terms are  
defined in s. 765.511, may, pursuant to a written request  
containing proof of the intent of the decedent, the decedent's

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17 family, or the decedent's health care surrogate to make an  
18 anatomical gift in accordance with ch. 765:

19 1. View or copy an autopsy report of a minor whose death  
20 was related to an act of domestic violence; and

21 2. View or copy an autopsy report of a person whose manner  
22 of death was determined by a medical examiner to have been by  
23 suicide.

24 **Section 5. Section 943.0536, Florida Statutes, is created**  
25 **to read:**

26 943.0536 Immigration detainer information; collection and  
27 storage; fingerprinting.—

28 (1) The department's Criminal Justice Information Program,  
29 acting as the state's central criminal justice information  
30 repository, shall collect, process, store, maintain, and  
31 disseminate immigration detainer information.

32 (2)(a) A law enforcement agency shall capture and  
33 electronically submit to the department the fingerprints of a  
34 qualifying offender, as defined in s. 943.325, that is in its  
35 custody and subject to an immigration detainer.

36 (b) Upon receipt of the fingerprints required to be  
37 submitted under paragraph (a), the department must create a  
38 record containing the qualifying offender's immigration detainer  
39 information.

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(3) As used in this section, the terms "immigration detainer" and "law enforcement agency" have the same meanings as in s. 908.102.

**Section 6. Subsection (6) of section 943.0581, Florida Statutes is renumbered as subsection (7), subsections (1), (2), and (3), are amended, and a new subsection (6) is added to that section, to read:**

943.0581 Administrative expunction for arrests or immigration detainer records made contrary to law or by mistake.—

(1) Notwithstanding any law dealing generally with the preservation and destruction of public records, the department may adopt a rule pursuant to chapter 120 for the administrative expunction of any nonjudicial record of an arrest or record containing immigration detainer information described in s. 943.0536 of a minor or an adult made contrary to law or by mistake.

(2) A law enforcement agency shall apply to the department in the manner prescribed by rule for the administrative expunction of any nonjudicial record of any arrest or record containing immigration detainer information described in s. 943.0536 of a minor or an adult who is subsequently determined by the agency, at its discretion, or by the final order of a court of competent jurisdiction, to have been arrested or detained contrary to law or by mistake.

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(3) An adult or, in the case of a minor child, the parent or legal guardian of the minor child, may apply to the department in the manner prescribed by rule for the administrative expunction of any nonjudicial record of an arrest or record containing immigration detainer information described in s. 943.0536 alleged to have been made contrary to law or by mistake, provided that the application is supported by the endorsement of the head of the arresting or detaining agency or his or her designee or the state attorney of the judicial circuit in which the arrest occurred or his or her designee.

(6) An application for an administrative expunction for a record containing immigration detainer information as described in s. 943.0536 must include the date and time when such person was detained, the person's name, the offender-based tracking system (OBTS) number, and information relating to the immigration detainer. The application must be on the submitting agency's letterhead and must be signed by the head of the submitting agency or his or her designee.

(7)~~(6)~~ An application or endorsement under this section is not admissible as evidence in any judicial or administrative proceeding and may not be construed in any way as an admission of liability in connection with an arrest or detention.

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**T I T L E   A M E N D M E N T**

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Between lines 17 and 18, insert:  
amending s. 406.135, F.S.; authorizing an organ  
procurement organization, an eye bank, or a tissue  
bank to view or copy specified autopsy records under  
certain circumstances; creating s. 943.0536, F.S.;  
authorizing the Criminal Justice Information Program  
to collect and disseminate records containing  
immigration detainer information in specified  
circumstances; requiring law enforcement agencies to  
capture and submit fingerprints of specified offenders  
to the department; requiring the department to create  
certain records; amending s. 943.0581, F.S.;  
authorizing the administrative expunction of specified  
records in certain circumstances; providing  
requirements for an application for administrative  
expunction of specified records;