



842756

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/20/2026	.	
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	.	
	.	

The Committee on Criminal Justice (Martin) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 784.031, Florida Statutes, is amended to
read:

784.031 Battery by strangulation.—

(1) A person commits battery by strangulation if he or she
knowingly and intentionally, against the will of another person,
impedes the normal breathing or circulation of the blood of that



842756

person ~~so as to create a risk of or cause great bodily harm~~ by applying pressure on the throat or neck of the other person or by blocking the nose or mouth of the other person. This subsection does not apply to any act of medical diagnosis, treatment, or prescription which is authorized under the laws of this state.

(2) A person who violates subsection (1) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 784.041, Florida Statutes, is amended to read:

784.041 Felony battery; domestic battery by strangulation.—

(1) A person commits felony battery if he or she:

(a) Actually and intentionally touches or strikes another person against the will of the other; and

(b) Causes great bodily harm, permanent disability, or permanent disfigurement.

(2)(a) A person commits domestic battery by strangulation if the person knowingly and intentionally, against the will of another, impedes the normal breathing or circulation of the blood of a family or household member or of a person with whom he or she is in a dating relationship, ~~so as to create a risk of or cause great bodily harm~~ by applying pressure on the throat or neck of the other person or by blocking the nose or mouth of the other person. This paragraph does not apply to any act of medical diagnosis, treatment, or prescription which is authorized under the laws of this state.

(b) As used in this subsection, the term:

1. "Family or household member" has the same meaning as in



842756

s. 741.28.

2. "Dating relationship" means a continuing and significant relationship of a romantic or intimate nature.

(3) A person who commits felony battery or domestic battery by strangulation commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 3. Paragraphs (d) and (f) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(d) LEVEL 4

Florida Statute	Felony Degree	Description
104.155	3rd	Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.
499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
499.0051(5)	2nd	Knowing sale or delivery, or possession



842756

			with intent to sell, contraband prescription drugs.
56	517.07 (1)	3rd	Failure to register securities.
57	517.12 (1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
58	784.031	3rd	Battery by strangulation.
59	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
60	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
61	784.075	3rd	Battery on detention or commitment facility staff.
62	784.078	3rd	Battery of facility employee by throwing,



842756

tossing, or expelling
certain fluids or
materials.

784.08 (2) (c)

3rd

Battery on a person 65
years of age or older.

784.081 (3)

3rd

Battery on specified
official or employee.

784.082 (3)

3rd

Battery by detained
person on visitor or
other detainee.

784.083 (3)

3rd

Battery on code
inspector.

784.085

3rd

Battery of child by
throwing, tossing,
projecting, or expelling
certain fluids or
materials.

787.03 (1)

3rd

Interference with
custody; wrongly takes
minor from appointed
guardian.

787.04 (2)

3rd

Take, entice, or remove



842756

70			child beyond state limits with criminal intent pending custody proceedings.
	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
71			
	787.07	3rd	Human smuggling.
72			
	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
73			
	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
74			
	790.115 (2) (c)	3rd	Possessing firearm on school property.
75			
	794.051 (1)	3rd	Indecent, lewd, or



842756

76			lascivious touching of certain minors.
	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
77			
	806.135	2nd	Destroying or demolishing a memorial or historic property.
78			
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
79			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
80			
	810.06	3rd	Burglary; possession of tools.
81			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.



842756

82

810.145 (3) (b) 3rd Digital voyeurism
dissemination.

83

812.014 (2) (c) 3. 3rd Grand theft, 3rd degree
\$10,000 or more but less
than \$20,000.

84

812.014 3rd Grand theft, 3rd degree;
(2) (c) 4. &
6.-10. specified items.

85

812.014 (2) (d) 2. 3rd Grand theft, 3rd degree;
\$750 or more taken from
dwelling or its
unenclosed curtilage.

86

812.014 (2) (e) 3. 3rd Petit theft, 1st degree;
less than \$40 taken from
dwelling or its
unenclosed curtilage
with two or more prior
theft convictions.

87

812.0195 (2) 3rd Dealing in stolen
property by use of the
Internet; property
stolen \$300 or more.

88



842756

89	817.505 (4) (a)	3rd	Patient brokering.
90	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
91	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
92	817.5695 (3) (c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
93	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
94	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any



842756

registered horse or
cattle.

95

836.14 (2)

3rd

Person who commits theft
of a sexually explicit
image with intent to
promote it.

96

836.14 (3)

3rd

Person who willfully
possesses a sexually
explicit image with
certain knowledge,
intent, and purpose.

97

837.02 (1)

3rd

Perjury in official
proceedings.

98

837.021 (1)

3rd

Make contradictory
statements in official
proceedings.

99

838.022

3rd

Official misconduct.

100

839.13 (2) (a)

3rd

Falsifying records of an
individual in the care
and custody of a state
agency.

101

839.13 (2) (c)

3rd

Falsifying records of



842756

102			the Department of Children and Families.
103	843.021	3rd	Possession of a concealed handcuff key by a person in custody.
104	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
105	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
106	843.19 (2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
107	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
	870.01 (3)	2nd	Aggravated rioting.



842756

108	870.01 (5)	2nd	Aggravated inciting a riot.
109	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
110	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
111	914.14 (2)	3rd	Witnesses accepting bribes.
112	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
113	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
114	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF



842756

facilities.

115

934.215

3rd

Use of two-way
communications device to
facilitate commission of
a crime.

116

944.47 (1) (a) 6.

3rd

Introduction of
contraband (cellular
telephone or other
portable communication
device) into
correctional
institution.

117

951.22 (1) (h) ,
(j) & (k)

3rd

Intoxicating drug,
instrumentality or other
device to aid escape, or
cellular telephone or
other portable
communication device
introduced into county
detention facility.

118

119

120

(f) LEVEL 6

121

Florida
Statute

Felony
Degree

Description



842756

122	316.027 (2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
123	316.193 (2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
124	316.1935 (4) (a)	2nd	Aggravated fleeing or eluding.
125	327.30 (5) (a) 3.	2nd	Vessel accidents involving serious bodily injury; leaving scene.
126	400.9935 (4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
127	499.0051 (2)	2nd	Knowing forgery of transaction history, transaction information, or transaction statement.
128	499.0051 (3)	2nd	Knowing purchase or receipt of prescription drug from unauthorized



842756

129			person.
130	499.0051(4)	2nd	Knowing sale or transfer of prescription drug to unauthorized person.
131	775.0875(1)	3rd	Taking firearm from law enforcement officer.
132	784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
133	784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
134	<u>784.031</u>	<u>3rd</u>	<u>Battery by</u> <u>strangulation.</u>
135	784.041	3rd	Felony battery; domestic battery by strangulation.
136	784.048(3)	3rd	Aggravated stalking; credible threat.
137	784.048(5)	3rd	Aggravated stalking of person under 16.



842756

138	784.07 (2) (c)	2nd	Aggravated assault on law enforcement officer.
139	784.074 (1) (b)	2nd	Aggravated assault on sexually violent predators facility staff.
140	784.08 (2) (b)	2nd	Aggravated assault on a person 65 years of age or older.
141	784.081 (2)	2nd	Aggravated assault on specified official or employee.
142	784.082 (2)	2nd	Aggravated assault by detained person on visitor or other detainee.
143	784.083 (2)	2nd	Aggravated assault on code inspector.
144	787.02 (2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.



842756

145	787.025 (2) (a)	3rd	Luring or enticing a child.
146	790.115 (2) (d)	2nd	Discharging firearm or weapon on school property.
147	790.161 (2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
148	790.164 (1)	2nd	False report concerning bomb, explosive, weapon of mass destruction, act of arson or violence to state property, or use of firearms in violent manner.
149	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
	794.011 (8) (a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.



842756

150	794.05 (1)	2nd	Unlawful sexual activity with specified minor.
151	800.04 (5) (d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years of age; offender less than 18 years.
152	800.04 (6) (b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
153	806.031 (2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
154	810.02 (3) (c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
155	810.145 (8) (b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
156			



842756

157	812.014 (2) (b) 1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
158	812.014 (2) (c) 5.	3rd	Grand theft; third degree; firearm.
159	812.014 (6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
160	812.015 (9) (a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.
161	812.015 (9) (b)	2nd	Retail theft; aggregated property stolen within 120 days is \$3,000 or more; coordination of others.
162	812.015 (9) (d)	2nd	Retail theft; multiple thefts within specified period.
	812.015 (9) (e)	2nd	Retail theft; committed with specified number of



842756

163			other persons and use of social media platform.
164	812.13 (2) (c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
165	817.4821 (5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
166	817.49 (2) (b) 2.	2nd	Willful making of a false report of a crime resulting in death.
167	817.505 (4) (b)	2nd	Patient brokering; 10 or more patients.
168	817.5695 (3) (b)	2nd	Exploitation of person 65 years of age or older, value \$10,000 or more, but less than \$50,000.
169	825.102 (1)	3rd	Abuse of an elderly person or disabled adult.



842756

170	825.102 (3) (c)	3rd	Neglect of an elderly person or disabled adult.
171	825.1025 (3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
172	825.103 (3) (c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
173	827.03 (2) (c)	3rd	Abuse of a child.
174	827.03 (2) (d)	3rd	Neglect of a child.
175	827.071 (5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
176	828.126 (3)	3rd	Sexual activities involving animals.
	836.05	2nd	Threats; extortion.



842756

177

836.10	2nd	Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
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178

843.12	3rd	Aids or assists person to escape.
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179

847.011	3rd	Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.
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180

847.012	3rd	Knowingly using a minor in the production of materials harmful to minors.
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181

847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
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182

893.131	2nd	Distribution of
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842756

183			controlled substances resulting in overdose or serious bodily injury.
184	914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
185	918.13 (2) (b)	2nd	Tampering with or fabricating physical evidence relating to a capital felony.
186	944.35 (3) (a) 2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
187	944.40	2nd	Escapes.
188	944.46	3rd	Harboring, concealing, aiding escaped prisoners.



842756

944.47 (1) (a) 5.

2nd

Introduction of
contraband (firearm,
weapon, or explosive)
into correctional
facility.

951.22 (1) (i)

3rd

Firearm or weapon
introduced into county
detention facility.

Section 4. This act shall take effect July 1, 2026.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to felony battery; amending s.

784.031, F.S.; revising the elements of the offense of battery by strangulation to delete creating a risk of or causing great bodily harm to another; amending s.

784.041, F.S.; revising the elements of the offense of domestic battery by strangulation to delete creating a risk of or causing great bodily harm to another; amending s. 921.0022, F.S.; reclassifying the offense of battery by strangulation for the purposes of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.