

Tab 1	SB 50 by Gaetz ; Similar to CS/CS/H 00199 Veterans Affairs					
533034	A	S	RCS	CJ, Gaetz	Delete L.21 - 42:	01/12 03:39 PM
669186	A	S	RCS	CJ, Gaetz	Delete L.68:	01/12 03:39 PM
Tab 2	SB 52 by Gaetz (CO-INTRODUCERS) Osgood ; Similar to H 00095 Security Services at Places of Worship					
596732	A	S	RCS	CJ, Gaetz	Delete L.20 - 35:	01/12 03:39 PM
Tab 3	SB 432 by Yarborough ; Similar to H 00309 Controlled Substances					
Tab 4	SB 436 by Leek ; Identical to H 00623 Felony Battery					
288848	A	S	RCS	CJ, Martin	btw L.99 - 100:	01/12 03:39 PM
Tab 5	SB 524 by Simon ; Similar to H 00849 Department of Law Enforcement					
Tab 6	SB 536 by Martin ; Similar to H 00429 Criminal Gang Members					
556058	A	S	RCS	CJ, Martin	Delete L.15 - 46:	01/12 03:39 PM
Tab 7	SB 590 by Bradley ; Identical to H 00373 Statute of Limitations Period for Violations Involving Required Reports Concerning Children					
Tab 8	SB 676 by Arrington ; Identical to H 00559 Criminal Offenses					

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

CRIMINAL JUSTICE

Senator Martin, Chair

Senator Smith, Vice Chair

MEETING DATE: Monday, January 12, 2026

TIME: 1:30—3:30 p.m.

PLACE: *Mallory Horne Committee Room, 37 Senate Building*

MEMBERS: Senator Martin, Chair; Senator Smith, Vice Chair; Senators Bernard, Bradley, Garcia, Pizzo, Simon, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 50 Gaetz (Similar CS/CS/H 199)	<p>Veterans Affairs; Revising the admissions process for veterans treatment court programs; authorizing the court, in consultation with the multidisciplinary team, to determine eligibility for veterans treatment court programs; authorizing sentencing courts to divert defendants to veterans treatment court programs under certain circumstances, etc.</p> <p style="text-align: center;">CJ 01/12/2026 Fav/CS JU RC</p>	Fav/CS Yea 8 Nays 0
2	SB 52 Gaetz (Similar H 95)	<p>Security Services at Places of Worship; Providing an exemption from licensure requirements for certain volunteers who provide armed security services for places of worship under certain circumstances, etc.</p> <p style="text-align: center;">CJ 01/12/2026 Fav/CS JU RC</p>	Fav/CS Yea 8 Nays 0
3	SB 432 Yarborough (Similar H 309)	<p>Controlled Substances; Adding 7-Hydroxymitragynine as a Schedule I controlled substance; excepting from the list of Schedule I controlled substances certain xylazine animal drug products approved by the United States Food and Drug Administration and used for certain purposes; providing criminal penalties and requiring a mandatory minimum term of imprisonment if a person sells, manufactures, or delivers or possesses with intent to sell, manufacture, or deliver xylazine; creating the offense of trafficking in xylazine; providing criminal penalties and requiring a mandatory minimum term of imprisonment and fines based on the quantity of the controlled substance involved in the offense, etc.</p> <p style="text-align: center;">CJ 01/12/2026 Favorable ACJ FP</p>	Favorable Yea 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Criminal Justice

Monday, January 12, 2026, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 436 Leek (Identical H 623)	Felony Battery; Providing enhanced criminal penalties for persons who commit a second or subsequent battery after having a prior conviction for resisting an officer with violence, etc. CJ 01/12/2026 Fav/CS ACJ RC	Fav/CS Yea 8 Nays 0
5	SB 524 Simon (Similar H 849)	Department of Law Enforcement; Specifying the circumstances under which an appointment or reappointment to the Medical Examiners Commission is considered in force; requiring the commission, rather than the Governor, to appoint district medical examiners for each medical examiner district; specifying that upon approval by the commission, rather than by the Governor, a physician member of the commission is eligible to serve as a district medical examiner; requiring the commission, rather than the Department of Law Enforcement, to establish or develop specified training components or courses, etc. CJ 01/12/2026 Favorable ACJ FP	Favorable Yea 8 Nays 0
6	SB 536 Martin (Similar H 429)	Criminal Gang Members; Revising the definition of the term "criminal gang member", etc. CJ 01/12/2026 Fav/CS ACJ FP	Fav/CS Yea 6 Nays 2
7	SB 590 Bradley (Identical H 373)	Statute of Limitations Period for Violations Involving Required Reports Concerning Children; Providing that the limitations period for offenses concerning specified required reports about children does not begin to run until a law enforcement agency is made aware of the violation, etc. CJ 01/12/2026 Favorable CF RC	Favorable Yea 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Criminal Justice

Monday, January 12, 2026, 1:30—3:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
8	SB 676 Arrington (Identical H 559)	Criminal Offenses; Providing criminal penalties for persons who commit any act that causes, tends to cause, encourages, or contributes to a child committing offenses of specified severities; providing criminal penalties for persons who induce or endeavor to induce, by act, threat, command, or persuasion, a child to commit offenses of specified severities; creating the offense of causing or enticing a minor to commit, or in the presence of a minor committing, animal cruelty, etc.	Favorable Yea 8 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: CS/SB 50

INTRODUCER: Criminal Justice Committee and Senator Gaetz

SUBJECT: Veterans Affairs

DATE: January 13, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Wyant	Stokes	CJ	Fav/CS
2.		JU	
3.		RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 50 amends s. 394.47891, F.S., to revise the admissions process for veterans treatment court programs. The bill authorizes a defendant to participate in a veterans treatment court program if he or she is approved by the multidisciplinary team and deemed eligible.

Language requiring a defendant to submit an application to the state attorney for approval to participate in the program is removed. The bill requires entry into a veterans treatment court program to be based upon the sentencing court's assessment of the defendant's criminal history, substance abuse screening outcome, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, if any, and the defendant's agreement to enter the program.

Further, the bill amends s. 948.01, F.S., to authorize sentencing courts to place defendants into a postadjudicatory veterans treatment court program if the offense is a nonviolent felony, the defendant is a servicemember or veteran, and the defendant is otherwise eligible to participate as determined by s. 394.47891, F.S. Satisfactory completion of the program must be a condition of the defendant's probation or community control.

The bill may have an indeterminate fiscal impact on the Office of the State Courts Administrator. See *Section V. Fiscal Impact Statement*.

The bill takes effect on July 1, 2026.

II. Present Situation:

Veterans have unique experiences and face unique challenges. As a result, they have unique needs. The problem-solving court team within the Office of the State Courts Administrator's, Office of Court Improvement was created to foster the development and expansion of the successful drug court concept throughout Florida.¹

Veterans courts are designed to assist justice-involved defendants with the complex treatment needs associated with substance abuse, mental health, and other issues unique to the traumatic experience of war. Some veterans returning home from war find it difficult to integrate back into the community. Veterans courts involve cooperation and collaboration with traditional partners found in drug courts, such as the judge, state attorney, public defender, case manager, treatment provider, probation, and law enforcement. Added to this interdisciplinary team are representatives of the Veterans Health Administration and the Veterans Benefit Administration – as well as State Departments of Veteran Affairs, Vet Centers, Veterans Service Organizations, Department of Labor, volunteer veteran mentors, and other veteran support groups.²

It is the intent of the Legislature to encourage and support the judicial circuits of the state and other agencies, local governments, interested public and private entities, and individuals to create and maintain a veterans treatment court program in each judicial circuit.³ A court with jurisdiction over criminal cases may create and administer a veterans treatment court program that may adjudicate misdemeanors and felonies.⁴

As of October 2025, Florida has 33 veterans courts in operation. Florida veterans courts admitted 683 participants in 2024. The following are key components of veterans courts:⁵

- Integration of alcohol, drug treatment, and mental health services into justice system case processing;⁶
- Non-adversarial approach;⁷
- Early identification of eligible participants;⁸
- Continuum of services;
- Alcohol and drug testing for abstinence;⁹
- Coordinated strategy for responses to participants' compliance;
- Ongoing judicial interaction;¹⁰
- Monitoring and evaluation for program effectiveness;

¹ Office of the State Court Administrator, Veterans Resource Guide, *Office of the State Courts Administrator*, pg 17, available at: https://flcourts-media.flcourts.gov/content/download/2450937/file/VETERANS_RESOURCE_GUIDE_ADA-Compliant.pdf (last visited January 6, 2026).

² Florida Courts, Veteran Courts, *Background*, available at: <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts> (last visited January 6, 2026).

³ Section 394.47891(1), F.S.

⁴ Section 394.47891(3)(a)-(b), F.S.

⁵ Florida Courts, Veteran Courts, *Current Status*, available at: <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts> (last visited January 6, 2026).

⁶ Required by s. 394.47891(6)(a)1., F.S.

⁷ Required by s. 394.47891(6)(a)2., F.S.

⁸ Required by s. 394.47891(6)(a)3., F.S.

⁹ Required by s. 394.47891(6)(a)4., F.S.

¹⁰ Required by s. 394.47891(6)(a)5., F.S.

- Interdisciplinary education; and,
- Partnerships with stakeholders.¹¹

A defendant¹² seeking to participate in a veterans treatment court program must submit an application to the state attorney and the state attorney must review each application to determine whether the defendant meets the eligibility requirements. A defendant may participate in the program if he or she is approved by the state attorney, in consultation with the court, and meets the following criteria:¹³

- The defendant has a service-related mental health condition, service-related traumatic brain injury, service-related substance use disorder, or service-related psychological problem or has experienced military sexual trauma.¹⁴
- The defendant's participation in the veterans treatment court program is in the interest of justice and of benefit to the defendant and the community.

In making the determination, the state attorney, in consultation with the court, must consider:¹⁵

- The nature and circumstances of the offense charged.
- The special characteristics or circumstances of the defendant and any victim or alleged victim, including any recommendation of the victim or alleged victim.
- The defendant's criminal history and whether the defendant previously participated in a veterans treatment court program or similar program.
- Whether the defendant's needs exceed the treatment resources available to the veterans treatment court program.
- The impact on the community of the defendant's participation and treatment in the veterans treatment court program.
- Recommendations of any law enforcement agency involved in investigating or arresting the defendant.
- If the defendant owes restitution, the likelihood of payment during the defendant's participation in the veterans treatment court program.
- Any mitigating circumstances.
- Any other circumstances reasonably related to the defendant's case.

A defendant who meets the eligibility requirements may be admitted to a veterans treatment court program at any stage of a criminal proceeding.¹⁶ A veteran or servicemember does not have a right to participate in a veterans treatment court program.¹⁷

¹¹ Required by s. 394.47891(6)(a)7., F.S.

¹² "Defendant" means a veteran or servicemember who has been charged with or convicted of a criminal offense. Section 394.47891(2)(a), F.S.

¹³ Section 394.47891(8)(a), F.S.

¹⁴ "Military sexual trauma" means psychological trauma that results from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while a servicemember or veteran was serving on active duty, active duty for training, or inactive duty training. Section 394.47891(2)(b), F.S.

¹⁵ Section 394.47891(8)(b), F.S.

¹⁶ Section 394.47891(4), F.S.

¹⁷ Section 394.47891(10), F.S.

The chief judge and state attorney of the judicial circuit have the exclusive authority to determine whether veterans who have been dishonorably discharged may participate in the program.¹⁸

Postadjudicatory Probation or Community Control

Section 948.01, F.S., provides when the court may place a defendant on probation or community control.¹⁹ The sentencing court may place the defendant into a postadjudicatory treatment-based drug court program under certain circumstances including that the defendant otherwise qualifies under s. 397.334(3), F.S.²⁰ Additionally, the sentencing court may place the defendant into a post adjudicatory mental health court program under certain circumstances and the defendant otherwise qualifies under s. 394.47892(4), F.S.²¹

There is no provision in section 948.01, F.S., that addresses when a court may place a defendant in a postadjudicatory treatment court program specialized for veterans and servicemembers.

III. Effect of Proposed Changes:

The bill amends s. 394.47891, F.S., to revise the admissions process for veterans treatment court programs. The bill authorizes a defendant to participate in a veterans treatment court program if he or she is approved by the multidisciplinary team and deemed eligible.

Language requiring a defendant to submit an application to the state attorney for approval to participate in the program is removed. The bill requires entry into a veterans treatment court program to be based upon the sentencing court's assessment of the defendant's criminal history, substance abuse screening outcome, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, if any, and the defendant's agreement to enter the program.

Further, the bill amends s. 948.01, F.S., to authorize sentencing courts to place defendants into a postadjudicatory veterans treatment court program if:

- The offense is a nonviolent felony²² committed on or after July 1, 2026;
- The defendant is a servicemember or veteran; and,
- The defendant is otherwise eligible to participate.

The defendant must be fully advised of the purpose of the veterans treatment court program and agree to enter the program. The sentencing court must relinquish jurisdiction to the veterans treatment court program until:

- The defendant is no longer active in the program,
- The case is returned to the sentencing court due to the defendant's termination from the program for failure to comply with the terms of the program; or,
- The defendant's sentence is completed.

¹⁸ Section 394.47891(3)(d), F.S.

¹⁹ Section 948.01(2), F.S.

²⁰ Section 948.01(7)(a), F.S.

²¹ Section 948.07(8)(a), F.S.

²² For the purposes of s. 948.01(9), F.S., "Nonviolent felony" means a third degree felony violation under ch. 810, F.S., or any other felony offense that is not a forcible felony as defined in s. 776.08, F.S.

A defendant sentenced to postadjudicatory veterans treatment court program who violates probation or community control will have such violation heard by the judge presiding over the postadjudicatory veterans treatment court program. The judge must dispose of any such violation, after a hearing or admission of the violation, as he or she deems appropriate if the resulting sentence or conditions are lawful.

Satisfactory completion of the program must be a condition of the defendant's probation or community control.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require the cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Funding for problem solving treatment courts is generally received by legislative appropriation, grants, and local community resources funded by other entities.

The Office of the State Courts Administrator agency analysis provided the following statement regarding expenditures:

“The fiscal impact of this legislation cannot be accurately determined due to the unavailability of data needed to quantifiably establish the effects on judicial time and workload resulting in revising approval requirements for veterans treatment court admissions...However, legislation that may increase participation in veterans treatment court programs could result in a fiscal impact to the trial courts problem-solving courts special funding category.”²³

Potential cost incurred by an increase in participants may be offset by applicable offenders being diverted from detention or incarceration.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 394.47891 and 948.01 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

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

CS by Criminal Justice on January 12, 2026:

This Committee Substitute:

- Allows for a multidisciplinary team to consider the eligibility of a defendant for a veterans treatment court program.
- Requires for entry into the program to be based upon the sentencing court’s assessment of the defendant’s criminal history, substance abuse screening outcome, amenability to the services of the program, total sentence points, the recommendation of the state attorney and the victim, and the defendant’s agreement to enter the program.
- Modifies the date provided for offenses eligible for a postadjudicatory veterans treatment court from July 1, 2016, to July 1, 2026.

²³ Office of the State Courts Administrator, *Agency Bill Analysis for SB50*, (on file with the Senate Committee on Criminal Justice).

B. Amendments:

None.

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



533034

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
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	.	
	.	

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

1 **Senate Amendment**

2

3 Delete lines 21 - 42

4 and insert:

5 requirements provided in under subsection (8) may be admitted to
6 a veterans treatment court program at any stage of a criminal
7 proceeding. Entry into a veterans treatment court program must
8 be based upon the sentencing court's assessment of the
9 defendant's criminal history, substance abuse screening outcome,
10 amenability to the services of the program, total sentence



11 points, the recommendation of the state attorney and the victim,
12 if any, and the defendant's agreement to enter the program. A
13 defendant seeking to participate in a veterans treatment court
14 program must submit an application to the state attorney. The
15 state attorney must review each application and determine
16 whether the defendant meets the eligibility requirements in
17 subsection (8).

18 (8) ELIGIBILITY.—

19 (a) A defendant may participate in a veterans treatment
20 court program if he or she is approved by the multidisciplinary
21 team state attorney, in consultation with the court, and meets
22 the following criteria:

23 1. The defendant has a service-related mental health
24 condition, service-related traumatic brain injury, service-
25 related substance use disorder, or service-related psychological
26 problem or has experienced military sexual trauma.

27 2. The defendant's participation in the veterans treatment
28 court program is in the interest of justice and of benefit to
29 the defendant and the community.

30 (b) In making the determination under subparagraph (a)2.,
31 the multidisciplinary team the state attorney, in consultation
32 with the court, must consider:



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
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	.	
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The Committee on Criminal Justice (Gaetz) recommended the following:

1 **Senate Amendment**

2

3 Delete line 68

4 and insert:

5 offenses committed on or after July 1, 2026, the sentencing

By Senator Gaetz

1-00129-26

202650

A bill to be entitled
 An act relating to veterans affairs; amending s. 394.47891, F.S.; revising the admissions process for veterans treatment court programs; authorizing the court, in consultation with the multidisciplinary team, to determine eligibility for veterans treatment court programs; amending s. 948.01, F.S.; authorizing sentencing courts to divert defendants to veterans treatment court programs under certain circumstances; requiring that certain notice be provided to defendants; providing for disposition of probation or community control violations by program participants; providing an effective date.

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

Section 1. Subsections (4) and (8) of section 394.47891, Florida Statutes, are amended to read:

394.47891 Veterans treatment court programs.—

(4) ADMISSION.—A defendant who meets the eligibility requirements provided in ~~under~~ subsection (8) may be admitted to a veterans treatment court program at any stage of a criminal proceeding. A defendant seeking to participate in a veterans treatment court program must submit an application to the state attorney. The state attorney must review each application and determine whether the defendant meets the eligibility requirements in subsection (8).

(8) ELIGIBILITY.—

(a) A defendant may participate in a veterans treatment

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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202650

court program if he or she is approved by the ~~state attorney, in consultation with the court, in consultation with the multidisciplinary team,~~ and meets the following criteria:

1. The defendant has a service-related mental health condition, service-related traumatic brain injury, service-related substance use disorder, or service-related psychological problem or has experienced military sexual trauma.
2. The defendant's participation in the veterans treatment court program is in the interest of justice and of benefit to the defendant and the community.

(b) In making the determination under subparagraph (a)2., ~~the state attorney, in consultation with the court, in consultation with the multidisciplinary team,~~ must consider:

1. The nature and circumstances of the offense charged.
2. The special characteristics or circumstances of the defendant and any victim or alleged victim, including any recommendation of the victim or alleged victim.
3. The defendant's criminal history and whether the defendant previously participated in a veterans treatment court program or similar program.
4. Whether the defendant's needs exceed the treatment resources available to the veterans treatment court program.
5. The impact on the community of the defendant's participation and treatment in the veterans treatment court program.
6. Recommendations of any law enforcement agency involved in investigating or arresting the defendant.
7. If the defendant owes restitution, the likelihood of payment during the defendant's participation in the veterans

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59 treatment court program.
 60 8. Any mitigating circumstances.
 61 9. Any other circumstances reasonably related to the
 62 defendant's case.
 63 Section 2. Subsection (9) is added to section 948.01,
 64 Florida Statutes, to read:
 65 948.01 When court may place defendant on probation or into
 66 community control.—
 67 (9) (a) Notwithstanding s. 921.0024 and effective for
 68 offenses committed on or after July 1, 2016, the sentencing
 69 court may place the defendant into a postadjudicatory veterans
 70 treatment court program if the offense is a nonviolent felony,
 71 the defendant is a servicemember or veteran as those terms are
 72 defined in s. 394.47891(2), and the defendant is otherwise
 73 qualified to participate in a veterans treatment court program
 74 under s. 394.47891(8). Satisfactory completion of the program
 75 must be a condition of the defendant's probation or community
 76 control. As used in this subsection, the term "nonviolent
 77 felony" means a third degree felony violation under chapter 810
 78 or any other felony offense that is not a forcible felony as
 79 defined in s. 776.08.
 80 (b) The defendant must be fully advised of the purpose of
 81 the veterans treatment court program, and the defendant must
 82 agree to enter the program. The original sentencing court shall
 83 relinquish jurisdiction of the defendant's case to the
 84 postadjudicatory veterans treatment court program until the
 85 defendant is no longer active in the program, the case is
 86 returned to the sentencing court due to the defendant's
 87 termination from the program for failure to comply with the

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202650

88 terms of the program, or the defendant's sentence is completed.
 89 (c) A defendant sentenced to a postadjudicatory veterans
 90 treatment court program who, while a veterans treatment court
 91 program participant, is the subject of a violation of probation
 92 or community control under s. 948.06 shall have the violation of
 93 probation or community control heard by the judge presiding over
 94 the postadjudicatory veterans treatment court program. The judge
 95 shall dispose of any such violation, after a hearing on or
 96 admission of the violation, as he or she deems appropriate if
 97 the resulting sentence or conditions are lawful.
 98 Section 3. This act shall take effect July 1, 2026.

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OFFICE OF THE STATE COURTS ADMINISTRATOR
2026 JUDICIAL IMPACT STATEMENT

BILL NUMBER: SB 50

DATE: 12/23/25

SPONSOR(S): Senator Gaetz

STATUTE(S) AFFECTED: ss. 394.47891 and 948.01, F.S.

COMPANION BILL(S): CS/CS/HB 199 by Representative Maney

AGENCY CONTACT: Tashiba Robinson, Office of Legislative Affairs

TELEPHONE: (850) 922-5692

ASSIGNED OSCA STAFF: MJA

I. SUMMARY:

The bill revises admission procedures for veterans treatment court programs to allow the court, in consultation with the multidisciplinary team, to determine defendant eligibility and approve defendant participation instead of the state attorney. The bill additionally permits admission of certain defendants charged with nonviolent felony offenses to post-adjudicatory veterans treatment court programs.

II. ANALYSIS:

Admission to Veterans Treatment Court Programs

Section 394.47891, F.S., prescribes statewide standards for the creation, operation, and procedures of veterans treatment court programs. Veterans treatment court programs are a type of problem-solving court designed to address the underlying cause of a veteran's involvement with the judicial system (substance abuse, mental health, and other issues unique to the traumatic experience of war¹) through the use of specialized dockets, multidisciplinary teams, and evidence-based treatment. An eligible defendant may be admitted to a veterans treatment court program at any stage of a criminal proceeding.² As of December 2025, Florida has 34 operating veterans treatment court programs.³

Currently, s. 394.47891, F.S., requires a defendant seeking to participate in a veterans treat court program to submit an application to the state attorney. The state attorney must review each application and determine

¹ <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts>

² Section 394.47891(4), F.S.

³ <https://www.flcourts.gov/Services/Problem-Solving-Courts/problem-solving-court-types/veterans-courts>

OFFICE OF THE STATE COURTS ADMINISTRATOR
2026 JUDICIAL IMPACT STATEMENT

whether the defendant meets statutory eligibility requirements.⁴ The state attorney's determination must include consideration of certain factors such as the nature and circumstances of the offense charged.⁵ A defendant who is approved by the state attorney, in consultation with the court, and who meets the statutory eligibility requirements may participate in a veterans treatment court program.

Effect of the Bill – Admission to Veterans Treatment Court Programs

The bill amends s. 394.47891, F.S., to allow the court, in consultation with the multidisciplinary team, to determine defendant eligibility and approve defendant participation in veterans treatment court programs rather than the state attorney. The bill makes additional conforming statutory changes by repealing the requirement that a defendant submit an application to the state attorney to participate in a veterans treatment court program.

Post-adjudicatory Veterans Treatment Court Programs

A sentencing court may place eligible adjudicated defendants into certain post-adjudicatory problem-solving court programs as a condition of probation or community. Specifically, s. 948.01(7) and (8), F.S., authorize a sentencing court to place certain defendants into a post-adjudicatory treatment-based drug court program or a post-adjudicatory mental health court as a condition of probation or community control if the underlying offense is a nonviolent felony,⁶ the defendant is amenable to treatment, and the defendant is otherwise qualified for the program. There is currently no comparable provision for entry into a post-adjudicatory veterans treatment court program.

Effect of the Bill – Post-adjudicatory Veterans Treatment Court Programs

The bill amends s. 948.01, F.S., to add a provision allowing the sentencing court to place certain defendants into a post-adjudicatory veterans treatment court program. The bill provides that notwithstanding s. 921.0024, F.S., and effective for offenses committed on or after July 1, 2016, the sentencing court may place a defendant in a post-adjudicatory veterans treatment court program if:

- The offense is a nonviolent felony (a third-degree felony under ch. 810, F.S. or any other felony offense that is not a forcible felony as defined in s. 776.08, F.S.);
- The defendant is a servicemember or veteran;

⁴ Section 394.47891(8), F.S.

⁵ Section 394.47891(8)(b), F.S.

⁶ A nonviolent felony means a third-degree felony violation under chapter 810 or any other felony offense that is not a forcible felony as defined in s. 776.08, F.S.

OFFICE OF THE STATE COURTS ADMINISTRATOR
2026 JUDICIAL IMPACT STATEMENT

- The defendant is otherwise eligible to participate in a veterans treatment court program under s. 394.47891(8), F.S.;
- The defendant is fully advised of the purpose of the veterans treatment court program; and
- The defendant agrees to enter the program.

The bill provides that satisfactory completion of the program must be a condition of the defendant's probation or community control. The original sentencing court will thereafter relinquish jurisdiction to the post-adjudicatory veterans treatment court program until:

- The defendant is no longer active in the program;
- The case is returned to the sentencing court due to the defendant's termination from the program for failure to comply with the terms of the program; or
- The defendant's sentence is completed.

The bill provides that, while a defendant is participating in a post-adjudicatory veterans treatment court program, the judge presiding over the program will exercise jurisdiction over probation and community control violation proceedings.

III. ANTICIPATED JUDICIAL OR COURT WORKLOAD IMPACT:

Indeterminate. The difference in the number of participants that will be placed in a veterans treatment court program pursuant to the approval of the court, in consultation with the multidisciplinary team, rather than the state attorney, is unknown; however, the number of participants in veterans treatment courts may increase. The increase is unlikely to have a significant impact on judicial or court workload.

IV. IMPACT TO COURT RULES/JURY INSTRUCTIONS:

None anticipated.

V. ESTIMATED FISCAL IMPACTS ON THE JUDICIARY:

A. Revenues: None

B. Expenditures: The fiscal impact of this legislation cannot be accurately determined due to the unavailability of data needed to quantifiably establish the effects on judicial time and workload resulting from revising approval requirements for veterans treatment court admissions, as discussed in Section III, above. However, legislation that may increase participation in veterans treatment court programs could result in a fiscal impact to the trial courts' problem-solving courts special funding category.



The Florida Senate

Committee Agenda Request

To: Senator Jonathan Martin, Chair
Committee on Criminal Justice

Subject: Committee Agenda Request

Date: October 6, 2025

I respectfully request that **Senate Bill #50**, relating to Veterans Affairs, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.



Senator Don Gaetz
Florida Senate, District 1



Thanks so much!

The Florida Senate

1/12/26

Meeting Date

Criminal Justice

Committee

APPEARANCE RECORD

SB 50

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Matt Herndon

Phone 941-204-2993

Address 113 E College Av
Street

Email matt@teamrse.com

Tallahassee FL

City

State

32301

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

United Way of Florida
United Way Brevard
United Way Miami

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](http://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

1/12/26
Meeting Date
SCT
Committee
The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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Name Katie J. Bonnett "BON-NET"
Address 2273 Seminole Dr
Street Tallahassee, FL
City 32397 State Zip
Phone 850.339.9599
Email kbonnett@stateandjust.org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Alliance for Safety & Justice

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S-001 (08/10/2021)

January 12 2026

Meeting Date

Crim Justice

Committee

Name SUSIE CAPLOWE

Volunteer

Address 319 E PARK

*Tallahassee Veterans
Legal Collaborative*

Street

TALLAHASSEE, FL

32301

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

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SB50

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 850 567-2448

Email SUSIECAPLOWE@COMCAST.NET

Name

Address

Street

City

State

Zip

12 Jan 2026

Meeting Date

Criminal Justice

Committee

Name Christian Cochran

Amendment Barcode (if applicable)

Address 448 Tillis Ln
StreetPhone 850-519-7257City Crawfordville State FLZip 32327Email Ccochran@RightonCrime.comSpeaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:Texas Public Policy Foundation
Right on Crime I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flesenate.gov)

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S-001 (08/10/2021)

1/12/26
Meeting Date
Crim Justice

The Florida Senate

APPEARANCE RECORD

52

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

Committee

Name

Bill Muehlenbein

Phone

Amendment Barcode (if applicable)

469-235-3467

Address

10 Mason Ct

Email

Street

City

Havana

State

FL

32333

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

1/12/26

Meeting Date

The Florida Senate

APPEARANCE RECORD

SB 50

Bill Number or Topic

Deliver both copies of this form to
Senate professional staff conducting the meeting

(Michele Combs)

Committee

Name

Florida Christian Coalition

Phone

Amendment Barcode (if applicable)

202-599-6257

Address

242 Madison St.

Email

michele@cc.org

Street

Pensacola FL
(Kreepart)

State

32439

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

<input type="checkbox"/> I am appearing without compensation or sponsorship.	<input type="checkbox"/> I am a registered lobbyist, representing:	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
--	--	---

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](http://flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 50

Bill Number or Topic

1/12/26

Meeting Date

Criminal Justice

Committee

Name Sean Golden

Amendment Barcode (if applicable)

850-210-2586

Address 251 Levy Bay Rd
Street

Email seangogolden@gmail.com

Panacea

FL

32346

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

January 12, 2026

Meeting Date

APPEARANCE RECORD50Criminal Justice

Committee

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Name

John Penrick Lewis

Phone

(619) 602 9000

Amendment Barcode (if applicable)

Address

6057 Litchfield Ct.

Street

Tallahassee

State

FL

Zip

Email

johnpenricklewis@gmail.com

City

Speaking: For Against Information**OR**Waive Speaking: In Support Against**PLEASE CHECK ONE OF THE FOLLOWING:** I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate

1-12-26

Meeting Date

APPEARANCE RECORD

SB 50

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Frank RoycraftPhone 850-656-6714Address 1714 Silverwood Dr
StreetEmail Toproycraft@hotmail.comCity Tallahassee State FL Zip 32301Speaking: For Against Information**OR**Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing: I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.leg.state.fl.us/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

01/12/2026

Meeting Date

Committee on Criminal Justice

Committee

Name Christina Heady

Address 907 Paddock Club Dr, Apt 204

Street

City Brandon

State FL

Zip 33511

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 50: Veterans Affairs

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 813-625-6631

Email christinakateheady@gmail.com

1/12/26
Meeting Date
SCT

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
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Committee
Name Pastor Jearlyn Dennie Phone 386-283-6523
Address 4600 E. Moody Blvd Blfg 7N Email pastorjearlyn@jearlyn.org
Street
Bunnell, FL Zip 32110
City State Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Alliance for Safety & Justice

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S-001 (08/10/2021)

January 12 2026

Meeting Date

Crim Justice

Committee

Name **DAN HENDRICKSON**

Address **319 E PARK** Email **DANBHENDRICKSON@COMCAST.NET**

Street

TALLAHASSEE, FL

32301

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://fisenate.gov/2020-2022JointRules.pdf) (fisenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

January 12 2026

Meeting Date

Crim Justice

Committee

Name DAN HENDRICKSON

Address 319 E PARK
Street
TALLAHASSEE, FL 32301

City *State*

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB50

Bill Number or Topic

533034

Amendment Barcode (if applicable)

Phone 850 570-1967

Email DANBHENDRICKSON@COMCAST.NET

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: CS/SB 52

INTRODUCER: Criminal Justice Committee and Senator Gaetz

SUBJECT: Security Services at Places of Worship

DATE: January 13, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<u>Fav/CS</u>
2. _____	_____	<u>JU</u>	_____
3. _____	_____	<u>RC</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 52 amends s. 493.6102, F.S., to provide that the provisions of Ch. 493 are inapplicable to volunteers who provide armed security services on the premises of a church, mosque, synagogue, or other place of worship.

The bill takes effect on July 1, 2026.

II. Present Situation:

Violence at Houses of Worship

According to research spanning from 2000 to 2024, there have been nearly 380 incidents of violence at houses of worship in the U.S. resulting in approximately 490 deaths and 170 injuries.¹ The majority of homicides at houses of worship are not related to the religious ideology of where they occur, but the killings that *are* ideologically motivated have been among the most deadly.²

¹ The Violence Prevention Project Research Center, Hamline University, Saint Paul Minnesota, available at <https://www.theviolenceproject.org/house-of-worship-homicides/> (last viewed January 6, 2026).

² *Id.*

According to the Cybersecurity and Infrastructure Security Agency (CISA), the best way to mitigate a potential attack is to take a holistic approach to security. This requires assigning clear roles and responsibilities for making security decisions, planning, and implementing the procedures and capabilities across the organization. A robust security plan should be tailored to the specific needs and priorities of the house of worship.³ The CISA suggests the following options for consideration:

- Establish a multi-layered plan for security, identifying clear roles and responsibilities for developing and implementing security measures.
- Create emergency action plans, business continuity plans, and incident response plans that are well communicated and exercised with the Safety Team for complete understanding.
- Conduct a vulnerability assessment to understand the risks to the house of worship from which you may prioritize implementing any subsequent safety measures.
- Build community readiness and resilience by establishing an organizational culture of caring where all members and visitors are properly supported, and credible threats are reported through previously identified channels.
- Apply physical security measures to monitor and protect the outer, middle, and inner perimeters, while respecting the purpose of each area of the house of worship.
- Focus on the safety of children by implementing safety measures around childcare, daycare, and schools.
- Implement cybersecurity best practices to safeguard important information and prevent a potential cyberattack.⁴

Division of Licensing

The Division of Licensing (DOL) within the Department of Agriculture and Consumer Services (DACS) administers Florida's concealed weapon licensing program⁵ and oversees Florida's private investigative, private security, and recovery services industries.⁶ The DOL's regulatory oversight of those services includes licensing, enforcing compliance standards, and ensuring public protection from unethical business practices and unlicensed activity.

Security services provided by a security officer who, for consideration, advertises as providing or performing security services which include:

- Providing bodyguard protection;
- Guarding property;
- Transporting prisoners;
- Providing armored car services;
- Assisting in prevention of theft; and

³ Mitigating Attacks on Houses of Worship Security Guide, Resources, Cybersecurity and Infrastructure Security Agency, available at <https://www.cisa.gov/resources-tools/resources/mitigating-attacks-houses-worship-security-guide> (last viewed January 6, 2026).

⁴ *Id.*

⁵ Section 790.06, F.S.

⁶ Chapter 493, F.S.

- Assisting in prevention of the misappropriation or concealment of articles of value or assisting in the return of such articles.⁷

Any individual who performs the services of a security officer must have a Class “D” license.⁸ To carry a firearm in the performance of regulated security duties, security officers and agency managers must also obtain a Class “G” Statewide Firearm License.⁹ No employee may carry or be furnished a firearm unless it is required by her or his duties and it is carried only in connection with those duties. The firearm must be encased in full view at all times unless otherwise provided by law.¹⁰

Chapter 493. F.S., does not apply to specified persons and places including:

- Any individual who is an “officer,”¹¹ or is a law enforcement officer of the United States Government, while such local, state, or federal officer is engaged in her or his official duties or when performing off-duty security activities approved by her or his superiors;
- Any insurance investigator or adjuster licensed by a state or federal licensing authority when such person is providing services or expert advice within the scope of her or his license.
- Any attorney in the regular practice of her or his profession;
- Any bank or bank holding company, credit union, or small loan company operating pursuant to ch. 516 and 520, F.S.; any consumer credit reporting agency regulated under 15 U.S.C. ss. 1681 et seq.; or any collection agency not engaged in repossession or to any permanent employee thereof;
- Any person who is a school crossing guard employed by a third party hired by a city or county and trained in accordance with s. 316.75, F.S.; or
- Any individual *employed as a security officer by a church or ecclesiastical or denominational organization having an established physical place of worship in this state at which nonprofit religious services and activities are regularly conducted or by a church cemetery to provide security on the property of the organization or cemetery, and who does not carry a firearm in the course of her or his duties.*¹²

Carrying a Concealed Weapon or Firearm

A person is licensed or authorized to carry a concealed weapon or concealed firearm if he or she is:

- A concealed carry licensee;¹³

⁷ The Florida Department of Agriculture and Consumer Services, Business Services, Private Security Licenses; available at [Private Security Licenses / Business Services / Home - Florida Department of Agriculture & Consumer Services](https://www.fdaics.gov/Business-Services/Private-Security-Licenses). (last viewed January 6, 2026).

⁸ An applicant for a Class “D” Security Officer License must complete 40 hours of training at a licensed school or training facility or complete an acceptable alternative training. Consumer Services, Business Services, Private Security Licenses, available at <https://www.fdaics.gov/Business-Services/Private-Security-Licenses>. (last viewed January 6, 2026).

⁹ *Id.*

¹⁰ *Id.*

¹¹ “Officer” means any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer. Section 943.10(14), F.S.

¹² Section 493.6102(1)-(15), F.S.

¹³ Section 790.01(1)(a), F.S., if the person has met the criteria to qualify for a license under s. 790.06, (2)(a)-(f) and (i)-(n), (3), and (10), F.S., and received the license.

- Not licensed under s. 790.06, F.S. but otherwise satisfies the criteria for receiving and maintaining such a license;¹⁴

Anyone licensed or authorized to carry a concealed firearm must carry identification and display it to law enforcement when asked to do so.¹⁵

Section 790.06(12), 1.-15., F.S., lists the locations where a concealed carry license or authorization *does not permit* a person to carry a weapon, or firearm, or openly carry a handgun.¹⁶ These locations are:

- Places of nuisance;¹⁷
- Police, sheriff, or highway patrol stations;
- Detention facilities, prisons, or jails;
- Courthouses;
- Courtrooms, except that nothing in this section precludes a judge from carrying a concealed weapon or concealed firearm or determining who will carry a concealed weapon or concealed firearm in his or her courtroom;
- Polling places;
- Meetings of the governing body of a county, public school district, municipality, or special district;
- Meetings of the Legislature or a committee thereof;
- Schools, colleges, or professional athletic events not related to firearms;
- Elementary or secondary school facilities or administration buildings;
- Career centers;
- Establishments licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose;
- College or university facilities unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile;
- Inside of a passenger terminal or sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or
- Places where the carrying of firearms is prohibited by federal law.¹⁸

The Legislature has addressed the issue of concealed carry by providing that for the purposes of safety, security, personal protection, or any other lawful purpose, a person licensed under s. 790.06, F.S., may carry a concealed weapon or concealed firearm on property owned, rented, leased, borrowed, or lawfully used by a church, synagogue, or other religious institution.

However, the private property rights of a church, synagogue, or other religious institution are not

¹⁴ Section 790.01(1)(b), F.S.,

¹⁵ Sections 790.06(1)(c) and 790.013(1), F.S.

¹⁶ Sections 790.06(12) and 790.013(2), F.S.

¹⁷ Section 823.05, F.S., provides a list of public nuisances.

limited and the church, synagogue, or other religious institution may exercise control over such property.¹⁹

Level 2 Background Screening

A Level 2 Background Screening refers to a state and national fingerprint-based check and consideration of disqualifying offenses, and applies to those employees designated by law as holding positions of responsibility or trust.²⁰

For example, health care practitioners must comply with background screening requirements when applying for initial licensure or renewing their license. Section 435.04, F.S., mandates Level 2 security background investigations be conducted on employees, defined as individuals required by law to be fingerprinted pursuant to ch. 435, F.S.²¹

Security background investigations under s. 435.04, F.S., must ensure that persons:

- Have not been arrested for and are awaiting final disposition of;
- Have not been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to; or
- Have not been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the provisions of state law or similar law of another jurisdiction that are disqualifying offenses.

Disqualifying offenses include in part:

- Section 825.1025, F.S., lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult;
- Section 874.05, F.S., encouraging or recruiting another to join a criminal gang; and
- Section 782.04, F.S., relating to murder.

III. Effect of Proposed Changes:

The bill adds subsection (16) to s. 493.6102, F.S., making regulations²² in ch. 493, F.S., inapplicable to volunteers who provide armed security services on the premises of a church, mosque, synagogue, or other place of worship.

The bill takes effect on July 1, 2026.

¹⁹ Section 790.06(13), F.S.

²⁰ Section 110.1127, F.S.

²¹ Fingerprint retention requirements do not apply to these professions: Emergency medical technicians, paramedics, pharmacy interns, registered pharmacy technicians, and radiologic technologists are exempt unless applying through the military active-duty spouse licensure pathway.

²² Chapter 493 of the Florida Statutes regulates private investigative, private security, and repossession services. Sections 493.6100 – 493.6406, F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s., of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 493.6102, 493.6201.

IX. Additional Information:

A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on January 12, 2026:

The Committee Substitute removed requirements placed on people who provide volunteer armed security for churches and other places of worship and made it clear that people who volunteer to provide such security are not subject to the same licensing requirements of a paid security service.

B. **Amendments:**

None.

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



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
	.	
	.	
	.	

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

1 **Senate Amendment (with title amendment)**

2

3 Delete lines 20 - 35

4 and insert:

5 of a church, mosque, synagogue, or other place of worship.

6

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

8 And the title is amended as follows:

9 Delete line 6

10 and insert:



11

places of worship;

By Senator Gaetz

1-00208A-26

202652

A bill to be entitled
 An act relating to security services at places of worship; amending s. 493.6102, F.S.; providing an exemption from licensure requirements for certain volunteers who provide armed security services for places of worship under certain circumstances; reenacting s. 493.6201(4), F.S., relating to classes of licenses, to incorporate the amendment made to s. 493.6102, F.S., in a reference thereto; providing an effective date.

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

Section 1. Subsection (16) is added to section 493.6102, Florida Statutes, to read:

493.6102 Inapplicability of this chapter.—This chapter shall not apply to:

(16) Any person who, on a voluntary basis and without compensation, provides armed security services on the premises of a church, mosque, synagogue, or other place of worship, provided that all of the following conditions are met:

(a) Such services are provided subject to an armed security plan approved by the sheriff's office in that county.

(b) The volunteer passes a level 2 background screening pursuant to s. 435.04.

(c) The volunteer holds a valid Florida concealed weapon or concealed firearm license under s. 790.06.

(d) The security services are provided exclusively on the premises of the church, mosque, synagogue, or other place of

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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202652

worship, including any property owned or leased by the religious institution for worship, education, or religious activities.

(e) The volunteer does not receive compensation for the security services. For purposes of this subsection, compensation does not include reimbursement for reasonable expenses actually incurred and related to the cost of the volunteer's training.

Section 2. For the purpose of incorporating the amendment made by this act to section 493.6102, Florida Statutes, in a reference thereto, subsection (4) of section 493.6201, Florida Statutes, is reenacted to read:

493.6201 Classes of licenses.—

(4) Class "C" or Class "CC" licensees shall own or be an employee of a Class "A" agency, a Class "A" and Class "B" agency, or a branch office. This does not include those who are exempt under s. 493.6102, but who possess a Class "C" license solely for the purpose of holding a Class "G" license.

Section 3. This act shall take effect July 1, 2026.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.



The Florida Senate

Committee Agenda Request

To: Senator Jonathan Martin, Chair
Committee on Criminal Justice

Subject: Committee Agenda Request

Date: October 6, 2025

I respectfully request that **Senate Bill #52**, relating to Security Services at Places of Worship, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.



Senator Don Gaetz
Florida Senate, District 1



Thanks so much!

1-12-2026

Meeting Date

Criminal Justice

Committee

Name Reggie Bartkowski

Phone 850-360-4277

Address 4259 Havencrest Drive

Email RBARTKOWSKI@PCCI.EDU

Street

Pace

FL

32571

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

<p>PLEASE CHECK ONE OF THE FOLLOWING:</p> <p><input type="checkbox"/> I am appearing without compensation or sponsorship.</p> <p><input type="checkbox"/> I am a registered lobbyist, representing:</p> <p><input checked="" type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:</p>		
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While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 52

Bill Number or Topic

596732

Amendment Barcode (if applicable)

1/12/26

Meeting Date

Criminal Justice

Committee

The Florida Senate

APPEARANCE RECORD

SB52

Bill Number or Topic

Name Trevor Huff Phone 727-729-2937
Address 4704 Red oak pr. Email Trevor.Huff@icloud.com
Street
City Milton State FL Zip 32583

Speaking: For Against Information

OR

Waive Speaking: In Support Against

<input checked="" type="checkbox"/> I am appearing without compensation or sponsorship.	<input type="checkbox"/> I am a registered lobbyist, representing:	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:
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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

1/12/25

Meeting Date

Criminal Justice

Committee

Name Aaron DiPietro

SB 52

Bill Number or Topic

Address P. O Box 530103
Street

Orlando FL

32853

City State Zip

Phone 904-608-4421

Email aaronnd@flfamily.org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Family Voice

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

January 12, 2026

The Florida Senate

APPEARANCE RECORD

52

Meeting Date

Criminal Justice

Committee

Name Barney Bishop

Address 1454 Vieux Carre Drive

Street

Tallahassee

FL

32308

City

State

Zip

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 8505109922

Email *barney@barneybishop.com*~~btbney@Ba3355@yahoo.com~~Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:

Florida Smart Justice Alliance

 I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 432

INTRODUCER: Senator Yarborough

SUBJECT: Controlled Substances

DATE: January 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Vaughan	Stokes	CJ	Favorable
2. _____	_____	ACJ	_____
3. _____	_____	FP	_____

I. Summary:

SB 432 amends s. 893.03, F.S., to:

- Add 7-Hydroxymitragynine (“7-OH”), a form of kratom, to the list of Schedule I controlled substances.
- Except from the list of Schedule I controlled substances, xylazine animal drug product approved by the United States Food and Drug Administration (FDA) for veterinary purposes. The term “xylazine” means the nonopiod tranquilizer methyl benzene compound frequently used in veterinary medicine as an emetic and sedative with analgesic and muscle relaxant properties.¹

The bill amends s. 893.13, F.S., to provide it is a first degree felony,² with a mandatory minimum prison term of 3 years for selling, manufacturing, delivering, or possessing with the intent to sell, manufacture, or deliver certain xylazine.

Additionally, the bill amends s. 893.135, F.S., to create a first degree felony for “trafficking in xylazine.” A person may not knowingly sell, purchase, manufacture, deliver, or bring into this state, or knowingly be in actual or constructive possession of, 28 grams or more of xylazine or any salt thereof, or 28 grams or more of any mixture containing any such substance. An offender convicted of such an offense must be sentenced to a mandatory minimum term of imprisonment and fine, the length and amount of which varies depending upon the amount of xylazine involved in the offense.

The bill may have a positive indeterminate prison bed impact (unquantifiable increase in prison beds) on the Department of Corrections. *See Section V. Fiscal Impact Statement.*

¹ 15 U.S.C. s. 278u.

² Sections 775.082, 775.083, or 775.084, F.S.

Section 1 of this bill takes effect July 1, 2026. Except as otherwise expressly provided in this act, this bill takes effect October 1, 2026.

II. Present Situation:

“7-OH” or 7-hydroxymitragynine (Kratom)

“7-OH” or 7-hydroxymitragynine, is a potent alkaloid that occurs naturally in trace amounts in kratom.³ “7-OH” has become readily available at gas stations, vape shops and online, the chemical structure of “7-OH” is dissimilar to any currently scheduled substance in Schedule I under s. 893.03. F.S.⁴ “7-OH” products are concentrated derivatives often falsely marketed as Kratom and their street names include 7-Hydroxy, 7-OHMG and ‘7.’⁵

The U.S. Poison Centers have received reports of serious health effects associated with the use of “7-OH.” From January 1-July 31, 2025 Poison Centers received 1,690 reports of exposure cases involving Kratom which passed the total from all of 2024.⁶ 7-OH can cause overdose symptoms, like respiratory depression, which is when the effects of the opioid also suppress breathing and opioid-overdose reversal drugs like naloxone should work if someone is in distress.⁷

On August 12, 2025, Florida’s Attorney General issued Emergency Rule 2ER25-1, which was later superseded because the Florida Department of Agriculture and Consumer Services will have the laboratory capabilities to test 7-OH at a level above four hundred parts per million on a dry weight basis, which represent an amount of the 7-OH found in botanical kratom.⁸

On August 19, 2025, Florida’s Attorney General issued Emergency Rule 2ER25-2 superseding Emergency Rule 2ER25-1. Immediately placing 7-Hydroxymitragynine as a Schedule I substance to curtail its abuse by minors and adults.

Emergency Rule 2ER25-2 states:

Addition of 7-Hydroxymitragynine (methyl (E)-2[(2S,3S,7aS,12bS)-3-ethyl-7a-hydroxy-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-indolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate) concentrated at a level above four hundred parts per million on a dry-weight basis to Schedule I, s. 893.03(1)(a), F.S.

³ U.S. Food and Drug Administration, *Products Containing 7-OH Can Cause Serious Harm*, available at, <https://www.fda.gov/consumers/consumer-updates/products-containing-7-oh-can-cause-serious-harm> (Last visited January 5, 2026).

⁴ Department of Legal Affairs 2ER25-2, Addition of 7-Hydroxymitragynine to Schedule I, available at <https://flrules.org/gateway/ChapterHome.asp?Chapter=2er25-2> (Last visited January 5, 2026).

⁵ U.S. Food and Drug Administration, *Preventing The Next Wave of the Opioid Epidemic: What You Need to Know About 7-OH*, available at, <https://www.fda.gov/media/187900/download> (Last visited January 5, 2026).

⁶ America’s Poison Centers, *Health Advisory: Serious Illnesses Associated with 7-OH Use*, available at, <https://poisoncenters.org/news-alerts/13531044> (Last visited January 5, 2026).

⁷ USA Today Network-Florida, *13 times stronger than morphine: What is 7-OH, and why did Florida ban it?*, available at, <https://www.tallahassee.com/story/news/local/state/2025/08/21/its-13-times-stronger-than-morphine-why-florida-banned-7-oh/85678095007/> (Last visited January 5, 2026).

⁸ Department of Legal Affairs 2ER25-1, Addition of 7-Hydroxymitragynine to Schedule I, available at <https://flrules.org/gateway/RuleNo.asp?title=Emergency%20Rule%20for%20Year%202025&ID=2ER25-1> (Last visited January 5, 2026).

These circumstances presented an immediate and imminent hazard to public health, safety, and welfare which requires emergency action. In addition, the Attorney General has found that the above-mentioned compound meets the statutory criteria for placement as a controlled substance in Schedule I, s. 893.03(1)(a), F.S. The emergency rule ordered the temporary scheduling of 7-hydroxymitragynine until the completion of the 2026 legislative session.⁹

On December 10, 2025, Florida's Attorney General issued Emergency Rule 2ER25-3. Emergency Rule 2ER25-3 superseded Emergency Rule 2ER25-2 to update the findings of an imminent hazard to the public safety with respect to 7-OH.¹⁰ Emergency Rule 2ER25-3 does not change the compound or Scheduling that was issued in Emergency Rule 2ER25-2.

Emergency Rule 2ER25-3 expanded the findings to include the need “to curtail [7-OH] abuse by Florida's children, young adults, and others.”¹¹

Under s. 893.035(7)(a), F.S., the Attorney General is granted statutory authority to issue emergency rules to temporarily classify new substances that pose a potential threat due to abuse. This delegation allows for swift administrative action to control emerging designer drugs before legislative review. However, as outlined in s. 893.035(9), F.S., any emergency rule adopted under this authority automatically expires on the following June 30 unless the Legislature enacts the rule's provisions as a formal amendment to ch. 893, F.S. This ensures that emergency scheduling remains a temporary measure unless ratified through legislative process.

In 2023, the Legislature enacted the Florida Kratom Consumer Protection Act,¹² which made it unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, any kratom product to a person under 21 years of age. The Florida Department of Agriculture and Consumer Services (FDACS) adopted rules to implement the act.¹³

Xylazine

Currently, s. 893.03(1)(c)37., F.S., lists xylazine as a Schedule I drug. A substance in Schedule I has a high potential for abuse and has no currently accepted medical use in treatment in the United States and in its use under medical supervision does not meet accepted safety standards.¹⁴ Xylazine is also known as “tranq”¹⁵ and is a central nervous system depressant that can cause drowsiness, amnesia, slow breathing, low heart rate and blood pressure.

⁹ Department of Legal Affairs 2ER25-2, Addition of 7-Hydroxymitragynine to Schedule I, available at <https://flrules.org/gateway/ChapterHome.asp?Chapter=2er25-2> (Last visited January 5, 2026).

¹⁰ Department of Legal Affairs 2ER25-3, Addition of 7-Hydroxymitragynine to Schedule I, available at <https://flrules.org/gateway/ruleNo.asp?id=2ER25-3> (Last visited January 5, 2026).

¹¹ Department of Legal Affairs 2ER25-3, Addition of 7-Hydroxymitragynine to Schedule I, available at <https://flrules.org/gateway/ruleNo.asp?id=2ER25-3> (Last visited January 5, 2026).

¹² Section 500.92, F.S.

¹³ Florida Administrative Code R. 5K-4.030.

¹⁴ Section 893.03(1), F.S.

¹⁵ National Library of Medicine, *Increasing presence of xylazine in heroin and/or fentanyl deaths, Philadelphia, Pennsylvania, 2010–2019*, Johnson J, Pizzicato L, Johnson C, Viner K., August 2021, available at <https://pubmed.ncbi.nlm.nih.gov/33536231/> (last visited January 5, 2026).

Xylazine is FDA approved for use in animals as a sedative and pain reliever, it is not safe for use in humans and it is not known if the exposure can be reversed by naloxone.¹⁶ Naloxene is an FDA approved medicine used to quickly reverse an opioid overdose.¹⁷ Research has shown xylazine is often added to illicit opioids, including fentanyl, and people report using xylazine-containing fentanyl to lengthen its euphoric effects.¹⁸

Florida Controlled Substance Schedules

Section 893.03, F.S., classifies controlled substances into five categories or classifications, known as schedules. The schedules regulate the manufacture, distribution, preparation, and dispensing of substances listed in the schedules. The most important factors in determining which schedule may apply to a substance are the “potential for abuse”¹⁹ of the substance and whether there is a currently accepted medical use for the substance. The controlled substance schedules are described as follows:

- Schedule I substances (s. 893.03(1), F.S.) have a high potential for abuse and no currently accepted medical use in treatment in the United States. Use of these substances under medical supervision does not meet accepted safety standards.
- Schedule II substances (s. 893.03(2), F.S.) have a high potential for abuse and a currently accepted but severely restricted medical use in treatment in the United States. Abuse of these substances may lead to severe psychological or physical dependence.
- Schedule III substances (s. 893.03(3), F.S.) have a potential for abuse less than the Schedule I and Schedule II substances and a currently accepted medical use in treatment in the United States. Abuse of these substances may lead to moderate or low physical dependence or high psychological dependence. Abuse of anabolic steroids may lead to physical damage.
- Schedule IV substances (s. 893.03(4), F.S.) have a low potential for abuse relative to Schedule III substances and a currently accepted medical use in treatment in the United States. Abuse of these substances may lead to limited physical or psychological dependence relative to Schedule III substances.
- Schedule V substances (s. 893.03(5), F.S.) have a low potential for abuse relative to Schedule IV substances and a currently accepted medical use in treatment in the United States. Abuse of these substances may lead to limited physical or psychological dependence relative to Schedule IV substances.

Controlled Substance Analog

A “controlled substance analog” is defined in s. 893.0356(2)(a), F.S., as a substance which, due to its chemical structure and potential for abuse, meets the following criteria:

- The substance is substantially similar to that of a controlled substance listed in Schedule I; or

¹⁶ U.S. Food and Drug Administration, *FDA alerts health care professionals of risks to patients exposed to xylazine in illicit drugs*, November 8, 2022, available at <https://www.fda.gov/drugs/drug-safety-and-availability/fda-alerts-health-care-professionals-risks-patients-exposed-xylazine-illicit-drugs> (last visited January 5, 2026).

¹⁷ Drugs.com, *Naloxene*, <https://www.drugs.com/naloxone.html> (last visited January 5, 2026)

¹⁸ National Institute on Drug Abuse, *Xylazine Research Topics*, available at <https://nida.nih.gov/research-topics/xylazine> (last visited on December 11, 2025).

¹⁹ Section 893.035(3)(a), F.S., defines “potential for abuse” as a substance that has properties as a central nervous system stimulant or depressant or a hallucinogen that create a substantial likelihood of the substance being: used in amounts that create a hazard to the user’s health or the safety of the community; diverted from legal channels and distributed through illegal channels; or taken on the user’s own initiative rather than on the basis of professional medical advice.

- Schedule II of s. 893.03, F.S.; and
- The substance has a stimulant, depressant, or hallucinogenic effect on the central nervous system or is represented or intended to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than that of a controlled substance listed in Schedule I or Schedule II of s. 893.03, F.S.

Controlled Substance Offenses Under ss. 893.13 and 893.135, F.S.

Section 893.13, F.S., in part, punishes unlawful possession, sale, purchase, manufacture, and delivery of a controlled substance.²⁰ The penalty for violating s. 893.13, F.S., generally depends on the act committed, the substance and quantity of the substance involved, and the location in which the violation occurred.

Section 893.13(1), F.S., prohibits a person from selling, manufacturing,²¹ or delivering,²² or possessing with the intent to sell, manufacture, or deliver a controlled substance. The penalty for selling a controlled substance varies depending on several factors, including the type and amount of the substance sold, and the location where the sale takes place. Generally, sale of a controlled substance is punishable as either a second degree felony²³ or third degree felony.²⁴

Drug trafficking, which is punished in s. 893.135, F.S., consists of knowingly selling, purchasing, manufacturing, delivering, or bringing into this state (importation), or knowingly being in actual or constructive possession of, certain Schedule I or Schedule II controlled substances in a statutorily-specified quantity. The statute only applies to a limited number of such controlled substances, and the controlled substances involved in the trafficking must meet a specified weight or quantity threshold.

Generally, a drug trafficking offense is punishable as a first degree felony.^{25,26} Section 893.135, F.S., outlines threshold amounts of the applicable controlled substance for each trafficking

²⁰ See e.g., s. 893.13(1)(a) and (b) and (6), F.S.

²¹ “Manufacture” means the production, preparation, propagation, compounding, cultivating, growing, conversion, or processing of a controlled substance, either directly or indirectly, by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging of the substance or labeling or relabeling of its container, except that this term does not include the preparation, compounding, packaging, or labeling of a controlled substance by:

- A practitioner or pharmacist as an incident to his or her administering or delivering of a controlled substance in the course of his or her professional practice.
- A practitioner, or his or her authorized agent under the practitioner’s supervision, for the purpose of, or as an incident to, research, teaching, or chemical analysis, and not for sale. Section 893.02(15)(a), F.S.

²² “Deliver” or “delivery” means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship. Section 893.02(6), F.S.

²³ A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. Sections 775.082 and 775.083, F.S.

²⁴ Section 893.13(1), F.S. A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. Sections 775.082 and 775.083, F.S.

²⁵ A first degree felony is punishable by up to 30 years imprisonment and a \$10,000 fine. Sections 775.082 and 775.083, F.S.

²⁶ Trafficking in certain controlled substances can be a capital offense under specified circumstances. See, e.g., s. 893.135(1)(h)2., F.S. (Any person who knowingly manufactures or brings into this state 400 grams or more of amphetamine . . . who knows that the probable result of such manufacture or importation would be the death of any person commits capital manufacture or importation of amphetamine, a capital felony).

offense. All drug trafficking offenses are subject to mandatory minimum sentences and heightened fines, which are determined by the threshold amounts.

III. Effect of Proposed Changes:

The bill amends s. 893.03, F.S., to add 7- Hydroxymitragynine (“7-OH”) concentrated at a level above 400 parts per million on a dry weight basis to the list of Schedule I controlled substances.

The bill amends s. 893.03, F.S., to except from the list of Schedule I controlled substances, xylazine animal drug product approved by the United States Food and Drug Administration (FDA) for veterinary purposes.

The bill amends s. 893.13, F.S., to provide it is a first degree felony,²⁷ with a mandatory minimum prison term of 3 years for selling, manufacturing, delivering, or possessing with the intent to sell, manufacture, or deliver xylazine products that resemble candy or other food products or contains cartoon character imprints or trade or logos.

Additionally, the bill amends s. 893.135, F.S., to create a first degree felony for “trafficking in xylazine.” A person may not knowingly sell, purchase, manufacture, deliver, or bring into this state, or knowingly be in actual or constructive possession of, 28 grams or more of xylazine or any salt thereof, or 28 grams or more of any mixture containing any such substance. An offender convicted of such an offense must be sentenced to a mandatory minimum term of imprisonment and fine, the length and amount of which varies depending upon the amount of xylazine involved in the offense. If the quantity involved is:

- Twenty-eight grams or more, but less than 100 grams, such person must be sentenced to a mandatory minimum term of imprisonment of 3 years and shall be ordered to pay a fine of \$100,000.
- One-hundred grams or more, but less than 200 grams, such person must be sentenced to a mandatory minimum term of imprisonment of 7 years and shall be ordered to pay a fine of \$100,000.
- Two-hundred grams or more, such person must be sentenced to a mandatory minimum term of imprisonment of 25 years and shall be ordered to pay a fine of \$500,000.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

²⁷ Sections 775.082, 775.083, or 775.084, F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive indeterminate prison bed impact (unquantifiable increase in prison beds) on the Department of Corrections (DOC). The EDR provides the following additional information regarding its estimate:

- Per DOC, in FY 24-25, there were 1,159 new commitments to prison for the possession, sale, manufacture, or delivery, or trafficking of various drugs. It is not known how many additional offenders would be incarcerated with the addition of 7-Hydroxymitragynine.
- Xylazine is currently included with various other drugs under the sale, manufacturing, delivery, and trafficking statutes. The new language for Xylazine presents language that could both increase the prison population, by adding it to the Level 7, 1st degree 3 year mandatory felony with fentanyl and its derivatives, but also reduce it by not applying a mandatory minimum sentence for trafficking until it reaches 28 grams. Even though it is not known how many new commitments Xylazine represents, there were 70 new commitments for trafficking below the new threshold, and 362 new commitments for sale, manufacture, and delivery. The higher number of new commitments make it likely that more offenders involved with Xylazine will be incarcerated, and with the addition of 7-Hydroxymitragynine, the prison population is expected to be pushed in a positive direction, though the number of new inmates cannot be quantified.²⁸

²⁸ Office of Economic and Demographic Research, *SB 432- Controlled Substances*, (on file with the Senate Committee on Criminal Justice).

VI. Technical Deficiencies:

None.

VII. Related Issues:

In their agency bill analysis, the FDLE noted that:

- FDLE is capable of identifying 7-hydroxymitragynine (7-OH) but is unable to specify between three possible isomers due to equipment limitations.
- The Department of Agriculture and Consumer Services (FDACS) developed a targeted, quantitative screen for 7-hydroxymitragynine.
- When the 7-OH group is identified at a FDLE forensic laboratory, the report will recommend that the substance is sent to the FDACS for quantitative analysis.²⁹

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 893.03, 893.13, 893.135

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

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

None.

B. Amendments:

None.

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

²⁹ Florida Department of Law Enforcement, *2026 Agency Analysis SB 432-Controlled Substances*, (on file with the Senate Committee on Criminal Justice).

By Senator Yarborough

4-00311B-26

2026432

A bill to be entitled

An act relating to controlled substances; amending s. 893.03, F.S.; adding 7-Hydroxymitragynine as a Schedule I controlled substance; excepting from the list of Schedule I controlled substances certain xylazine animal drug products approved by the United States Food and Drug Administration and used for certain purposes; amending s. 893.13, F.S.; providing criminal penalties and requiring a mandatory minimum term of imprisonment if a person sells, manufactures, or delivers or possesses with intent to sell, manufacture, or deliver xylazine; amending s. 893.135, F.S.; creating the offense of trafficking in xylazine; providing criminal penalties and requiring a mandatory minimum term of imprisonment and fines based on the quantity of the controlled substance involved in the offense; providing effective dates.

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

Section 1. Effective July 1, 2026, paragraphs (a) and (c) of subsection (1) of section 893.03, Florida Statutes, are amended to read:

893.03 Standards and schedules.—The substances enumerated in this section are controlled by this chapter. The controlled substances listed or to be listed in Schedules I, II, III, IV, and V are included by whatever official, common, usual, chemical, trade name, or class designated. The provisions of this section shall not be construed to include within any of the

Page 1 of 48

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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2026432

schedules contained in this section any excluded drugs listed within the purview of 21 C.F.R. s. 1308.22, styled "Excluded Substances"; 21 C.F.R. s. 1308.24, styled "Exempt Chemical Preparations"; 21 C.F.R. s. 1308.32, styled "Exempted Prescription Products"; or 21 C.F.R. s. 1308.34, styled "Exempt Anabolic Steroid Products."

(1) SCHEDULE I.—A substance in Schedule I has a high potential for abuse and has no currently accepted medical use in treatment in the United States and in its use under medical supervision does not meet accepted safety standards. The following substances are controlled in Schedule I:

- (a) Unless specifically excepted or unless listed in another schedule, any of the following substances, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation:
 - 1. Acetyl-alpha-methylfentanyl.
 - 2. Acetylmethadol.
 - 3. Allylprodine.
 - 4. Alphacetylmethadol (except levo-alpha-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM).
 - 5. Alphamethadol.
 - 6. Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenethyl)ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine).
 - 7. Alpha-methylthiوفentanyl.
 - 8. Alphameprodine.

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59 9. Benzethidine.
 60 10. Benzylfentanyl.
 61 11. Betacetylmethadol.
 62 12. Beta-hydroxyfentanyl.
 63 13. Beta-hydroxy-3-methylfentanyl.
 64 14. Betameprodine.
 65 15. Betamethadol.
 66 16. Betaprodine.
 67 17. Clonitazene.
 68 18. Dextromoramide.
 69 19. Diamprodine.
 70 20. Diethylthiambutene.
 71 21. Difenoxin.
 72 22. Dimenoxadol.
 73 23. Dimepheptanol.
 74 24. Dimethylthiambutene.
 75 25. Dioxaphetyl butyrate.
 76 26. Dipipanone.
 77 27. Ethylmethylthiambutene.
 78 28. Etonitazene.
 79 29. Etoxeridine.
 80 30. Flunitrazepam.
 81 31. Furethidine.
 82 32. Hydroxypethidine.
 83 33. Ketobemidone.
 84 34. Levomoramide.
 85 35. Levophenacylmorphan.
 86 36. Desmethylprodine (1-Methyl-4-Phenyl-4-
 87 Propionoxypiperidine).

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88 37. 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
 89 piperidyl]-N-phenylpropanamide).
 90 38. 3-Methylthiofentanyl.
 91 39. Morpheridine.
 92 40. Noracymethadol.
 93 41. Norlevorphanol.
 94 42. Normethadone.
 95 43. Norpipanone.
 96 44. Para-Fluorofentanyl.
 97 45. Phenadoxone.
 98 46. Phenamprodine.
 99 47. Phenomorphan.
 100 48. Phenoperidine.
 101 49. PEPAP (1-(2-Phenylethyl)-4-Phenyl-4-
 102 Acetyloxypiperidine).
 103 50. Piritramide.
 104 51. Proheptazine.
 105 52. Properidine.
 106 53. Propiram.
 107 54. Racemoramide.
 108 55. Thenylfentanyl.
 109 56. Thiofentanyl.
 110 57. Tianeptine.
 111 58. Tildidine.
 112 59. Trimeperidine.
 113 60. Acetylentanyl.
 114 61. Butyrylfentanyl.
 115 62. Beta-Hydroxythiofentanyl.
 116 63. Fentanyl derivatives. Unless specifically excepted,

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117 listed in another schedule, or contained within a pharmaceutical
 118 product approved by the United States Food and Drug
 119 Administration, any material, compound, mixture, or preparation,
 120 including its salts, isomers, esters, or ethers, and salts of
 121 isomers, esters, or ethers, whenever the existence of such salts
 122 is possible within any of the following specific chemical
 123 designations containing a 4-anilidopiperidine structure:

124 a. With or without substitution at the carbonyl of the
 125 aniline moiety with alkyl, alkenyl, carboalkoxy, cycloalkyl,
 126 methoxyalkyl, cyanoalkyl, or aryl groups, or furanyl,
 127 dihydrofuranyl, benzyl moiety, or rings containing heteroatoms
 128 sulfur, oxygen, or nitrogen;

129 b. With or without substitution at the piperidine amino
 130 moiety with a phenethyl, benzyl, alkylaryl (including
 131 heteroaromatics), alkyltetrazolyl ring, or an alkyl or
 132 carbomethoxy group, whether or not further substituted in the
 133 ring or group;

134 c. With or without substitution or addition to the
 135 piperidine ring to any extent with one or more methyl,
 136 carbomethoxy, methoxy, methoxymethyl, aryl, allyl, or ester
 137 groups;

138 d. With or without substitution of one or more hydrogen
 139 atoms for halogens, or methyl, alkyl, or methoxy groups, in the
 140 aromatic ring of the anilide moiety;

141 e. With or without substitution at the alpha or beta
 142 position of the piperidine ring with alkyl, hydroxyl, or methoxy
 143 groups;

144 f. With or without substitution of the benzene ring of the
 145 anilide moiety for an aromatic heterocycle; and

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146 g. With or without substitution of the piperidine ring for
 147 a pyrrolidine ring, perhydroazepine ring, or azepine ring;
 148
 149 excluding, Alfentanil, Carfentanil, Fentanyl, and Sufentanil;
 150 including, but not limited to:
 151 (I) Acetyl-alpha-methylfentanyl.
 152 (II) Alpha-methylfentanyl (N-[1-(alpha-methyl-betaphenyl)
 153 ethyl-4-piperidyl] propionanilide; 1-(1-methyl-2-phenylethyl)-4-
 154 (N-propanilido) piperidine).
 155 (III) Alpha-methylthiofentanyl.
 156 (IV) Benzylfentanyl.
 157 (V) Beta-hydroxyfentanyl.
 158 (VI) Beta-hydroxy-3-methylfentanyl.
 159 (VII) 3-Methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-
 160 piperidyl]-N-phenylpropanamide).
 161 (VIII) 3-Methylthiofentanyl.
 162 (IX) Para-Fluorofentanyl.
 163 (X) Thenylfentanyl or Thienyl fentanyl.
 164 (XI) Thiofentanyl.
 165 (XII) Acetylentanyl.
 166 (XIII) Butyrylfentanyl.
 167 (XIV) Beta-Hydroxythiofentanyl.
 168 (XV) Lofentanil.
 169 (XVI) Ocfentanil.
 170 (XVII) Ohmfentanyl.
 171 (XVIII) Benzodioxolefentanyl.
 172 (XIX) Furanyl fentanyl.
 173 (XX) Pentanoyl fentanyl.
 174 (XXI) Cyclopentyl fentanyl.

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175 (XXII) Isobutyryl fentanyl.
 176 (XXIII) Remifentanil.
 177 64. Nitazene derivatives. Unless specifically excepted,
 178 listed in another schedule, or contained within a pharmaceutical
 179 product approved by the United States Food and Drug
 180 Administration, any material, compound, mixture, or preparation,
 181 including its salts, isomers, esters, or ethers, and salts of
 182 isomers, esters, or ethers, whenever the existence of such salts
 183 is possible within any of the following specific chemical
 184 designations containing a benzimidazole ring with an ethylamine
 185 substitution at the 1-position and a benzyl ring substitution at
 186 the 2-position structure:
 187 a. With or without substitution on the benzimidazole ring
 188 with alkyl, alkoxy, carboalkoxy, amino, nitro, or aryl groups,
 189 or halogens;
 190 b. With or without substitution at the ethylamine amino
 191 moiety with alkyl, dialkyl, acetyl, or benzyl groups, whether or
 192 not further substituted in the ring system;
 193 c. With or without inclusion of the ethylamine amino moiety
 194 in a cyclic structure;
 195 d. With or without substitution of the benzyl ring; or
 196 e. With or without replacement of the benzyl ring with an
 197 aromatic ring, including, but not limited to:
 198 (I) Butonitazene.
 199 (II) Clonitazene.
 200 (III) Etodesnitazene.
 201 (IV) Etonitazene.
 202 (V) Flunitazene.
 203 (VI) Isotodesnitazene.

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204 (VII) Isotonitazene.
 205 (VIII) Metodesnitazene.
 206 (IX) Metonitazene.
 207 (X) Nitazene.
 208 (XI) N-Desethyl Etonitazene.
 209 (XII) N-Desethyl Isotonitazene.
 210 (XIII) N-Piperidino Etonitazene.
 211 (XIV) N-Pyrrolidino Etonitazene.
 212 (XV) Protonitazene.
 213 65. 7-Hydroxymitragynine (methyl (E)-2-[(2S,3S,7aS,12bS)-3-
ethyl-7a-hydroxy-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-
indolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate)
 214 concentrated at a level above 400 parts per million on a dry-
 215 weight basis.
 216 (c) Unless specifically excepted or unless listed in
 217 another schedule, any material, compound, mixture, or
 218 preparation that contains any quantity of the following
 219 hallucinogenic substances or that contains any of their salts,
 220 isomers, including optical, positional, or geometric isomers,
 221 homologues, nitrogen-heterocyclic analogs, esters, ethers, and
 222 salts of isomers, homologues, nitrogen-heterocyclic analogs,
 223 esters, or ethers, if the existence of such salts, isomers, and
 224 salts of isomers is possible within the specific chemical
 225 designation or class description:
 226 1. Alpha-Ethyltryptamine.
 227 2. 4-Methylaminorex (2-Amino-4-methyl-5-phenyl-2-
 228 oxazoline).
 229 3. Aminorex (2-Amino-5-phenyl-2-oxazoline).
 230 4. DOB (4-Bromo-2,5-dimethoxyamphetamine).

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233 5. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
 234 6. Bufotenine.
 235 7. Cannabis.
 236 8. Cathinone.
 237 9. DET (Diethyltryptamine).
 238 10. 2,5-Dimethoxyamphetamine.
 239 11. DOET (4-Ethyl-2,5-Dimethoxyamphetamine).
 240 12. DMT (Dimethyltryptamine).
 241 13. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine
 analog of phencyclidine).
 242 14. JB-318 (N-Ethyl-3-piperidyl benzilate).
 243 15. N-Ethylamphetamine.
 244 16. Fenethylline.
 245 17. 3,4-Methylenedioxy-N-hydroxyamphetamine.
 246 18. Ibogaine.
 247 19. LSD (Lysergic acid diethylamide).
 248 20. Mescaline.
 249 21. Methcathinone.
 250 22. 5-Methoxy-3,4-methylenedioxyamphetamine.
 251 23. PMA (4-Methoxyamphetamine).
 252 24. PMMA (4-Methoxymethamphetamine).
 253 25. DOM (4-Methyl-2,5-dimethoxyamphetamine).
 254 26. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
 255 27. MDA (3,4-Methylenedioxyamphetamine).
 256 28. JB-336 (N-Methyl-3-piperidyl benzilate).
 257 29. N,N-Dimethylamphetamine.
 258 30. Parahexyl.
 259 31. Peyote.
 260 32. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine

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262 analog of phencyclidine).
 263 33. Psilocybin.
 264 34. Psilocyn.
 265 35. Salvia divinorum, except for any drug product approved
 266 by the United States Food and Drug Administration which contains
 267 Salvia divinorum or its isomers, esters, ethers, salts, and
 268 salts of isomers, esters, and ethers, if the existence of such
 269 isomers, esters, ethers, and salts is possible within the
 270 specific chemical designation.
 271 36. Salvinorin A, except for any drug product approved by
 272 the United States Food and Drug Administration which contains
 273 Salvinorin A or its isomers, esters, ethers, salts, and salts of
 274 isomers, esters, and ethers, if the existence of such isomers,
 275 esters, ethers, and salts is possible within the specific
 276 chemical designation.
 277 37. Xylazine, except for a xylazine animal drug product
approved by the United States Food and Drug Administration and
the use of which conforms to the approved application or is
authorized under 21 U.S.C. s. 360b(a)(4). The manufacture,
importation, distribution, prescribing, or sale of xylazine for
human use is not subject to this exception.
 283 38. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine)
 284 (Thiophene analog of phencyclidine).
 285 39. 3,4,5-Trimethoxyamphetamine.
 286 40. Methylone (3,4-Methylenedioxymethcathinone).
 287 41. MDPV (3,4-Methylenedioxypyrovalerone).
 288 42. Methylmethcathinone.
 289 43. Methoxymethcathinone.
 290 44. Fluoromethcathinone.

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291 45. Methylcathinone.

292 46. CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-yl)phenol) and its dimethyloctyl (C8) homologue.

293 47. HU-210 [(6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol].

294 48. JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).

295 49. JWH-073 (1-Butyl-3-(1-naphthoyl)indole).

296 50. JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole).

297 51. BZP (Benzylpiperazine).

298 52. Fluorophenylpiperazine.

299 53. Methylphenylpiperazine.

300 54. Chlorophenylpiperazine.

301 55. Methoxyphenylpiperazine.

302 56. DBZP (1,4-Dibenzylpiperazine).

303 57. TFMPP (Trifluoromethylphenylpiperazine).

304 58. MBDB (Methylbenzodioxolylbutanamine) or (3,4-Methylenedioxy-N-methylbutanamine).

305 59. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).

306 60. 5-Hydroxy-N-methyltryptamine.

307 61. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).

308 62. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).

309 63. Methyltryptamine.

310 64. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).

311 65. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).

312 66. Tyramine (4-Hydroxyphenethylamine).

313 67. 5-MeO-DiPT (5-Methoxy-N,N-Diisopropyltryptamine).

314 68. DiPT (N,N-Diisopropyltryptamine).

315 69. DPT (N,N-Dipropyltryptamine).

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320 70. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).

321 71. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).

322 72. DOI (4-Iodo-2,5-dimethoxyamphetamine).

323 73. DOC (4-Chloro-2,5-dimethoxyamphetamine).

324 74. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).

325 75. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).

326 76. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).

327 77. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).

328 78. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).

329 79. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).

330 80. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).

331 81. Butylone (3,4-Methylenedioxy-alpha-methylaminobutyrophenone).

332 82. Ethcathinone.

333 83. Ethylone (3,4-Methylenedioxy-N-ethylcathinone).

334 84. Naphyrone (Naphthylpyrovalerone).

335 85. Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone).

336 86. 3,4-Methylenedioxy-N,N-diethylcathinone.

337 87. 3,4-Methylenedioxy-propiophenone.

338 88. 3,4-Methylenedioxy-alpha-bromopropiophenone.

339 89. 3,4-Methylenedioxy-propiophenone-2-oxime.

340 90. 3,4-Methylenedioxy-N-acetylcatinone.

341 91. 3,4-Methylenedioxy-N-acetylmethcathinone.

342 92. 3,4-Methylenedioxy-N-acetylthcathinone.

343 93. Bromomethcathinone.

344 94. Buphedrone (alpha-Methylamino-butyrophenone).

345 95. Eutylone (3,4-Methylenedioxy-alpha-ethylaminobutyrophenone).

346 96. Dimethylcathinone.

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349 97. Dimethylmethcathinone.
 350 98. Penty lone (3,4-Methylenedioxy-alpha-
 351 methylaminovalerophenone).
 352 99. MDPPP (3,4-Methylenedioxy-alpha-
 353 pyrrolidinopropiophenone).
 354 100. MDPBP (3,4-Methylenedioxy-alpha-
 355 pyrrolidinobutyrophenone).
 356 101. MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).
 357 102. MPHP (Methyl-alpha-pyrrolidinohexanophenone).
 358 103. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 359 (Benocyclidine).
 360 104. F-MABP (Fluoromethylaminobutyrophenone).
 361 105. MeO-PBP (Methoxypyrrolidinobutyrophenone).
 362 106. Et-PBP (Ethylpyrrolidinobutyrophenone).
 363 107. 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
 364 108. Me-EABP (Methylethylaminobutyrophenone).
 365 109. Etizolam.
 366 110. PPP (Pyrrolidinopropiophenone).
 367 111. PBP (Pyrrolidinobutyrophenone).
 368 112. PVP (Pyrrolidinovalerophenone) or
 369 (Pyrrolidinopentiophenone).
 370 113. MPPP (Methyl-alpha-pyrrolidinopropiophenone).
 371 114. JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
 372 115. JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
 373 116. JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
 374 117. JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
 375 118. JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
 376 119. JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
 377 120. JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).

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378 121. JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
 379 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
 380 122. JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
 381 123. JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
 382 124. JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
 383 125. JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
 384 126. JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
 385 127. JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
 386 128. JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
 387 129. JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
 388 130. HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
 389 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
 390 ol).
 391 131. HU-308 (((1R,2R,5R)-2-[2,6-Dimethoxy-4-(2-methyloctan-
 392 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl)
 393 methanol).
 394 132. HU-331 (3-Hydroxy-2-[(1R,6R)-3-methyl-6-(1-
 395 methylethene)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
 396 1,4-dione).
 397 133. CB-13 (4-Pentyloxy-1-(1-naphthoyl)naphthalene).
 398 134. CB-25 (N-Cyclopropyl-11-(3-hydroxy-5-pentylphenoxy)-
 399 undecanamide).
 400 135. CB-52 (N-Cyclopropyl-11-(2-hexyl-5-hydroxyphenoxy)-
 401 undecanamide).
 402 136. CP 55,940 (2-[3-Hydroxy-6-propanol-cyclohexyl]-5-(2-
 403 methyloctan-2-yl)phenol).
 404 137. AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).
 405 138. AM-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indole).
 406 139. RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).

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407 140. RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
408 methoxyphenylacetyl)indole).
409 141. WIN55,212-2 ((R)-(+)-[2,3-Dihydro-5-methyl-3-(4-
410 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
411 naphthalenylmethanone).
412 142. WIN55,212-3 [(3S)-2,3-Dihydro-5-methyl-3-(4-
413 morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-
414 naphthalenylmethanone).
415 143. Pentedrone (alpha-Methylaminovalerophenone).
416 144. Fluoroamphetamine.
417 145. Fluoromethamphetamine.
418 146. Methoxetamine.
419 147. Methiopropamine.
420 148. Methylbuphedrone (Methyl-alpha-
421 methylaminobutyrophenone).
422 149. APB ((2-Aminopropyl)benzofuran).
423 150. APDB ((2-Aminopropyl)-2,3-dihydrobenzofuran).
424 151. UR-144 (1-Pentyl-3-(2,2,3,3-
425 tetramethylcyclopropanoyl)indole).
426 152. XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
427 tetramethylcyclopropanoyl)indole).
428 153. Chlоро UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
429 tetramethylcyclopropanoyl)indole).
430 154. AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).
431 155. AM-2233(1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
432 iodobenzoyl)indole).
433 156. STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-
434 carboxamide).
435 157. URB-597 ((3'-(Aminocarbonyl)[1,1'-biphenyl]-3-yl)-

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436 158. URB-602 ([1,1'-Biphenyl]-3-yl-carbamic acid,
437 cyclohexyl ester).
438 159. URB-754 (6-Methyl-2-[(4-methylphenyl)amino]-1-
439 benzoxazin-4-one).
440 160. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
441 161. 2C-H (2,5-Dimethoxyphenethylamine).
442 162. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
443 163. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
444 164. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
445 methoxybenzyl)phenethylamine).
446 165. MDMА (3,4-Methylenedioxymethamphetamine).
447 166. PB-22 (8-Quinolinyl 1-pentylindole-3-carboxylate).
448 167. Fluoro PB-22 (8-Quinolinyl 1-(fluoropentyl)indole-3-
449 carboxylate).
450 168. BB-22 (8-Quinolinyl 1-(cyclohexylmethyl)indole-3-
451 carboxylate).
452 169. Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-
453 3-carboxamide).
454 170. AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
455 pentylindazole-3-carboxamide).
456 171. AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
457 (4-fluorobenzyl)indazole-3-carboxamide).
458 172. ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
459 1-pentylindazole-3-carboxamide).
460 173. Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
461 yl)-1-(fluoropentyl)indole-3-carboxamide).
462 174. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
463 methoxybenzyl)phenethylamine).
464

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465 175. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-methoxybenzyl)]phenethylamine).

466 176. AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).

467 177. FUB-PB-22 (8-Quinolinyl 1-(4-fluorobenzyl)indole-3-carboxylate).

468 178. Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-3-carboxamide).

469 179. Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).

470 180. THJ-2201 (1-(5-Fluoropentyl)-3-(1-naphthoyl)indazole).

471 181. AM-855 ((4aR,12bR)-8-Hexyl-2,5,5-trimethyl-1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol).

472 182. AM-905 ((6aR,9R,10aR)-3-[(E)-Hept-1-enyl]-9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol).

473 183. AM-906 ((6aR,9R,10aR)-3-[(Z)-Hept-1-enyl]-9-(hydroxymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydrobenzo[c]chromen-1-ol).

474 184. AM-2389 ((6aR,9R,10aR)-3-(1-Hexyl-cyclobut-1-yl)-6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-1,9-diol).

475 185. HU-243 ((6aR,8S,9S,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-8,9-ditritio-7,8,10,10a-tetrahydro-6aH-benzo[c]chromen-1-ol).

476 186. HU-336 ((6aR,10aR)-6,6,9-Trimethyl-3-pentyl-6a,7,10,10a-tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione).

477 187. MAPB ((2-Methylaminopropyl)benzofuran).

478 188. 5-IT (2-(1H-Indol-5-yl)-1-methyl-ethylamine).

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494 189. 6-IT (2-(1H-Indol-6-yl)-1-methyl-ethylamine).

495 190. Synthetic Cannabinoids.—Unless specifically excepted or unless listed in another schedule or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation that contains any quantity of a synthetic cannabinoid found to be in any of the following chemical class descriptions, or homologues, nitrogen-heterocyclic analogs, isomers (including optical, positional, or geometric), esters, ethers, salts, and salts of homologues, nitrogen-heterocyclic analogs, isomers, esters, or ethers, whenever the existence of such homologues, nitrogen-heterocyclic analogs, isomers, esters, ethers, salts, and salts of isomers, esters, or ethers is possible within the specific chemical class or designation. Since nomenclature of these synthetically produced cannabinoids is not internationally standardized and may continually evolve, these structures or the compounds of these structures shall be included under this subparagraph, regardless of their specific numerical designation of atomic positions covered, if it can be determined through a recognized method of scientific testing or analysis that the substance contains properties that fit within one or more of the following categories:

516 a. Tetrahydrocannabinols.—Any tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis*, the synthetic equivalents of the substances contained in the plant or in the resinous extracts of the genus *Cannabis*, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity, including, but not limited to, Delta 9 tetrahydrocannabinols and their optical

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523 isomers, Delta 8 tetrahydrocannabinols and their optical
 524 isomers, Delta 6a,10a tetrahydrocannabinols and their optical
 525 isomers, or any compound containing a tetrahydrobenzo[c]chromene
 526 structure with substitution at either or both the 3-position or
 527 9-position, with or without substitution at the 1-position with
 528 hydroxyl or alkoxy groups, including, but not limited to:
 529 (I) Tetrahydrocannabinol.
 530 (II) HU-210 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
 531 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
 532 ol).
 533 (III) HU-211 ((6aS,10aS)-9-(Hydroxymethyl)-6,6-dimethyl-3-
 534 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-
 535 ol).
 536 (IV) JWH-051 ((6aR,10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-
 537 (2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
 538 (V) JWH-133 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methylpentan-
 539 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
 540 (VI) JWH-057 ((6aR,10aR)-6,6,9-Trimethyl-3-(2-methyloctan-
 541 2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
 542 (VII) JWH-359 ((6aR,10aR)-1-Methoxy-6,6,9-trimethyl-3-(2,3-
 543 dimethylpentan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromene).
 544 (VIII) AM-087 ((6aR,10aR)-3-(2-Methyl-6-bromohex-2-yl)-
 545 6,6,9-trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
 546 (IX) AM-411 ((6aR,10aR)-3-(1-Adamantyl)-6,6,9-trimethyl-
 547 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol).
 548 (X) Parahexyl.
 549 b. Naphthoylindoles, Naphthoylindazoles,
 550 Naphthoylcarbazoles, Naphthylmethylinidoles,
 551 Naphthylmethylinidoles, and Naphthylmethylicarbazoles.—Any

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552 compound containing a naphthoylindole, naphthoylindazole,
 553 naphthoylcarbazole, naphthylmethylinidoles,
 554 naphthylmethylinidoles, or naphthylmethylicarbazole structure,
 555 with or without substitution on the indole, indazole, or
 556 carbazole ring to any extent, whether or not substituted on the
 557 naphthyl ring to any extent, including, but not limited to:
 558 (I) JWH-007 (1-Pentyl-2-methyl-3-(1-naphthoyl)indole).
 559 (II) JWH-011 (1-(1-Methylhexyl)-2-methyl-3-(1-
 560 naphthoyl)indole).
 561 (III) JWH-015 (1-Propyl-2-methyl-3-(1-naphthoyl)indole).
 562 (IV) JWH-016 (1-Butyl-2-methyl-3-(1-naphthoyl)indole).
 563 (V) JWH-018 (1-Pentyl-3-(1-naphthoyl)indole).
 564 (VI) JWH-019 (1-Hexyl-3-(1-naphthoyl)indole).
 565 (VII) JWH-020 (1-Heptyl-3-(1-naphthoyl)indole).
 566 (VIII) JWH-022 (1-(4-Pentenyl)-3-(1-naphthoyl)indole).
 567 (IX) JWH-071 (1-Ethyl-3-(1-naphthoyl)indole).
 568 (X) JWH-072 (1-Propyl-3-(1-naphthoyl)indole).
 569 (XI) JWH-073 (1-Butyl-3-(1-naphthoyl)indole).
 570 (XII) JWH-080 (1-Butyl-3-(4-methoxy-1-naphthoyl)indole).
 571 (XIII) JWH-081 (1-Pentyl-3-(4-methoxy-1-naphthoyl)indole).
 572 (XIV) JWH-098 (1-Pentyl-2-methyl-3-(4-methoxy-1-
 573 naphthoyl)indole).
 574 (XV) JWH-116 (1-Pentyl-2-ethyl-3-(1-naphthoyl)indole).
 575 (XVI) JWH-122 (1-Pentyl-3-(4-methyl-1-naphthoyl)indole).
 576 (XVII) JWH-149 (1-Pentyl-2-methyl-3-(4-methyl-1-
 577 naphthoyl)indole).
 578 (XVIII) JWH-164 (1-Pentyl-3-(7-methoxy-1-naphthoyl)indole).
 579 (XIX) JWH-175 (1-Pentyl-3-(1-naphthylmethyl)indole).
 580 (XX) JWH-180 (1-Propyl-3-(4-propyl-1-naphthoyl)indole).

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581 (XXI) JWH-182 (1-Pentyl-3-(4-propyl-1-naphthoyl)indole).
 582 (XXII) JWH-184 (1-Pentyl-3-[(4-methyl)-1-
 583 naphthylmethyl]indole).
 584 (XXIII) JWH-193 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methyl-1-
 585 naphthoyl)indole).
 586 (XXIV) JWH-198 (1-[2-(4-Morpholinyl)ethyl]-3-(4-methoxy-1-
 587 naphthoyl)indole).
 588 (XXV) JWH-200 (1-[2-(4-Morpholinyl)ethyl]-3-(1-
 589 naphthoyl)indole).
 590 (XXVI) JWH-210 (1-Pentyl-3-(4-ethyl-1-naphthoyl)indole).
 591 (XXVII) JWH-387 (1-Pentyl-3-(4-bromo-1-naphthoyl)indole).
 592 (XXVIII) JWH-398 (1-Pentyl-3-(4-chloro-1-naphthoyl)indole).
 593 (XXIX) JWH-412 (1-Pentyl-3-(4-fluoro-1-naphthoyl)indole).
 594 (XXX) JWH-424 (1-Pentyl-3-(8-bromo-1-naphthoyl)indole).
 595 (XXXI) AM-1220 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(1-
 596 naphthoyl)indole).
 597 (XXXII) AM-1235 (1-(5-Fluoropentyl)-6-nitro-3-(1-
 598 naphthoyl)indole).
 599 (XXXIII) AM-2201 (1-(5-Fluoropentyl)-3-(1-
 600 naphthoyl)indole).
 601 (XXXIV) Chloro JWH-018 (1-(Chloropentyl)-3-(1-
 602 naphthoyl)indole).
 603 (XXXV) Bromo JWH-018 (1-(Bromopentyl)-3-(1-
 604 naphthoyl)indole).
 605 (XXXVI) AM-2232 (1-(4-Cyanobutyl)-3-(1-naphthoyl)indole).
 606 (XXXVII) THJ-2201 (1-(5-Fluoropentyl)-3-(1-
 607 naphthoyl)indazole).
 608 (XXXVIII) MAM-2201 (1-(5-Fluoropentyl)-3-(4-methyl-1-
 609 naphthoyl)indole).

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610 (XXXIX) EAM-2201 (1-(5-Fluoropentyl)-3-(4-ethyl-1-
 611 naphthoyl)indole).
 612 (XL) EG-018 (9-Pentyl-3-(1-naphthoyl)carbazole).
 613 (XLI) EG-2201 (9-(5-Fluoropentyl)-3-(1-
 614 naphthoyl)carbazole).
 615 c. Naphthoylpyrroles.—Any compound containing a
 616 naphthoylpyrrole structure, with or without substitution on the
 617 pyrrole ring to any extent, whether or not substituted on the
 618 naphthyl ring to any extent, including, but not limited to:
 619 (I) JWH-030 (1-Pentyl-3-(1-naphthoyl)pyrrole).
 620 (II) JWH-031 (1-Hexyl-3-(1-naphthoyl)pyrrole).
 621 (III) JWH-145 (1-Pentyl-5-phenyl-3-(1-naphthoyl)pyrrole).
 622 (IV) JWH-146 (1-Heptyl-5-phenyl-3-(1-naphthoyl)pyrrole).
 623 (V) JWH-147 (1-Hexyl-5-phenyl-3-(1-naphthoyl)pyrrole).
 624 (VI) JWH-307 (1-Pentyl-5-(2-fluorophenyl)-3-(1-
 625 naphthoyl)pyrrole).
 626 (VII) JWH-309 (1-Pentyl-5-(1-naphthalenyl)-3-(1-
 627 naphthoyl)pyrrole).
 628 (VIII) JWH-368 (1-Pentyl-5-(3-fluorophenyl)-3-(1-
 629 naphthoyl)pyrrole).
 630 (IX) JWH-369 (1-Pentyl-5-(2-chlorophenyl)-3-(1-
 631 naphthoyl)pyrrole).
 632 (X) JWH-370 (1-Pentyl-5-(2-methylphenyl)-3-(1-
 633 naphthoyl)pyrrole).
 634 d. Naphthylmethylenindenes.—Any compound containing a
 635 naphthylmethylenindene structure, with or without substitution
 636 at the 3-position of the indene ring to any extent, whether or
 637 not substituted on the naphthyl ring to any extent, including,
 638 but not limited to, JWH-176 (3-Pentyl-1-

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639 (naphthylmethylene) indene).

640 e. Phenylacetylindoles and Phenylacetylindazoles.—Any
641 compound containing a phenylacetylindole or phenylacetylindazole
642 structure, with or without substitution on the indole or
643 indazole ring to any extent, whether or not substituted on the
644 phenyl ring to any extent, including, but not limited to:
645 (I) JWH-167 (1-Pentyl-3-(phenylacetyl)indole).
646 (II) JWH-201 (1-Pentyl-3-(4-methoxyphenylacetyl)indole).
647 (III) JWH-203 (1-Pentyl-3-(2-chlorophenylacetyl)indole).
648 (IV) JWH-250 (1-Pentyl-3-(2-methoxyphenylacetyl)indole).
649 (V) JWH-251 (1-Pentyl-3-(2-methylphenylacetyl)indole).
650 (VI) JWH-302 (1-Pentyl-3-(3-methoxyphenylacetyl)indole).
651 (VII) Cannabipiperidiethanone.
652 (VIII) RCS-8 (1-(2-Cyclohexylethyl)-3-(2-
653 methoxyphenylacetyl)indole).

654 f. Cyclohexylphenols.—Any compound containing a
655 cyclohexylphenol structure, with or without substitution at the
656 5-position of the phenolic ring to any extent, whether or not
657 substituted on the cyclohexyl ring to any extent, including, but
658 not limited to:
659 (I) CP 47,497 (2-(3-Hydroxycyclohexyl)-5-(2-methyloctan-2-
660 yl)phenol).
661 (II) Cannabicyclohexanol (CP 47,497 dimethyloctyl (C8)
662 homologue).
663 (III) CP-55,940 (2-(3-Hydroxy-6-propanol-cyclohexyl)-5-(2-
664 methyloctan-2-yl)phenol).

665 g. Benzoylindoles and Benzoylindazoles.—Any compound
666 containing a benzoylindole or benzoylindazole structure, with or
667 without substitution on the indole or indazole ring to any

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668 extent, whether or not substituted on the phenyl ring to any
669 extent, including, but not limited to:
670 (I) AM-679 (1-Pentyl-3-(2-iodobenzoyl)indole).
671 (II) AM-694 (1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole).
672 (III) AM-1241 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
673 iodo-5-nitrobenzoyl)indole).
674 (IV) Pravadoline (1-[2-(4-Morpholinyl)ethyl]-2-methyl-3-(4-
675 methoxybenzoyl)indole).
676 (V) AM-2233 (1-[(N-Methyl-2-piperidinyl)methyl]-3-(2-
677 iodobenzoyl)indole).
678 (VI) RCS-4 (1-Pentyl-3-(4-methoxybenzoyl)indole).
679 (VII) RCS-4 C4 homologue (1-Butyl-3-(4-
680 methoxybenzoyl)indole).
681 (VIII) AM-630 (1-[2-(4-Morpholinyl)ethyl]-2-methyl-6-iodo-
682 3-(4-methoxybenzoyl)indole).
683 h. Tetramethylcyclopropanoylindoles and
684 Tetramethylcyclopropanoylindazoles.—Any compound containing a
685 tetramethylcyclopropanoylindole or
686 tetramethylcyclopropanoylindazole structure, with or without
687 substitution on the indole or indazole ring to any extent,
688 whether or not substituted on the tetramethylcyclopropyl group
689 to any extent, including, but not limited to:
690 (I) UR-144 (1-Pentyl-3-(2,2,3,3-
691 tetramethylcyclopropanoyl)indole).
692 (II) XLR11 (1-(5-Fluoropentyl)-3-(2,2,3,3-
693 tetramethylcyclopropanoyl)indole).
694 (III) Chlоро UR-144 (1-(Chloropentyl)-3-(2,2,3,3-
695 tetramethylcyclopropanoyl)indole).
696 (IV) A-796,260 (1-[2-(4-Morpholinyl)ethyl]-3-(2,2,3,3-

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697 tetramethylcyclopropanoyl)indole).

698 (V) A-834, 735 (1-[4-(Tetrahydropyranyl)methyl]-3-(2,2,3,3-

699 tetramethylcyclopropanoyl)indole).

700 (VI) M-144 (1-(5-Fluoropentyl)-2-methyl-3-(2,2,3,3-

701 tetramethylcyclopropanoyl)indole).

702 (VII) FUB-144 (1-(4-Fluorobenzyl)-3-(2,2,3,3-

703 tetramethylcyclopropanoyl)indole).

704 (VIII) FAB-144 (1-(5-Fluoropentyl)-3-(2,2,3,3-

705 tetramethylcyclopropanoyl)indazole).

706 (IX) XLR12 (1-(4,4,4-Trifluorobutyl)-3-(2,2,3,3-

707 tetramethylcyclopropanoyl)indole).

708 (X) AB-005 (1-[(1-Methyl-2-piperidinyl)methyl]-3-(2,2,3,3-

709 tetramethylcyclopropanoyl)indole).

710 i. Adamantoylindoles, Adamantoylindazoles, Adamantylindole

711 carboxamides, and Adamantylindazole carboxamides.—Any compound

712 containing an adamantoyl indole, adamantoyl indazole, adamantyl

713 indole carboxamide, or adamantyl indazole carboxamide structure,

714 with or without substitution on the indole or indazole ring to

715 any extent, whether or not substituted on the adamantyl ring to

716 any extent, including, but not limited to:

717 (I) AKB48 (N-Adamant-1-yl 1-pentylindazole-3-carboxamide).

718 (II) Fluoro AKB48 (N-Adamant-1-yl 1-(fluoropentyl)indazole-

719 3-carboxamide).

720 (III) STS-135 (N-Adamant-1-yl 1-(5-fluoropentyl)indole-3-

721 carboxamide).

722 (IV) AM-1248 (1-(1-Methylpiperidine)methyl-3-(1-

723 adamantoyl)indole).

724 (V) AB-001 (1-Pentyl-3-(1-adamantoyl)indole).

725 (VI) APICA (N-Adamant-1-yl 1-pentylindole-3-carboxamide).

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726 (VII) Fluoro AB-001 (1-(Fluoropentyl)-3-(1-

727 adamantoyl)indole).

728 j. Quinolinylindolecarboxylates,

729 Quinolinylindazolecarboxylates, Quinolinylindolecarboxamides,

730 and Quinolinylindazolecarboxamides.—Any compound containing a

731 quinolinylindole carboxylate, quinolinylindazole carboxylate,

732 isoquinolinylindole carboxylate, isoquinolinylindazole

733 carboxylate, quinolinylindole carboxamide, quinolinylindazole

734 carboxamide, isoquinolinylindole carboxamide, or

735 isoquinolinylindazole carboxamide structure, with or without

736 substitution on the indole or indazole ring to any extent,

737 whether or not substituted on the quinoline or isoquinoline ring

738 to any extent, including, but not limited to:

739 (I) PB-22 (8-Quinolinyl 1-pentylindole-3-carboxylate).

740 (II) Fluoro PB-22 (8-Quinolinyl 1-(fluoropentyl)indole-3-

741 carboxylate).

742 (III) BB-22 (8-Quinolinyl 1-(cyclohexylmethyl)indole-3-

743 carboxylate).

744 (IV) FUB-PB-22 (8-Quinolinyl 1-(4-fluorobenzyl)indole-3-

745 carboxylate).

746 (V) NPB-22 (8-Quinolinyl 1-pentylindazole-3-carboxylate).

747 (VI) Fluoro NPB-22 (8-Quinolinyl 1-(fluoropentyl)indazole-

748 3-carboxylate).

749 (VII) FUB-NPB-22 (8-Quinolinyl 1-(4-fluorobenzyl)indazole-

750 3-carboxylate).

751 (VIII) THJ (8-Quinolinyl 1-pentylindazole-3-carboxamide).

752 (IX) Fluoro THJ (8-Quinolinyl 1-(fluoropentyl)indazole-3-

753 carboxamide).

754 k. Naphthylindolecarboxylates and

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755 Naphthylindazolecarboxylates.—Any compound containing a
 756 naphthylindole carboxylate or naphthylindazole carboxylate
 757 structure, with or without substitution on the indole or
 758 indazole ring to any extent, whether or not substituted on the
 759 naphthyl ring to any extent, including, but not limited to:
 760 (I) NM-2201 (1-Naphthalenyl 1-(5-fluoropentyl)indole-3-
 761 carboxylate).
 762 (II) SDB-005 (1-Naphthalenyl 1-pentylindazole-3-
 763 carboxylate).
 764 (III) Fluoro SDB-005 (1-Naphthalenyl 1-
 765 (fluoropentyl)indazole-3-carboxylate).
 766 (IV) FDU-PB-22 (1-Naphthalenyl 1-(4-fluorobenzyl)indole-3-
 767 carboxylate).
 768 (V) 3-CAF (2-Naphthalenyl 1-(2-fluorophenyl)indazole-3-
 769 carboxylate).
 770 1. Naphthylindole carboxamides and Naphthylindazole
 771 carboxamides.—Any compound containing a naphthylindole
 772 carboxamide or naphthylindazole carboxamide structure, with or
 773 without substitution on the indole or indazole ring to any
 774 extent, whether or not substituted on the naphthyl ring to any
 775 extent, including, but not limited to:
 776 (I) NNEI (N-Naphthalen-1-yl 1-pentylindole-3-carboxamide).
 777 (II) Fluoro-NNEI (N-Naphthalen-1-yl 1-(fluoropentyl)indole-
 778 3-carboxamide).
 779 (III) Chloro-NNEI (N-Naphthalen-1-yl 1-
 780 (chloropentyl)indole-3-carboxamide).
 781 (IV) MN-18 (N-Naphthalen-1-yl 1-pentylindazole-3-
 782 carboxamide).
 783 (V) Fluoro MN-18 (N-Naphthalen-1-yl 1-

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784 (fluoropentyl)indazole-3-carboxamide).
 785 m. Alkylcarbonyl indole carboxamides, Alkylcarbonyl
 786 indazole carboxamides, Alkylcarbonyl indole carboxylates, and
 787 Alkylcarbonyl indazole carboxylates.—Any compound containing an
 788 alkylcarbonyl group, including 1-amino-3-methyl-1-oxobutan-2-yl,
 789 1-methoxy-3-methyl-1-oxobutan-2-yl, 1-amino-1-oxo-3-
 790 phenylpropan-2-yl, 1-methoxy-1-oxo-3-phenylpropan-2-yl, with an
 791 indole carboxamide, indazole carboxamide, indole carboxylate, or
 792 indazole carboxylate, with or without substitution on the indole
 793 or indazole ring to any extent, whether or not substituted on
 794 the alkylcarbonyl group to any extent, including, but not
 795 limited to:
 796 (I) ADBICA, (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-
 797 pentylindole-3-carboxamide).
 798 (II) Fluoro ADBICA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
 799 yl)-1-(fluoropentyl)indole-3-carboxamide).
 800 (III) Fluoro ABICA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 801 (fluoropentyl)indole-3-carboxamide).
 802 (IV) AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 803 pentylindazole-3-carboxamide).
 804 (V) Fluoro AB-PINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-
 805 1-(fluoropentyl)indazole-3-carboxamide).
 806 (VI) ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-
 807 1-pentylindazole-3-carboxamide).
 808 (VII) Fluoro ADB-PINACA (N-(1-Amino-3,3-dimethyl-1-
 809 oxobutan-2-yl)-1-(fluoropentyl)indazole-3-carboxamide).
 810 (VIII) AB-FUBINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 811 (4-fluorobenzyl)indazole-3-carboxamide).
 812 (IX) ADB-FUBINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-

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813 yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
 814 (X) AB-CHMINACA (N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-
 815 (cyclohexylmethyl)indazole-3-carboxamide).
 816 (XI) MA-CHMINACA (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
 817 (cyclohexylmethyl)indazole-3-carboxamide).
 818 (XII) MAB-CHMINACA (N-(1-Amino-3,3-dimethyl-1-oxobutan-2-
 819 yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
 820 (XIII) AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
 821 pentylindazole-3-carboxamide).
 822 (XIV) Fluoro-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-
 823 (fluoropentyl)indazole-3-carboxamide).
 824 (XV) FUB-AMB (N-(1-Methoxy-3-methyl-1-oxobutan-2-yl)-1-(4-
 825 fluorobenzyl)indazole-3-carboxamide).
 826 (XVI) MDMB-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 827 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxamide).
 828 (XVII) MDMB-FUBINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 829 2-yl)-1-(4-fluorobenzyl)indazole-3-carboxamide).
 830 (XVIII) MDMB-CHMICA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 831 2-yl)-1-(cyclohexylmethyl)indole-3-carboxamide).
 832 (XIX) PX-1 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
 833 fluoropentyl)indole-3-carboxamide).
 834 (XX) PX-2 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(5-
 835 fluoropentyl)indazole-3-carboxamide).
 836 (XXI) PX-3 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-
 837 (cyclohexylmethyl)indazole-3-carboxamide).
 838 (XXII) PX-4 (N-(1-Amino-1-oxo-3-phenylpropan-2-yl)-1-(4-
 839 fluorobenzyl)indazole-3-carboxamide).
 840 (XXIII) MO-CHMINACA (N-(1-Methoxy-3,3-dimethyl-1-oxobutan-
 841 2-yl)-1-(cyclohexylmethyl)indazole-3-carboxylate).

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842 n. Cumylindolecarboxamides and Cumylindazolecarboxamides.-
 843 Any compound containing a N-(2-phenylpropan-2-yl) indole
 844 carboxamide or N-(2-phenylpropan-2-yl) indazole carboxamide
 845 structure, with or without substitution on the indole or
 846 indazole ring to any extent, whether or not substituted on the
 847 phenyl ring of the cumyl group to any extent, including, but not
 848 limited to:
 849 (I) CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-pentylindole-3-
 850 carboxamide).
 851 (II) Fluoro CUMYL-PICA (N-(2-Phenylpropan-2-yl)-1-
 852 (fluoropentyl)indole-3-carboxamide).
 853 o. Other Synthetic Cannabinoids.-Any material, compound,
 854 mixture, or preparation that contains any quantity of a
 855 Synthetic Cannabinoid, as described in sub-subparagraphs a.-n.:
 856 (I) With or without modification or replacement of a
 857 carbonyl, carboxamide, alkylene, alkyl, or carboxylate linkage
 858 between either two core rings, or linkage between a core ring
 859 and group structure, with or without the addition of a carbon or
 860 replacement of a carbon;
 861 (II) With or without replacement of a core ring or group
 862 structure, whether or not substituted on the ring or group
 863 structures to any extent; and
 864 (III) Is a cannabinoid receptor agonist, unless
 865 specifically excepted or unless listed in another schedule or
 866 contained within a pharmaceutical product approved by the United
 867 States Food and Drug Administration.
 868 191. Substituted Cathinones.-Unless specifically excepted,
 869 listed in another schedule, or contained within a pharmaceutical
 870 product approved by the United States Food and Drug

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871 Administration, any material, compound, mixture, or preparation,
 872 including its salts, isomers, esters, or ethers, and salts of
 873 isomers, esters, or ethers, whenever the existence of such salts
 874 is possible within any of the following specific chemical
 875 designations:

- 876 a. Any compound containing a 2-amino-1-phenyl-1-propanone
 877 structure;
- 878 b. Any compound containing a 2-amino-1-naphthyl-1-propanone
 879 structure; or
- 880 c. Any compound containing a 2-amino-1-thiophenyl-1-
 881 propanone structure,

882 whether or not the compound is further modified:

883 (I) With or without substitution on the ring system to any
 884 extent with alkyl, alkylthio, thio, fused alkylenedioxy, alkoxy,
 885 haloalkyl, hydroxyl, nitro, fused furan, fused benzofuran, fused
 886 dihydrofuran, fused tetrahydropyran, fused alkyl ring, or halide
 887 substituents;

888 (II) With or without substitution at the 3-propanone
 889 position with an alkyl substituent or removal of the methyl
 890 group at the 3-propanone position;

891 (III) With or without substitution at the 2-amino nitrogen
 892 atom with alkyl, dialkyl, acetyl, or benzyl groups, whether or
 893 not further substituted in the ring system; or

894 (IV) With or without inclusion of the 2-amino nitrogen atom
 895 in a cyclic structure, including, but not limited to:

- 896 (A) Methcathinone.
- 897 (B) Ethcathinone.
- 898 (C) Methylone (3,4-Methylenedioxymethcathinone).

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- 900 (D) 2,3-Methylenedioxymethcathinone.
- 901 (E) MDPV (3,4-Methylenedioxypyrovalerone).
- 902 (F) Methylmethcathinone.
- 903 (G) Methoxymethcathinone.
- 904 (H) Fluoromethcathinone.
- 905 (I) Methylethcathinone.
- 906 (J) Butylone (3,4-Methylenedioxy-alpha-
 907 methylaminobutyrophenone).
- 908 (K) Ethylone (3,4-Methylenedioxy-N-ethylcathinone).
- 909 (L) BMDP (3,4-Methylenedioxy-N-benzylcathinone).
- 910 (M) Naphyrone (Naphthylpyrovalerone).
- 911 (N) Bromomethcathinone.
- 912 (O) Buphedrone (alpha-Methylaminobutyrophenone).
- 913 (P) Eutylone (3,4-Methylenedioxy-alpha-
 914 ethylaminobutyrophenone).
- 915 (Q) Dimethylcathinone.
- 916 (R) Dimethylmethcathinone.
- 917 (S) Pentyalone (3,4-Methylenedioxy-alpha-
 918 methylaminovalerophenone).
- 919 (T) Pentedrone (alpha-Methylaminovalerophenone).
- 920 (U) MDPPP (3,4-Methylenedioxy-alpha-
 921 pyrrolidinopropiophenone).
- 922 (V) MDPBP (3,4-Methylenedioxy-alpha-
 923 pyrrolidinobutyrophenone).
- 924 (W) MPPP (Methyl-alpha-pyrrolidinopropiophenone).
- 925 (X) PPP (Pyrrolidinopropiophenone).
- 926 (Y) PVP (Pyrrolidinovalerophenone) or
 927 (Pyrrolidinopentiophenone).
- 928 (Z) MOPPP (Methoxy-alpha-pyrrolidinopropiophenone).

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929 (AA) MPHP (Methyl-alpha-pyrrolidinohexanophenone).
 930 (BB) F-MABP (Fluoromethylaminobutyrophenone).
 931 (CC) Me-EABP (Methylethylaminobutyrophenone).
 932 (DD) PBP (Pyrrolidinobutyrophenone).
 933 (EE) MeO-PBP (Methoxypyrrolidinobutyrophenone).
 934 (FF) Et-PBP (Ethylpyrrolidinobutyrophenone).
 935 (GG) 3-Me-4-MeO-MCAT (3-Methyl-4-Methoxymethcathinone).
 936 (HH) Dimethylone (3,4-Methylenedioxy-N,N-dimethylcathinone).
 937 (II) 3,4-Methylenedioxy-N,N-diethylcathinone.
 938 (JJ) 3,4-Methylenedioxy-N-acetylcatinone.
 939 (KK) 3,4-Methylenedioxy-N-acetylmethcathinone.
 940 (LL) 3,4-Methylenedioxy-N-acetylethcathinone.
 941 (MM) Methylbuphedrone (Methyl-alpha-methylaminobutyrophenone).
 942 (NN) Methyl-alpha-methylaminohexanophenone.
 943 (OO) N-Ethyl-N-methylcathinone.
 944 (PP) PHP (Pyrrolidinohexanophenone).
 945 (QQ) PV8 (Pyrrolidinoheptanophenone).
 946 (RR) Chloromethcathinone.
 947 (SS) 4-Bromo-2,5-dimethoxy-alpha-aminoacetophenone.
 948 192. Substituted Phenethylamines.—Unless specifically
 949 excepted or unless listed in another schedule, or contained
 950 within a pharmaceutical product approved by the United States
 951 Food and Drug Administration, any material, compound, mixture,
 952 or preparation, including its salts, isomers, esters, or ethers,
 953 and salts of isomers, esters, or ethers, whenever the existence
 954 of such salts is possible within any of the following specific
 955 chemical designations, any compound containing a phenethylamine
 956
 957

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958 structure, without a beta-keto group, and without a benzyl group
 959 attached to the amine group, whether or not the compound is
 960 further modified with or without substitution on the phenyl ring
 961 to any extent with alkyl, alkylthio, nitro, alkoxy, thio,
 962 halide, fused alkyleneoxy, fused furan, fused benzofuran,
 963 fused dihydrofuran, or fused tetrahydropyran substituents,
 964 whether or not further substituted on a ring to any extent, with
 965 or without substitution at the alpha or beta position by any
 966 alkyl substituent, with or without substitution at the nitrogen
 967 atom, and with or without inclusion of the 2-amino nitrogen atom
 968 in a cyclic structure, including, but not limited to:
 969 a. 2C-B (4-Bromo-2,5-dimethoxyphenethylamine).
 970 b. 2C-E (4-Ethyl-2,5-dimethoxyphenethylamine).
 971 c. 2C-T-4 (4-Isopropylthio-2,5-dimethoxyphenethylamine).
 972 d. 2C-C (4-Chloro-2,5-dimethoxyphenethylamine).
 973 e. 2C-T (4-Methylthio-2,5-dimethoxyphenethylamine).
 974 f. 2C-T-2 (4-Ethylthio-2,5-dimethoxyphenethylamine).
 975 g. 2C-T-7 (4-(n)-Propylthio-2,5-dimethoxyphenethylamine).
 976 h. 2C-I (4-Iodo-2,5-dimethoxyphenethylamine).
 977 i. 2C-D (4-Methyl-2,5-dimethoxyphenethylamine).
 978 j. 2C-H (2,5-Dimethoxyphenethylamine).
 979 k. 2C-N (4-Nitro-2,5-dimethoxyphenethylamine).
 980 l. 2C-P (4-(n)-Propyl-2,5-dimethoxyphenethylamine).
 981 m. MDMA (3,4-Methylenedioxymethamphetamine).
 982 n. MBDB (Methylbenzodioxolylbutanamine) or (3,4-Methylenedioxy-N-methylbutanamine).
 983 o. MDA (3,4-Methylenedioxymphetamine).
 984 p. 2,5-Dimethoxyamphetamine.
 985 q. Fluoroamphetamine.

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987 r. Fluoromethamphetamine.
 988 s. MDEA (3,4-Methylenedioxy-N-ethylamphetamine).
 989 t. DOB (4-Bromo-2,5-dimethoxyamphetamine).
 990 u. DOC (4-Chloro-2,5-dimethoxyamphetamine).
 991 v. DOET (4-Ethyl-2,5-dimethoxyamphetamine).
 992 w. DOI (4-Iodo-2,5-dimethoxyamphetamine).
 993 x. DOM (4-Methyl-2,5-dimethoxyamphetamine).
 994 y. PMA (4-Methoxyamphetamine).
 995 z. N-Ethylamphetamine.
 996 aa. 3,4-Methylenedioxy-N-hydroxyamphetamine.
 997 bb. 5-Methoxy-3,4-methylenedioxyamphetamine.
 998 cc. PMMA (4-Methoxymethamphetamine).
 999 dd. N,N-Dimethylamphetamine.
 1000 ee. 3,4,5-Trimethoxyamphetamine.
 1001 ff. 4-APB (4-(2-Aminopropyl)benzofuran).
 1002 gg. 5-APB (5-(2-Aminopropyl)benzofuran).
 1003 hh. 6-APB (6-(2-Aminopropyl)benzofuran).
 1004 ii. 7-APB (7-(2-Aminopropyl)benzofuran).
 1005 jj. 4-APDB (4-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1006 kk. 5-APDB (5-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1007 ll. 6-APDB (6-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1008 mm. 7-APDB (7-(2-Aminopropyl)-2,3-dihydrobenzofuran).
 1009 nn. 4-MAPB (4-(2-Methylaminopropyl)benzofuran).
 1010 oo. 5-MAPB (5-(2-Methylaminopropyl)benzofuran).
 1011 pp. 6-MAPB (6-(2-Methylaminopropyl)benzofuran).
 1012 qq. 7-MAPB (7-(2-Methylaminopropyl)benzofuran).
 1013 rr. 5-EAPB (5-(2-Ethylaminopropyl)benzofuran).
 1014 ss. 5-MAPDB (5-(2-Methylaminopropyl)-2,3-dihydrobenzofuran),

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1016
 1017 which does not include phenethylamine, mescaline as described in
 1018 subparagraph 20., substituted cathinones as described in
 1019 subparagraph 191., N-Benzyl phenethylamine compounds as
 1020 described in subparagraph 193., or methamphetamine as described
 1021 in subparagraph (2)(c)5.
 1022 193. N-Benzyl Phenethylamine Compounds.—Unless specifically
 1023 excepted or unless listed in another schedule, or contained
 1024 within a pharmaceutical product approved by the United States
 1025 Food and Drug Administration, any material, compound, mixture,
 1026 or preparation, including its salts, isomers, esters, or ethers,
 1027 and salts of isomers, esters, or ethers, whenever the existence
 1028 of such salts is possible within any of the following specific
 1029 chemical designations, any compound containing a phenethylamine
 1030 structure without a beta-keto group, with substitution on the
 1031 nitrogen atom of the amino group with a benzyl substituent, with
 1032 or without substitution on the phenyl or benzyl ring to any
 1033 extent with alkyl, alkoxy, thio, alkylthio, halide, fused
 1034 alkylenedioxy, fused furan, fused benzofuran, or fused
 1035 tetrahydropyran substituents, whether or not further substituted
 1036 on a ring to any extent, with or without substitution at the
 1037 alpha position by any alkyl substituent, including, but not
 1038 limited to:
 1039 a. 25B-NBOMe (4-Bromo-2,5-dimethoxy-[N-(2-
 1040 methoxybenzyl)]phenethylamine).
 1041 b. 25B-NBOH (4-Bromo-2,5-dimethoxy-[N-(2-
 1042 hydroxybenzyl)]phenethylamine).
 1043 c. 25B-NBF (4-Bromo-2,5-dimethoxy-[N-(2-
 1044 fluorobenzyl)]phenethylamine).

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1045 d. 25B-NBMD (4-Bromo-2,5-dimethoxy-[N-(2,3-
1046 methylenedioxybenzyl)]phenethylamine).
1047 e. 25I-NBOMe (4-Iodo-2,5-dimethoxy-[N-(2-
1048 methoxybenzyl)]phenethylamine).
1049 f. 25I-NBOH (4-Iodo-2,5-dimethoxy-[N-(2-
1050 hydroxybenzyl)]phenethylamine).
1051 g. 25I-NBF (4-Iodo-2,5-dimethoxy-[N-(2-
1052 fluorobenzyl)]phenethylamine).
1053 h. 25I-NBMD (4-Iodo-2,5-dimethoxy-[N-(2,3-
1054 methylenedioxybenzyl)]phenethylamine).
1055 i. 25T2-NBOMe (4-Methylthio-2,5-dimethoxy-[N-(2-
1056 methoxybenzyl)]phenethylamine).
1057 j. 25T4-NBOMe (4-Isopropylthio-2,5-dimethoxy-[N-(2-
1058 methoxybenzyl)]phenethylamine).
1059 k. 25T7-NBOMe (4-(n)-Propylthio-2,5-dimethoxy-[N-(2-
1060 methoxybenzyl)]phenethylamine).
1061 l. 25C-NBOMe (4-Chloro-2,5-dimethoxy-[N-(2-
1062 methoxybenzyl)]phenethylamine).
1063 m. 25C-NBOH (4-Chloro-2,5-dimethoxy-[N-(2-
1064 hydroxybenzyl)]phenethylamine).
1065 n. 25C-NBF (4-Chloro-2,5-dimethoxy-[N-(2-
1066 fluorobenzyl)]phenethylamine).
1067 o. 25C-NBMD (4-Chloro-2,5-dimethoxy-[N-(2,3-
1068 methylenedioxybenzyl)]phenethylamine).
1069 p. 25H-NBOMe (2,5-Dimethoxy-[N-(2-
1070 methoxybenzyl)]phenethylamine).
1071 q. 25H-NBOH (2,5-Dimethoxy-[N-(2-
1072 hydroxybenzyl)]phenethylamine).
1073 r. 25H-NBF (2,5-Dimethoxy-[N-(2-

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1074 fluorobenzyl)]phenethylamine).
1075 s. 25D-NBOMe (4-Methyl-2,5-dimethoxy-[N-(2-
1076 methoxybenzyl)]phenethylamine),
1077 which does not include substituted cathinones as described in
1078 subparagraph 191.
1079 194. Substituted Tryptamines.—Unless specifically excepted
1080 or unless listed in another schedule, or contained within a
1081 pharmaceutical product approved by the United States Food and
1082 Drug Administration, any material, compound, mixture, or
1083 preparation containing a 2-(1H-indol-3-yl)ethanamine, for
1084 example tryptamine, structure with or without mono- or di-
1085 substitution of the amine nitrogen with alkyl or alkenyl groups,
1086 or by inclusion of the amino nitrogen atom in a cyclic
1087 structure, whether or not substituted at the alpha position with
1088 an alkyl group, whether or not substituted on the indole ring to
1089 any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy
1090 groups, including, but not limited to:
1091 a. Alpha-Ethyltryptamine.
1092 b. Bufotenine.
1093 c. DET (Diethyltryptamine).
1094 d. DMT (Dimethyltryptamine).
1095 e. MET (N-Methyl-N-ethyltryptamine).
1096 f. DALT (N,N-Diallyltryptamine).
1097 g. EiPT (N-Ethyl-N-isopropyltryptamine).
1098 h. MiPT (N-Methyl-N-isopropyltryptamine).
1099 i. 5-Hydroxy-AMT (5-Hydroxy-alpha-methyltryptamine).
1100 j. 5-Hydroxy-N-methyltryptamine.
1101 k. 5-MeO-MiPT (5-Methoxy-N-methyl-N-isopropyltryptamine).
1102

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1103 1. 5-MeO-AMT (5-Methoxy-alpha-methyltryptamine).
 1104 m. Methyltryptamine.
 1105 n. 5-MeO-DMT (5-Methoxy-N,N-dimethyltryptamine).
 1106 o. 5-Me-DMT (5-Methyl-N,N-dimethyltryptamine).
 1107 p. 5-MeO-DiPT (5-Methoxy-N,N-diisopropyltryptamine).
 1108 q. DiPT (N,N-Diisopropyltryptamine).
 1109 r. DPT (N,N-Dipropyltryptamine).
 1110 s. 4-Hydroxy-DiPT (4-Hydroxy-N,N-diisopropyltryptamine).
 1111 t. 5-MeO-DALT (5-Methoxy-N,N-Diallyltryptamine).
 1112 u. 4-AcO-DMT (4-Acetoxy-N,N-dimethyltryptamine).
 1113 v. 4-AcO-DiPT (4-Acetoxy-N,N-diisopropyltryptamine).
 1114 w. 4-Hydroxy-DET (4-Hydroxy-N,N-diethyltryptamine).
 1115 x. 4-Hydroxy-MET (4-Hydroxy-N-methyl-N-ethyltryptamine).
 1116 y. 4-Hydroxy-MiPT (4-Hydroxy-N-methyl-N-
 1117 isopropyltryptamine).
 1118 z. Methyl-alpha-ethyltryptamine.
 1119 aa. Bromo-DALT (Bromo-N,N-diallyltryptamine),
 1120 which does not include tryptamine, psilocyn as described in
 1121 subparagraph 34., or psilocybin as described in subparagraph 33.
 1122 195. Substituted Phenylcyclohexylamines.—Unless
 1123 specifically excepted or unless listed in another schedule, or
 1124 contained within a pharmaceutical product approved by the United
 1125 States Food and Drug Administration, any material, compound,
 1126 mixture, or preparation containing a phenylcyclohexylamine
 1127 structure, with or without any substitution on the phenyl ring,
 1128 any substitution on the cyclohexyl ring, any replacement of the
 1129 phenyl ring with a thiophenyl or benzothiophenyl ring, with or
 1130 without substitution on the amine with alkyl, dialkyl, or alkoxy

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1132 substituents, inclusion of the nitrogen in a cyclic structure,
 1133 or any combination of the above, including, but not limited to:
 1134 a. BTCP (Benzothiophenylcyclohexylpiperidine) or BCP
 1135 (Benocyclidine).
 1136 b. PCE (N-Ethyl-1-phenylcyclohexylamine) (Ethylamine analog
 1137 of phencyclidine).
 1138 c. PCPY (N-(1-Phenylcyclohexyl)-pyrrolidine) (Pyrrolidine
 1139 analog of phencyclidine).
 1140 d. PCPr (Phenylcyclohexylpropylamine).
 1141 e. TCP (1-[1-(2-Thienyl)-cyclohexyl]-piperidine) (Thiophene
 1142 analog of phencyclidine).
 1143 f. PCEEA (Phenylcyclohexyl(ethoxyethylamine)).
 1144 g. PCMPA (Phenylcyclohexyl(methoxypropylamine)).
 1145 h. Methoxetamine.
 1146 i. 3-Methoxy-PCE ((3-Methoxyphenyl)cyclohexylethylamine).
 1147 j. Bromo-PCP ((Bromophenyl)cyclohexylpiperidine).
 1148 k. Chloro-PCP ((Chlorophenyl)cyclohexylpiperidine).
 1149 l. Fluoro-PCP ((Fluorophenyl)cyclohexylpiperidine).
 1150 m. Hydroxy-PCP ((Hydroxyphenyl)cyclohexylpiperidine).
 1151 n. Methoxy-PCP ((Methoxyphenyl)cyclohexylpiperidine).
 1152 o. Methyl-PCP ((Methylphenyl)cyclohexylpiperidine).
 1153 p. Nitro-PCP ((Nitrophenyl)cyclohexylpiperidine).
 1154 q. Oxo-PCP ((Oxophenyl)cyclohexylpiperidine).
 1155 r. Amino-PCP ((Aminophenyl)cyclohexylpiperidine).
 1156 196. W-15, 4-chloro-N-[1-(2-phenylethyl)-2-
 1157 piperidinylidene]-benzenesulfonamide.
 1158 197. W-18, 4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-
 1159 piperidinylidene]-benzenesulfonamide.
 1160 198. AH-7921, 3,4-dichloro-N-[1-

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1161 (dimethylamino)cyclohexyl]methyl]-benzamide.

1162 199. U47700, trans-3,4-dichloro-N-[2-

1163 (dimethylamino)cyclohexyl]-N-methyl-benzamide.

1164 200. MT-45, 1-cyclohexyl-4-(1,2-diphenylethyl)-piperazine,

1165 dihydrochloride.

1166 Section 2. Paragraph (i) of subsection (1) of section

1167 893.13, Florida Statutes, is amended to read:

1168 893.13 Prohibited acts; penalties.—

1169 (1)

1170 (i) Except as authorized by this chapter, a person commits

1171 a felony of the first degree, punishable as provided in s.

1172 775.082, s. 775.083, or s. 775.084, and must be sentenced to a

1173 mandatory minimum term of imprisonment of 3 years, if:

1174 1. The person sells, manufactures, or delivers, or

1175 possesses with intent to sell, manufacture, or deliver, any of

1176 the following:

1177 a. Alfentanil, as described in s. 893.03(2)(b)1.;

1178 b. Carfentanil, as described in s. 893.03(2)(b)6.;

1179 c. Fentanyl, as described in s. 893.03(2)(b)9.;

1180 d. Sufentanil, as described in s. 893.03(2)(b)30.;

1181 e. A fentanyl derivative, as described in s.

1182 893.03(1)(a)63.;

1183 f. Xylazine, as described in s. 893.03(1)(c)37.;

1184 g. A controlled substance analog, as described in s.

1185 893.0356, of any substance described in sub-subparagraphs a.-f.

1186 ~~a.-e.~~; or

1187 h.g. A mixture containing any substance described in sub-

1188 subparagraphs a.-g. a.-f.; and

1189 2. The substance or mixture listed in subparagraph 1. is in

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1190 a form that resembles, or is mixed, granulated, absorbed, spray-dried, or aerosolized as or onto, coated on, in whole or in

1191 part, or solubilized with or into, a product, when such product

1192 or its packaging further has at least one of the following

1193 attributes:

1194 a. Resembles the trade dress of a branded food product,

1195 consumer food product, or logo food product;

1196 b. Incorporates an actual or fake registered copyright,

1197 service mark, or trademark;

1198 c. Resembles candy, cereal, a gummy, a vitamin, or a

1199 chewable product, such as a gum or gelatin-based product; or

1200 d. Contains a cartoon character imprint.

1201 Section 3. Paragraph (c) of subsection (1) of section

1202 893.135, Florida Statutes, is amended to read:

1203 893.135 Trafficking; mandatory sentences; suspension or

1204 reduction of sentences; conspiracy to engage in trafficking.—

1205 (1) Except as authorized in this chapter or in chapter 499

1206 and notwithstanding the provisions of s. 893.13:

1207 (c)1. A person who knowingly sells, purchases,

1208 manufactures, delivers, or brings into this state, or who is

1209 knowingly in actual or constructive possession of, 4 grams or

1210 more of any morphine, opium, hydromorphone, or any salt,

1211 derivative, isomer, or salt of an isomer thereof, including

1212 heroin, as described in s. 893.03(1)(b), (2)(a), (3)(c)3., or

1213 (3)(c)4., or 4 grams or more of any mixture containing any such

1214 substance, but less than 30 kilograms of such substance or

1215 mixture, commits a felony of the first degree, which felony

1216 shall be known as "trafficking in illegal drugs," punishable as

1217 provided in s. 775.082, s. 775.083, or s. 775.084. If the

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1219 quantity involved:

1220 a. Is 4 grams or more, but less than 14 grams, such person
shall be sentenced to a mandatory minimum term of imprisonment
of 3 years and shall be ordered to pay a fine of \$50,000.

1221 b. Is 14 grams or more, but less than 28 grams, such person
shall be sentenced to a mandatory minimum term of imprisonment
of 15 years and shall be ordered to pay a fine of \$100,000.

1222 c. Is 28 grams or more, but less than 30 kilograms, such person
shall be sentenced to a mandatory minimum term of
imprisonment of 25 years and shall be ordered to pay a fine of
\$500,000.

1223 2. A person who knowingly sells, purchases, manufactures,
delivers, or brings into this state, or who is knowingly in
actual or constructive possession of, 28 grams or more of
hydrocodone, as described in s. 893.03(2)(a)1.k., codeine, as
described in s. 893.03(2)(a)1.g., or any salt thereof, or 28
grams or more of any mixture containing any such substance,
commits a felony of the first degree, which felony shall be
known as "trafficking in hydrocodone," punishable as provided in
s. 775.082, s. 775.083, or s. 775.084. If the quantity involved:
1224 a. Is 28 grams or more, but less than 50 grams, such person
shall be sentenced to a mandatory minimum term of imprisonment
of 3 years and shall be ordered to pay a fine of \$50,000.

1225 b. Is 50 grams or more, but less than 100 grams, such person
shall be sentenced to a mandatory minimum term of
imprisonment of 7 years and shall be ordered to pay a fine of
\$100,000.

1226 c. Is 100 grams or more, but less than 300 grams, such person
shall be sentenced to a mandatory minimum term of

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1248 imprisonment of 15 years and shall be ordered to pay a fine of
\$500,000.

1249 d. Is 300 grams or more, but less than 30 kilograms, such person
shall be sentenced to a mandatory minimum term of
imprisonment of 25 years and shall be ordered to pay a fine of
\$750,000.

1250 3. A person who knowingly sells, purchases, manufactures,
delivers, or brings into this state, or who is knowingly in
actual or constructive possession of, 7 grams or more of
oxycodone, as described in s. 893.03(2)(a)1.q., or any salt
thereof, or 7 grams or more of any mixture containing any such
substance, commits a felony of the first degree, which felony
shall be known as "trafficking in oxycodone," punishable as
provided in s. 775.082, s. 775.083, or s. 775.084. If the
quantity involved:
1251 a. Is 7 grams or more, but less than 14 grams, such person
shall be sentenced to a mandatory minimum term of imprisonment
of 3 years and shall be ordered to pay a fine of \$50,000.

1252 b. Is 14 grams or more, but less than 25 grams, such person
shall be sentenced to a mandatory minimum term of imprisonment
of 7 years and shall be ordered to pay a fine of \$100,000.

1253 c. Is 25 grams or more, but less than 100 grams, such person
shall be sentenced to a mandatory minimum term of
imprisonment of 15 years and shall be ordered to pay a fine of
\$500,000.

1254 d. Is 100 grams or more, but less than 30 kilograms, such person
shall be sentenced to a mandatory minimum term of
imprisonment of 25 years and shall be ordered to pay a fine of
\$750,000.

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1277 4.a. A person who knowingly sells, purchases, manufactures,
 1278 delivers, or brings into this state, or who is knowingly in
 1279 actual or constructive possession of, 4 grams or more of:
 1280 (I) Alfentanil, as described in s. 893.03(2)(b)1.;
 1281 (II) Carfentanil, as described in s. 893.03(2)(b)6.;
 1282 (III) Fentanyl, as described in s. 893.03(2)(b)9.;
 1283 (IV) Sufentanil, as described in s. 893.03(2)(b)30.;
 1284 (V) A fentanyl derivative, as described in s.
 1285 893.03(1)(a)63.;
 1286 (VI) A controlled substance analog, as described in s.
 1287 893.0356, of any substance described in sub-sub-subparagraphs
 1288 (I)-(V); or
 1289 (VII) A mixture containing any substance described in sub-
 1290 sub-subparagraphs (I)-(VI),
 1291
 1292 commits a felony of the first degree, which felony shall be
 1293 known as "trafficking in dangerous fentanyl or fentanyl
 1294 analogues," punishable as provided in s. 775.082, s. 775.083, or
 1295 s. 775.084.
 1296 b. If the quantity involved under sub-subparagraph a.:
 1297 (I) Is 4 grams or more, but less than 14 grams, such person
 1298 shall be sentenced to a mandatory minimum term of imprisonment
 1299 of 7 years, and shall be ordered to pay a fine of \$50,000.
 1300 (II) Is 14 grams or more, but less than 28 grams, such
 1301 person shall be sentenced to a mandatory minimum term of
 1302 imprisonment of 20 years, and shall be ordered to pay a fine of
 1303 \$100,000.
 1304 (III) Is 28 grams or more, such person shall be sentenced
 1305 to a mandatory minimum term of imprisonment of 25 years, and

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2026432__

1306 shall be ordered to pay a fine of \$500,000.
 1307 c. A person 18 years of age or older who violates sub-
 1308 subparagraph a. by knowingly selling or delivering to a minor at
 1309 least 4 grams of a substance or mixture listed in sub-
 1310 subparagraph a. shall be sentenced to a mandatory minimum term
 1311 of not less than 25 years and not exceeding life imprisonment,
 1312 and shall be ordered to pay a fine of \$1 million if the
 1313 substance or mixture listed in sub-subparagraph a. is in a form
 1314 that resembles, or is mixed, granulated, absorbed, spray-dried,
 1315 or aerosolized as or onto, coated on, in whole or in part, or
 1316 solubilized with or into, a product, when such product or its
 1317 packaging further has at least one of the following attributes:
 1318 (I) Resembles the trade dress of a branded food product,
 1319 consumer food product, or logo food product;
 1320 (II) Incorporates an actual or fake registered copyright,
 1321 service mark, or trademark;
 1322 (III) Resembles candy, cereal, a gummy, a vitamin, or a
 1323 chewable product, such as a gum or gelatin-based product; or
 1324 (IV) Contains a cartoon character imprint.
 1325 5. A person who knowingly sells, purchases, manufactures,
 1326 delivers, or brings into this state, or who is knowingly in
 1327 actual or constructive possession of, 30 kilograms or more of
 1328 any morphine, opium, oxycodone, hydrocodone, codeine,
 1329 hydromorphone, or any salt, derivative, isomer, or salt of an
 1330 isomer thereof, including heroin, as described in s.
 1331 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or 30 kilograms or
 1332 more of any mixture containing any such substance, commits the
 1333 first degree felony of trafficking in illegal drugs. A person
 1334 who has been convicted of the first degree felony of trafficking

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1335 in illegal drugs under this subparagraph shall be punished by
 1336 life imprisonment and is ineligible for any form of
 1337 discretionary early release except pardon or executive clemency
 1338 or conditional medical release under s. 947.149. However, if the
 1339 court determines that, in addition to committing any act
 1340 specified in this paragraph:

1341 a. The person intentionally killed an individual or
 1342 counseled, commanded, induced, procured, or caused the
 1343 intentional killing of an individual and such killing was the
 1344 result; or

1345 b. The person's conduct in committing that act led to a
 1346 natural, though not inevitable, lethal result,

1347 such person commits the capital felony of trafficking in illegal
 1348 drugs, punishable as provided in ss. 775.082 and 921.142. A
 1349 person sentenced for a capital felony under this paragraph shall
 1350 also be sentenced to pay the maximum fine provided under
 1351 subparagraph 1.

1352 6. A person who knowingly brings into this state 60
 1353 kilograms or more of any morphine, opium, oxycodone,
 1354 hydrocodone, codeine, hydromorphone, or any salt, derivative,
 1355 isomer, or salt of an isomer thereof, including heroin, as
 1356 described in s. 893.03(1)(b), (2)(a), (3)(c)3., or (3)(c)4., or
 1357 60 kilograms or more of any mixture containing any such
 1358 substance, and who knows that the probable result of such
 1359 importation would be the death of a person, commits capital
 1360 importation of illegal drugs, a capital felony punishable as
 1361 provided in ss. 775.082 and 921.142. A person sentenced for a
 1362 capital felony under this paragraph shall also be sentenced to

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2026432

1364 pay the maximum fine provided under subparagraph 1.
 1365 7. A person who knowingly sells, purchases, manufactures,
 1366 delivers, or brings into this state, or who is knowingly in
 1367 actual or constructive possession of, 28 grams or more of
 1368 xylazine as described in s. 893.03(1)(c)37. or any salt thereof,
 1369 or 28 grams or more of any mixture containing any such
 1370 substance, commits a felony of the first degree, which felony
 1371 shall be known as "trafficking in xylazine," punishable as
 1372 provided in s. 775.082, s. 775.083, or s. 775.084. If the
 1373 quantity involved:

1374 a. Is 28 grams or more, but less than 100 grams, such
 1375 person shall be sentenced to a mandatory minimum term of
 1376 imprisonment of 3 years and shall be ordered to pay a fine of
 1377 \$100,000.

1378 b. Is 100 grams or more, but less than 200 grams, such
 1379 person shall be sentenced to a mandatory minimum term of
 1380 imprisonment of 7 years and shall be ordered to pay a fine of
 1381 \$100,000.

1382 c. Is 200 grams or more, such person shall be sentenced to
 1383 a mandatory minimum term of imprisonment of 25 years and shall
 1384 be ordered to pay a fine of \$500,000.

1385 Section 4. Except as otherwise expressly provided in this
 1386 act and except for this section, which shall take effect July 1,
 1387 2026, this act shall take effect October 1, 2026.

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The Florida Senate

Committee Agenda Request

To: Senator Jonathan Martin, Chair
Committee on Criminal Justice

Subject: Committee Agenda Request

Date: December 3, 2025

I respectfully request that **Senate Bill #432**, relating to Controlled Substances, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Clay Yarborough

Senator Clay Yarborough
Florida Senate, District 4

SB 432 – Controlled Substances (Similar HB 309)

This bill amends multiple statutes. First, it amends s. 893.03, F.S., adding 7-Hydroxymitragynine...concentrated at a level above 400 parts per million on a dry-weight basis" to the list of Schedule I controlled substances, making it now an offense for the possession, sale, manufacture, delivery, or trafficking of this drug. It then makes an exception for Xylazine, adding "except for a xylazine animal drug product approved by the United States Food and Drug Administration and the use of which conforms to the approved application or is authorized under 21 U.S.C. s. 360b(a)(4). The manufacture, importation, distribution, prescribing, or sale of xylazine for human use is not subject to this exception." It also amends s. 893.13, F.S., adding Xylazine to the Level 7, 1st degree felony 3 year mandatory minimum sentence for when a "person sells, manufactures, or delivers, or possesses with intent to sell, manufacture, or deliver" a specific list of fentanyl-related substances, with Xylazine's derivatives, analogs, and mixtures also included with fentanyl's. Finally, this bill amends s. 893.135, F.S., adding "trafficking in xylazine" for "a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of 28 grams or more of xylazine....or any salt thereof, or 28 grams or more of any mixture containing any such substance," if the quantity involved is:

- 28 grams or more, less than 100 grams – Unranked, 1st degree felony; 3 year mandatory minimum
- 100 grams or more, less than 200 grams – Unranked, 1st degree felony; 7 year mandatory minimum
- 200 grams or more – Unranked, 1st degree felony; 25 year mandatory minimum

Under current law, for similar substances:

- 4 grams or more, less than 14 grams – 3 year mandatory minimum
- 14 grams or more, less than 28 grams – 15 year mandatory minimum
- 28 grams or more, less than 30 kilograms – 25 year mandatory minimum

Per DOC, in FY 24-25, there were 1,159 new commitments to prison for the possession, sale, manufacture, or delivery, or trafficking of various drugs. It is not known how many additional offenders would be incarcerated with the addition of 7-Hydroxymitragynine.

Xylazine is currently included with various other drugs under the sale, manufacturing, delivery, and trafficking statutes. The new language for Xylazine presents language that could both increase the prison population, by adding it to the Level 7, 1st degree 3 year mandatory felony with fentanyl, its derivatives, analogs, and mixtures, but also reduce it by not applying a mandatory minimum sentence for trafficking until it reaches 28 grams. Even though it is not known how many new commitments Xylazine represents, there were 70 new commitments for trafficking below the new threshold, and 362 new

commitments for sale, manufacture, and delivery. The higher number of new commitments make it likely that more offenders involved with Xylazine will be incarcerated, and with the addition of 7-Hydroxymitragynine, the prison population is expected to be pushed in a positive direction, though the number of new inmates cannot be quantified.

EDR PROPOSED ESTIMATE: Positive Indeterminate

Requested by: Senate

The Florida Senate

01/12/2026

Meeting Date

Grand Justice

Committee

Name Molly Hardson

Address 123 W. Indiana Ave

Street

City

State

Zip

Phone 386-214-5536

Email Mhardson@volusiasheriff.gov

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

0432

Bill Number or Topic

Amendment Barcode (if applicable)

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

Volusia Sheriffs Office

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

1/12/26

Meeting Date

CRIMINAL justice

Committee

Name LIBBY Guzzo

Address 400 S. Monroe ST PL-01
Street

Tutu

FL

32399

City

State

Zip

The Florida Senate

APPEARANCE RECORD

432

Bill Number or Topic

Amendment Barcode (if applicable)

850-414-3300

Phone

Email LIBBY.GUZZO@
MYFLORIDALEGAL.COM

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

OFFICE OF ATTORNEY GENERAL

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (f1senate.gov)

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S-001 (08/10/2021)

The Florida Senate

01/12/2026

Meeting Date

APPEARANCE RECORD

SB 432

Bill Number or Topic

Criminal Justice

Committee

Name Bob Cortes

Amendment Barcode (if applicable)
407-840-3435

Address 100 Eslinger Way
Street

Email bcortes@seminolesherriff.org

Sanford

FL

32773

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Seminole County Sheriff's Office

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. 2020-2022JointRules.pdf (flsenate.gov)

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S-001 (08/10/2021)

01/12/26

The Florida Senate

APPEARANCE RECORD

Meeting Date

Committee

Name **Lauren Jackson**

Address **205 S. Adams St.**

Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Seminole County Sheriffs Office

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

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S-001 (08/10/2021)

1/12/2026

Meeting Date

Criminal Justice

Committee

Name Allie McNair

Address 2167 Mahan Drive

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida Sheriffs Association

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

DUPLICATE

432

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 8508772165

Email amcnair@flsheriffs.org

January 12, 2026

Meeting Date

Criminal Justice

Committee

Name **Barney Bishop**

Address **1454 Vieux Carre Drive**

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:		
<input type="checkbox"/> I am appearing without compensation or sponsorship.	<input checked="" type="checkbox"/> I am a registered lobbyist, representing: Florida Smart Justice Alliance	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

DUPLICATE

432

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **8505109922**

Email **barney@barneybishop.com**

~~bthney@BarneyBishop.com~~

1/12/26

Meeting Date

Criminal Justice

Committee

Name

Richard B. Williams

The Florida Senate
APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

432

Bill Number or Topic

Amendment Barcode (if applicable)

Florida Veterinary
Medical Association

Phone 904-588-6612

Address

4958 Maybank Way

Street

Email

W1K9d0e@BellSouth.net

Jacksonville

FL

32220

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:



I am appearing without
compensation or sponsorship.



I am a registered lobbyist,
representing:



I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022JointRules.pdf)

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S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: CS/SB 436

INTRODUCER: Criminal Justice Committee and Senator Leek

SUBJECT: Felony Battery

DATE: January 13, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Vaughan	Stokes	CJ	Fav/CS
2. _____	_____	ACJ	_____
3. _____	_____	RC	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 436 amends s. 784.03, F.S., to expand the list of qualifying prior offenses that allow for the reclassification of misdemeanor battery to a third degree felony. Specifically, the bill adds “*resisting an officer with violence*” under s. 843.01, F.S., to the list of prior convictions that may trigger felony reclassification.

The bill amends s. 775.082, F.S., to add felony battery resulting in bodily injury to the list of qualifying offenses for prison releasee reoffender status.

The bill may have a positive significant impact on the Department of Corrections. *See Section V. Fiscal Impact Statement.*

The bill takes effect July 1, 2026.

II. Present Situation:

Battery

The offense of battery occurs when a person:

- Actually and intentionally touches or strikes another person against the will of the other; or

- Intentionally causes bodily harm to another person.¹

Battery is generally classified as a first degree misdemeanor.² However, if an individual has a prior conviction for battery, aggravated battery, or felony battery and commits any second or subsequent battery offense, they can be charged with a third degree felony.³

The intent required for battery under Florida law is established when a defendant either purposefully touches or strikes another person or engages in conduct knowing that such contact is substantially certain to occur. Courts have clarified that this intent may be inferred from the circumstances surrounding the act rather than requiring direct evidence of purpose. For example, in *Clark v. State*, the court held that battery may occur through the intentional touching or striking of an object so intimately connected to the person that it is regarded as an extension of the person, such as clothing or items held in hand.⁴ Later, in *Fey v. State*, the court expanded the definition of intentional touching or striking to include situations where the defendant knows that contact is substantially certain to result from their actions.⁵ Finally, *S.D. v. State* emphasized that intent to commit battery must be determined by circumstances surrounding the touching or striking of the victim.⁶

The Florida Bar's Florida Standard Criminal Jury Instructions for Battery, provides an instruction to prove the crime of Battery, the State must prove the following element beyond a reasonable doubt:

- the Defendant actually and intentionally touched or struck the victim against his or her will; or
- the Defendant intentionally caused bodily harm to the victim.⁷

Assault or Battery on a Law Enforcement Officers or Other Specified Professional

An offense for assault, aggravated assault, battery, and aggravated battery is reclassified when a person is charged with intentionally committing any of these offenses against an officer or employee who is engaged in engaged in the lawful performance of his or her duties.⁸

Law enforcement officers and specified personnel are currently identified as:

- A law enforcement officer;
- A firefighter;
- An emergency medical care provider;
- A railroad special officer;
- A traffic accident investigation officer;

¹ Section 784.03, F.S.

² A first degree misdemeanor is punishable by not more than a year in county jail and a fine not exceeding \$1,000. Sections 775.082 and 775.083, F.S.

³ Section 784.03(2), F.S.

⁴ *Clark v. State*, 783 So. 2d 967 (Fla. 2001)

⁵ *Fey v. State*, 125 So. 3d 828 (Fla. 4th DCA 2013)

⁶ *S.D. v. State*, 882 So.2d 447 (Fla. 4th DCA 2004)

⁷ Florida Standard Jury Instruction 8.3

⁸ Section 784.07(2), F.S.

- A nonsworn law enforcement agency employee who is certified as an agency inspector, a blood alcohol analyst, or a breath test operator while such employee is in uniform and engaged in processing, testing, evaluating, analyzing, or transporting a person who is detained or under arrest for DUI;
- A law enforcement explorer;
- A traffic infraction enforcement officer;
- A parking enforcement specialist;
- A person licensed as a security officer and wearing a uniform bearing at least one patch or emblem that is visible at all times and clearly identifies the person's employing agency and that the person is a licensed security officer;
- A security officer employed by the board of trustees of a community college;
- A public transit employee or agent; or
- A utility worker is engaged in the lawful performance of his or her duties.⁹

The reclassification of the degree of the offense is as follows:

- In the case of assault, from a second degree misdemeanor to a first degree misdemeanor;
- In the case of battery, from a first degree misdemeanor to a third degree felony;
- In the case of aggravated assault, from a third degree felony to a second degree felony, and any person convicted of aggravated assault upon a law enforcement officer is subject to a mandatory three-year minimum term of imprisonment; and
- In the case of aggravated battery, from a second degree felony to a first degree felony,¹⁰ and any person convicted of aggravated battery of a law enforcement officer is subject to a mandatory five-year minimum term of imprisonment.¹¹

Additionally, if an individual, during the commission of a battery of an officer, possessed:

- A firearm or destructive device, the person is subject to a mandatory minimum term of imprisonment of three years; or
- A semiautomatic firearm and its high-capacity detachable box magazine or a machine gun, the person is subject to a mandatory minimum term of imprisonment of eight years.¹²

Resisting Arrest

A person who knowingly and willfully resists, obstructs, or opposes specified officers by offering or doing violence to the officer, commits a third degree felony.¹³

Officers specified in s. 843.01, F.S., include:

⁹ Section 784.07, F.S.

¹⁰ A first degree felony is generally punishable by not more than 30 years in state prison and a fine not exceeding \$10,000. Sections 775.082 and 775.083, F.S.

¹¹ Section 784.07(2)(a)-(d), F.S.

¹² Section 784.07(3)(a) and (b), F.S. Additionally, adjudication of guilt or imposition of sentence shall not be suspended, deferred, or withheld, and the defendant is not eligible for statutory gain-time or any form of discretionary early release, other than pardon or executive clemency, or conditional medical release, prior to serving the minimum sentence.

Section 784.07(3), F.S.

¹³ Section 843.01, F.S.

- Law enforcement officer, correctional officer, correctional probation officer, part-time law enforcement officer, part-time correctional officer or auxiliary law enforcement officer;¹⁴
- Members of the Florida Commission on Offender Review or any administrative aide or supervisor employed by the commission;
- Parole and probation supervisors;
- County probation officers;
- Personnel or representatives of the Department of Law Enforcement; or
- Other person legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty.

The Florida Bar's Florida Standard Criminal Jury Instructions for Obstruction of Justice, resisting an officer with violence provides an instruction to prove the crime of Resisting Officer with Violence, the State must prove all of the following elements beyond a reasonable doubt:

- The defendant knowingly and willfully resisted, obstructed or opposed the victim by offering to do violence or doing violence to the victim.
- At the time, the victim was engaged in the execution of legal process or lawful execution of a legal duty.
- At the time, the victim was an officer or a person legally authorized to execute process.
- At the time, the defendant knew the victim was an officer or a person legally authorized to execute process.¹⁵

“Offering” to do violence means threatening to do violence.

Florida courts have clarified the scope of intent in resisting and battery-related offenses through several decisions. In *Kirkland v. State*,¹⁶ the court held that verbal threats alone do not constitute “resisting with violence” when the defendant lacks the ability to carry out those threats, as in the case where the defendant was hogtied and physically incapable of acting on them. This illustrates that intent requires more than words, it must be coupled with the capacity to act. In *Frey v. State*,¹⁷ the Florida Supreme Court determined that resisting arrest with violence is not a specific intent crime, meaning the defense of voluntary intoxication does not apply; the offense only requires a general intent to resist, not a heightened mental state. Similarly, in *Wright v. State*¹⁸ (1998), the court recognized that a defendant charged with attempted battery on a law enforcement officer was entitled to a jury instruction on the justifiable use of non-deadly force, reinforcing that intent must be evaluated in light of the circumstances and available defenses. Together, these cases underscore that intent in these circumstances is determined by both the defendant’s ability to act and the surrounding circumstances, rather than requiring proof of a specific purpose.

¹⁴ Section 943.10(1), (2), (3), (6), (7), (8), or (9), F.S.

¹⁵ Florida Standard Jury Instruction 21.1

¹⁶ *Kirkland v State*, 647 So. 2d.142 (Fla. 1994)

¹⁷ *Frey v State*, 708 So.2d 918 (Fla. 1998)

¹⁸ *Wright v State*, 705 So.2d 102 (Fla. 1998)

Sentencing

The Criminal Punishment Code¹⁹ (Code) is Florida's primary sentencing policy. Noncapital felonies sentenced under the Code receive an offense severity level ranking (Levels 1-10).²⁰

The maximum sentence that can be imposed for a criminal offense is generally based on the degree of the misdemeanor or felony:

- Sixty days in a county jail for a second degree misdemeanor;
- One year in a county jail for a first degree misdemeanor;
- Five years in state prison for a third degree felony;
- Fifteen years in state prison for a second degree felony; and
- Generally, 30 years in state prison for a first degree felony.²¹

Offense Severity Ranking Chart

Section 921.0022(1) and (2), F.S., provides the offense severity ranking chart that must be used with the Criminal Punishment Code worksheet to compute a sentence score for each felony offender whose offense was committed on or after October 1, 1998. The chart has 10 offense levels, ranked from least severe to most severe.

Section 921.0023, F.S., provides that until the Legislature specifically assigns an offense to a severity level in the offense severity ranking chart, the severity level is within the following parameters:

- A third degree felony is within offense level 1;
- A second degree felony is within offense level 4;
- A first degree felony is within offense level 7;
- A first degree punishable by life felony is within offense level 9; and
- A life felony is within offense level 10.

A person who commits battery on a law enforcement officer is guilty of a third-degree felony. The offense is ranked as a Level 4 offense on the Criminal Punishment Code Offense Severity Ranking Chart. A third-degree felony is punishable by up to five years in state prison, five years of probation, and a \$5,000 fine.²²

Resisting an officer with violence is classified as a third-degree felony and is ranked as a Level 5 offense on the Criminal Punishment Code Offense Severity Ranking Chart. A third-degree felony is punishable by up to five years in state prison, five years of probation, and a \$5,000 fine.²³

¹⁹ Sections 921.002-921.0027, F.S. See chs. 97-194 and 98-204, L.O.F. The Code is effective for offenses committed on or after October 1, 1998.

²⁰ Offenses are either ranked in the offense severity level ranking chart in section 921.0022, F.S., or are ranked by default based on a ranking assigned to the felony degree of the offense as provided in section 921.0023, F.S.

²¹ Section 775.082, F.S. Fines may also be imposed, and those fines escalate based on the degree of the offense. section 775.083, F.S., provides the following maximum fines; \$500 for a second degree misdemeanor; \$1,000 for a first degree misdemeanor; \$5,000 for a third degree felony; and \$10,000 for a second degree felony and a first degree felony.

²² Section 784.07, F.S.

²³ Section 843.01, F.S.

Enhancement

Florida law authorizes several sentence enhancement provisions for qualifying offenders, including Prison Releasee Reoffender, Habitual Felony Offender, and Violent Career Criminal designations.

Prison Releasee Reoffender

If the state attorney determines that a defendant is a prison releasee reoffender, the state attorney may seek to have the court sentence the defendant as a prison releasee reoffender. Upon proof from the state attorney that establishes by a preponderance of the evidence that a defendant is a prison releasee reoffender, such defendant is not eligible for sentencing under the sentencing guidelines and must be sentenced as follows:

- For a felony punishable by life,²⁴ by a term of imprisonment for life;
- For a first degree felony,²⁵ by a term of imprisonment of 30 years;
- For a second degree felony²⁶, by a term of imprisonment of 15 years; and
- For a third degree felony,²⁷ by a term of imprisonment of 5 years.²⁸

A person sentenced as a prison releasee reoffender can be released only by expiration of sentence and is not be eligible for parole, control release, or any form of early release. A prison releasee reoffender must also serve 100 percent of the court-imposed sentence.²⁹

A “prison releasee reoffender” is a person who has committed or attempted to commit any of the following enumerated offenses within 3 years after being released from a prison sentence:³⁰

- Treason;
- Murder;
- Manslaughter;
- Sexual battery;
- Carjacking;
- Home-invasion robbery;
- Robbery;
- Arson;
- Kidnapping;
- Aggravated assault with deadly weapon;

²⁴ For example, a capital felony is generally punishable by death or life imprisonment, a life felony is generally punishable by life imprisonment or by a term of imprisonment not exceeding 40 years, and a first degree felony may be punishable by a term of years not exceeding life imprisonment when specifically provided by statute. Section 775.082, F.S.

²⁵ The maximum term of imprisonment for a first degree felony is generally 30 years imprisonment. Section 775.082, F.S.

²⁶ The maximum term of imprisonment for a second degree felony is 15 years imprisonment. Section 775.082, F.S.

²⁷ The maximum term of imprisonment for a third degree felony is 5 years imprisonment. Section 775.082, F.S.

²⁸ Section 775.082(9)(a)3., F.S.

²⁹ Section 775.082(9)(b), F.S. Section 775.082(9), F.S., does not prevent a court from imposing a greater sentence of incarceration as authorized by law, pursuant to s. 775.084, F.S., or any other provision of law. Section 775.082(9)(c), F.S.

³⁰ Section 775.082, F.S., states that Florida state or private correctional facility, a county detention facility following incarceration for an offense for which the sentence pronounced was a prison sentence, or a correctional institution of another state, the District of Columbia, the United States, any possession or territory of the United States, or any foreign jurisdiction, following incarceration for an offense for which the sentence is punishable by more than 1 year.

- Aggravated battery;
- Aggravated stalking;
- Aircraft piracy;
- Unlawful throwing, placing, or discharging of a destructive device or bomb;
- Any felony that involves the use or threat of physical force or violence against an individual;
- Armed burglary;
- Burglary of a dwelling or an occupied structure;
- Any violation of s. 790.07, F.S. (felons in possession of firearms);
- Any violation of s. 800.04, F.S. (lewd or lascivious act in the presence of a child);
- Any violation of s. 827.03, F.S. (abuse, aggravated abuse and neglect of a child);
- Any violation of s. 827.071, F.S. (sexual performance by a child); or
- Any violation of s. 847.013(5), F.S. (prohibited computer transmissions constituting lewd exhibition).³¹

Habitual Felony Offender

The Habitual Felony Offender (HFO) statute targets repeat felony offenders who demonstrate a pattern of recidivism, allowing courts to impose longer sentences to protect public safety while preserving judicial discretion. Under current law, a HFO is a defendant for whom the court may impose an extended term of imprisonment. The court may classify a person as a Habitual Felony Offender if it finds that:

- The defendant has two or more felony convictions (or other qualified offenses³²) in this state.
- The felony for which the defendant is to be sentenced was committed:
 - While the defendant was serving a prison sentence or other sentence, or court-ordered or lawfully imposed supervision that is imposed as a result of a prior conviction for a felony or other qualified offense; or
 - Within 5 years of the date of the conviction of the defendant's last prior felony or other qualified offense, or within 5 years of the defendant's release from a prison sentence, probation, community control, control release, conditional release, parole or court-ordered or lawfully imposed supervision or other sentence that is imposed as a result of a prior conviction for a felony or other qualified offense, whichever is later.

The felony for which the defendant is to be sentenced, and one of the two prior felony convictions, is not a violation of s. 893.13, F.S., relating to the purchase or the possession of a controlled substance.

The defendant has not received a pardon for any felony or other qualified offense that is necessary for habitual felony offender designation.³³

If the State pursues the HFO designation and the court finds the criteria met, the court may impose an extended term of imprisonment may sentence the habitual felony offender as follows:

- A life felony or a felony of the first degree, for life.

³¹ Section 775.082, F.S.

³² Section 775.084(1)(a), Florida Statutes, provides that any felony offense qualifies except violations of s. 893.13 relating to the purchase or possession of a controlled substance, which are expressly excluded.

³³ Section 775.084, F.S.

- A felony of the second degree, for a term of years not exceeding 30.
- A felony of the third degree, for a term of years not exceeding 10.

The court retains discretion to decline enhanced sentencing if it determines such punishment is not necessary for the protection of the public, but must provide written reasons for doing so.

Violent Career Criminal

Violent career criminal (VCC) designation targets offenders with a demonstrated pattern of violent criminal behavior and prior incarceration, aiming to incapacitate individuals deemed high-risk for recidivism. A violent career criminal designation applies to defendants who meet all of the following criteria:

- The defendant has three or more prior adult convictions for qualifying offenses, which include:
 - Any forcible felony³⁴
 - Aggravated stalking³⁵
 - Aggravated child abuse³⁶
 - Aggravated abuse of an elderly person or disabled adult³⁷
 - Lewd or lascivious battery, molestation, conduct, or exhibition³⁸
 - Escape³⁹
 - Any felony violation of ch. 790, F.S., involving the use or possession of a firearm.
- The defendant has been incarcerated in a state or federal prison.
- The current felony offense must be one of the enumerated crimes and committed:
 - While serving a sentence or supervision for a prior enumerated felony, or
 - Within 5 years of the last prior conviction or release from incarceration/supervision for an enumerated felony.

In 2007, *State v. Hearns*, the Supreme Court, held that battery on law enforcement officer was not a “forcible felony” that could be used to enhance subsequent felony as violent career criminal.⁴⁰ “Forcible felony” is used in several sentence enhancement statutes, including the Prison Releasee Reoffender, Habitual Felony Offender, and the Violent Career Criminal designation. By excluding battery on a law enforcement officer from this category, the Court limited its use as a qualifying offense for these enhanced sentencing schemes.

³⁴ Section 776.08, F.S., “Forcible felony” means treason; murder; manslaughter; sexual battery; carjacking; home-invasion robbery; robbery; burglary; arson; kidnapping; aggravated assault; aggravated battery; aggravated stalking; aircraft piracy; unlawful throwing, placing, or discharging of a destructive device or bomb; and any other felony which involves the use or threat of physical force or violence against any individual.

³⁵ Section 784.048(3) and (4), F.S.

³⁶ Section 827.03(2)(a), F.S.

³⁷ Section 825.102(2), F.S.

³⁸ Section 800.04 or s. 847.0135(5), F.S.

³⁹ Section 944.40, F.S.

⁴⁰ *State v Hearns*, 961 So.2d 211 (Fla. 2007)

Reclassification

Reclassifying an offense increases the degree of the offense. Typically, the maximum sentence for a criminal offense is determined by the degree of the misdemeanor or felony. The following are the maximum sentences associated with each degree:

- Sixty days in a county jail for a second degree misdemeanor;
- One year in a county jail for a first degree misdemeanor;
- Five years in state prison for a third degree felony;
- Fifteen years in state prison for a second degree felony; and
- Generally, thirty years in state prison for a first degree felony.⁴¹

III. Effect of Proposed Changes:

The bill amends s. 784.03, F.S., to expand the list of qualifying prior offenses that allow for the reclassification of misdemeanor battery to a third degree felony. Specifically, the bill adds “*resisting an officer with violence*” under s. 843.01, F.S., to the list of prior convictions that may trigger felony reclassification.

The bill amends s. 775.082, F.S., to add felony battery resulting in bodily injury to the list of qualifying offenses for prison releasee reoffender status.

The bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁴¹ Section 775.082, F.S. (maximum penalties). Fines may also be imposed, and those fines escalate based on the degree of the offense. Section 775.082, F.S., provides the following maximum fines: \$500 for a second degree misdemeanor; \$1,000 for a first degree misdemeanor; \$5,000 for a third degree felony; and \$10,000 for a second degree felony and a first degree felony.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Legislature's Office of Economic and Demographic Research (EDR) and the Criminal Justice Impact Conference, which provides the final, official estimate of the prison bed impact, if any, of legislation, has determined that the bill may have a positive significant prison bed on the Department of Corrections (DOC). The EDR provides the following additional information regarding its estimate:

- Per FDLE, in FY 24-25, there were 1,138 arrests for the 1st degree misdemeanor under s. 784.03, F.S., with 405 guilty/convicted charges and 70 adjudication withheld charges for those with a prior conviction or adjudication withheld under s. 843.01, F.S.
- Per DOC, the incarceration rate for this felony was between 11% and 15% over the last three fiscal years. This is higher than the incarceration rate for Level 1, 3rd degree felonies in general (9.7% in FY 24-25). However, even with the lowest incarceration rate the number of offenders that would be incarcerated would be above the threshold for significance (25 offenders in a fiscal year).⁴²

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 775.082, 784.03.

This bill reenacts ss. 775.261(2)(a), (4)(g), (8), and (10), 900.05(2)(bb), 903.011(6), 907.041 (5)(c), 943.0584(2), 944.608(1) and (8), 944.609(1), and 944.705(7)(a) and (b), F.S., for the purpose of incorporating the amendment made by this act.

⁴² Office of Economic and Demographic Research, *SB 436- Felony Battery*, (on file with the Senate Committee on Criminal Justice).

IX. Additional Information:

A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on January 12, 2026:

The committee substitute adds felony battery resulting in bodily injury to the list of qualifying offenses for prison releasee reoffender status.

B. **Amendments:**

None.

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



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
	.	
	.	
	.	

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

1 **Senate Amendment (with title amendment)**

2 Between lines 99 and 100

3 insert:

4 Section 3. Paragraph (a) of subsection (9) of section
5 775.082, Florida Statutes, is amended to read:

6 775.082 Penalties; applicability of sentencing structures;
7 mandatory minimum sentences for certain reoffenders previously
8 released from prison.—

9 (9)(a)1. "Prison releasee reoffender" means any defendant



11 who commits, or attempts to commit:

12 a. Treason;

13 b. Murder;

14 c. Manslaughter;

15 d. Sexual battery;

16 e. Carjacking;

17 f. Home-invasion robbery;

18 g. Robbery;

19 h. Arson;

20 i. Kidnapping;

21 j. Aggravated assault with a deadly weapon;

22 k. Aggravated battery;

23 l. Aggravated stalking;

24 m. Aircraft piracy;

25 n. Unlawful throwing, placing, or discharging of a
26 destructive device or bomb;

27 o. Any felony that involves the use or threat of physical
28 force or violence against an individual;

29 p. Armed burglary;

30 q. Burglary of a dwelling or burglary of an occupied
31 structure; ~~or~~

32 r. Any felony violation of s. 790.07, s. 800.04, s. 827.03,
33 s. 827.071, or s. 847.0135(5); or

34 s. Felony battery that results in bodily injury;

35

36 within 3 years after being released from a state correctional
37 facility operated by the Department of Corrections or a private
38 vendor, a county detention facility following incarceration for
39 an offense for which the sentence pronounced was a prison



40 sentence, or a correctional institution of another state, the
41 District of Columbia, the United States, any possession or
42 territory of the United States, or any foreign jurisdiction,
43 following incarceration for an offense for which the sentence is
44 punishable by more than 1 year in this state.

45 2. "Prison releasee reoffender" also means any defendant
46 who commits or attempts to commit any offense listed in sub-
47 subparagraphs 1.a.-s. ~~(a)1.a.-r.~~ while the defendant was serving
48 a prison sentence or on escape status from a state correctional
49 facility operated by the Department of Corrections or a private
50 vendor or while the defendant was on escape status from a
51 correctional institution of another state, the District of
52 Columbia, the United States, any possession or territory of the
53 United States, or any foreign jurisdiction, following
54 incarceration for an offense for which the sentence is
55 punishable by more than 1 year in this state.

56 3. If the state attorney determines that a defendant is a
57 prison releasee reoffender as defined in subparagraph 1., the
58 state attorney may seek to have the court sentence the defendant
59 as a prison releasee reoffender. Upon proof from the state
60 attorney that establishes by a preponderance of the evidence
61 that a defendant is a prison releasee reoffender as defined in
62 this section, such defendant is not eligible for sentencing
63 under the sentencing guidelines and must be sentenced as
64 follows:

65 a. For a felony punishable by life, by a term of
66 imprisonment for life;

67 b. For a felony of the first degree, by a term of
68 imprisonment of 30 years;



69 c. For a felony of the second degree, by a term of
70 imprisonment of 15 years; and

71 d. For a felony of the third degree, by a term of
72 imprisonment of 5 years.

73 Section 4. For the purpose of incorporating the amendment
74 made by this act to section 775.082, Florida Statutes, in
75 references thereto, paragraph (a) of subsection (2), paragraph
76 (g) of subsection (4), and subsections (8) and (10) of section
77 775.261, Florida Statutes, are reenacted to read:

78 775.261 The Florida Career Offender Registration Act.—

79 (2) DEFINITIONS.—As used in this section, the term:

80 (a) "Career offender" means any person who is designated as
81 a habitual violent felony offender, a violent career criminal,
82 or a three-time violent felony offender under s. 775.084 or as a
83 prison releasee reoffender under s. 775.082(9).

84 (4) REGISTRATION.—

85 (g) A career offender who indicates his or her intent to
86 reside in a state or jurisdiction other than the State of
87 Florida and later decides to remain in this state shall, within
88 2 working days after the date upon which the career offender
89 indicated he or she would leave this state, report in person to
90 the sheriff or the department, whichever agency is the agency to
91 which the career offender reported the intended change of
92 residence, of his or her intent to remain in this state. If the
93 sheriff is notified by the career offender that he or she
94 intends to remain in this state, the sheriff shall promptly
95 report this information to the department. A career offender who
96 reports his or her intent to reside in a state or jurisdiction
97 other than the State of Florida, but who remains in this state



98 without reporting to the sheriff or the department in the manner
99 required by this paragraph, commits a felony of the second
100 degree, punishable as provided in s. 775.082, s. 775.083, or s.
101 775.084.

102 (8) PENALTIES.—

103 (a) Except as otherwise specifically provided, a career
104 offender who fails to register; who fails, after registration,
105 to maintain, acquire, or renew a driver license or
106 identification card; who fails to provide required location
107 information or change-of-name information; or who otherwise
108 fails, by act or omission, to comply with the requirements of
109 this section, commits a felony of the third degree, punishable
110 as provided in s. 775.082, s. 775.083, or s. 775.084.

111 (b) Any person who misuses public records information
112 concerning a career offender, as defined in this section, or a
113 career offender, as defined in s. 944.608 or s. 944.609, to
114 secure a payment from such career offender; who knowingly
115 distributes or publishes false information concerning such a
116 career offender which the person misrepresents as being public
117 records information; or who materially alters public records
118 information with the intent to misrepresent the information,
119 including documents, summaries of public records information
120 provided by law enforcement agencies, or public records
121 information displayed by law enforcement agencies on websites or
122 provided through other means of communication, commits a
123 misdemeanor of the first degree, punishable as provided in s.
124 775.082 or s. 775.083.

125 (10) ASSISTING IN NONCOMPLIANCE.—It is a misdemeanor of the
126 first degree, punishable as provided in s. 775.082 or s.



127 775.083, for a person who has reason to believe that a career
128 offender is not complying, or has not complied, with the
129 requirements of this section and who, with the intent to assist
130 the career offender in eluding a law enforcement agency that is
131 seeking to find the career offender to question the career
132 offender about, or to arrest the career offender for, his or her
133 noncompliance with the requirements of this section, to:

134 (a) Withhold information from, or fail to notify, the law
135 enforcement agency about the career offender's noncompliance
136 with the requirements of this section and, if known, the
137 whereabouts of the career offender;

138 (b) Harbor or attempt to harbor, or assist another in
139 harboring or attempting to harbor, the career offender;

140 (c) Conceal or attempt to conceal, or assist another in
141 concealing or attempting to conceal, the career offender; or

142 (d) Provide information to the law enforcement agency
143 regarding the career offender which the person knows to be
144 false.

145 Section 5. For the purpose of incorporating the amendment
146 made by this act to section 775.082, Florida Statutes, in a
147 reference thereto, paragraph (bb) of subsection (2) of section
148 900.05, Florida Statutes, is reenacted to read:

149 900.05 Criminal justice data collection.—

150 (2) DEFINITIONS.—As used in this section, the term:

151 (bb) "Prison releasee reoffender flag" means an indication
152 that the defendant is a prison releasee reoffender as defined in
153 s. 775.082 or any other statute.

154 Section 6. For the purpose of incorporating the amendment
155 made by this act to section 775.082, Florida Statutes, in a



156 reference thereto, subsection (6) of section 903.011, Florida
157 Statutes, is reenacted to read:

158 903.011 Pretrial release; general terms; statewide uniform
159 bond schedule.—

160 (6) A person may not be released before his or her first
161 appearance hearing or bail determination and a judge must
162 determine the appropriate bail, if any, based on an
163 individualized consideration of the criteria in s. 903.046(2),
164 if the person meets any of the following criteria:

165 (a) The person was, at the time of arrest for any felony,
166 on pretrial release, probation, or community control in this
167 state or any other state;

168 (b) The person was, at the time of arrest, designated as a
169 sexual offender or sexual predator in this state or any other
170 state;

171 (c) The person was arrested for violating a protective
172 injunction;

173 (d) The person was, at the time of arrest, on release from
174 supervision under s. 947.1405, s. 947.146, s. 947.149, or s.
175 944.4731;

176 (e) The person has, at any time before the current arrest,
177 been sentenced pursuant to s. 775.082(9) or s. 775.084 as a
178 prison releasee reoffender, habitual violent felony offender,
179 three-time violent felony offender, or violent career criminal;

180 (f) The person has been arrested three or more times in the
181 6 months immediately preceding his or her arrest for the current
182 offense; or

183 (g) The person's current offense of arrest is for one or
184 more of the following crimes:



185 1. A capital felony, life felony, felony of the first
186 degree, or felony of the second degree;

187 2. A homicide under chapter 782; or any attempt,
188 solicitation, or conspiracy to commit a homicide;

189 3. Assault in furtherance of a riot or an aggravated riot;
190 felony battery; domestic battery by strangulation; domestic
191 violence, as defined in s. 741.28; stalking; mob intimidation;
192 assault or battery on a law enforcement officer; assault or
193 battery on juvenile probation officer, or other staff of a
194 detention center or commitment facility, or a staff member of a
195 commitment facility, or health services personnel; assault or
196 battery on a person 65 years of age or older; robbery; burglary;
197 carjacking; or resisting an officer with violence;

198 4. Kidnapping, false imprisonment, human trafficking, or
199 human smuggling;

200 5. Possession of a firearm or ammunition by a felon,
201 violent career criminal, or person subject to an injunction
202 against committing acts of domestic violence, stalking, or
203 cyberstalking;

204 6. Sexual battery; indecent, lewd, or lascivious touching;
205 exposure of sexual organs; incest; luring or enticing a child;
206 or child pornography;

207 7. Abuse, neglect, or exploitation of an elderly person or
208 disabled adult;

209 8. Child abuse or aggravated child abuse;

210 9. Arson; riot, aggravated riot, inciting a riot, or
211 aggravated inciting a riot; or a burglary or theft during a
212 riot;

213 10. Escape; tampering or retaliating against a witness,



214 victim, or informant; destruction of evidence; or tampering with
215 a jury;

216 11. Any offense committed for the purpose of benefiting,
217 promoting, or furthering the interests of a criminal gang;

218 12. Trafficking in a controlled substance, including
219 conspiracy to engage in trafficking in a controlled substance;

220 13. Racketeering; or

221 14. Failure to appear at required court proceedings while
222 on bail.

223 Section 7. For the purpose of incorporating the amendment
224 made by this act to section 775.082, Florida Statutes, in a
225 reference thereto, paragraph (c) of subsection (5) of section
226 907.041, Florida Statutes, is reenacted to read:

227 907.041 Pretrial detention and release.—

228 (5) PRETRIAL DETENTION.—

229 (c) Upon motion by the state attorney, the court may order
230 pretrial detention if it finds a substantial probability, based
231 on a defendant's past and present patterns of behavior, the
232 criteria in s. 903.046, and any other relevant facts, that any
233 of the following circumstances exist:

234 1. The defendant has previously violated conditions of
235 release and that no further conditions of release are reasonably
236 likely to assure the defendant's appearance at subsequent
237 proceedings;

238 2. The defendant, with the intent to obstruct the judicial
239 process, has threatened, intimidated, or injured any victim,
240 potential witness, juror, or judicial officer, or has attempted
241 or conspired to do so, and that no condition of release will
242 reasonably prevent the obstruction of the judicial process;



243 3. The defendant is charged with trafficking in controlled
244 substances as defined by s. 893.135, that there is a substantial
245 probability that the defendant has committed the offense, and
246 that no conditions of release will reasonably assure the
247 defendant's appearance at subsequent criminal proceedings;

248 4. The defendant is charged with DUI manslaughter, as
249 defined by s. 316.193, and that there is a substantial
250 probability that the defendant committed the crime and that the
251 defendant poses a threat of harm to the community; conditions
252 that would support a finding by the court pursuant to this
253 subparagraph that the defendant poses a threat of harm to the
254 community include, but are not limited to, any of the following:

255 a. The defendant has previously been convicted of any crime
256 under s. 316.193, or of any crime in any other state or
257 territory of the United States that is substantially similar to
258 any crime under s. 316.193;

259 b. The defendant was driving with a suspended driver
260 license when the charged crime was committed; or

261 c. The defendant has previously been found guilty of, or
262 has had adjudication of guilt withheld for, driving while the
263 defendant's driver license was suspended or revoked in violation
264 of s. 322.34;

265 5. The defendant poses the threat of harm to the community.
266 The court may so conclude, if it finds that the defendant is
267 presently charged with a dangerous crime, that there is a
268 substantial probability that the defendant committed such crime,
269 that the factual circumstances of the crime indicate a disregard
270 for the safety of the community, and that there are no
271 conditions of release reasonably sufficient to protect the



272 community from the risk of physical harm to persons;

273 6. The defendant was on probation, parole, or other release
274 pending completion of sentence or on pretrial release for a
275 dangerous crime at the time the current offense was committed;

276 7. The defendant has violated one or more conditions of
277 pretrial release or bond for the offense currently before the
278 court and the violation, in the discretion of the court,
279 supports a finding that no conditions of release can reasonably
280 protect the community from risk of physical harm to persons or
281 assure the presence of the accused at trial; or

282 8.a. The defendant has ever been sentenced pursuant to s.
283 775.082(9) or s. 775.084 as a prison releasee reoffender,
284 habitual violent felony offender, three-time violent felony
285 offender, or violent career criminal, or the state attorney
286 files a notice seeking that the defendant be sentenced pursuant
287 to s. 775.082(9) or s. 775.084, as a prison releasee reoffender,
288 habitual violent felony offender, three-time violent felony
289 offender, or violent career criminal;

290 b. There is a substantial probability that the defendant
291 committed the offense; and

292 c. There are no conditions of release that can reasonably
293 protect the community from risk of physical harm or ensure the
294 presence of the accused at trial.

295 Section 8. For the purpose of incorporating the amendment
296 made by this act to section 775.082, Florida Statutes, in
297 references thereto, subsections (1) and (8) of section 944.608,
298 Florida Statutes, are reenacted to read:

299 944.608 Notification to Department of Law Enforcement of
300 information on career offenders.—



288848

301 (1) As used in this section, the term "career offender"
302 means a person who is in the custody or control of, or under the
303 supervision of, the department or is in the custody or control
304 of, or under the supervision of, a contractor-operated
305 correctional facility, and who is designated as a habitual
306 violent felony offender, a violent career criminal, or a three-
307 time violent felony offender under s. 775.084 or as a prison
308 releasee reoffender under s. 775.082(9).

309 (8) The failure of a career offender to submit to the
310 taking of a digitized photograph, or to otherwise comply with
311 the requirements of this section, is a felony of the third
312 degree, punishable as provided in s. 775.082, s. 775.083, or s.
313 775.084.

314 Section 9. For the purpose of incorporating the amendment
315 made by this act to section 775.082, Florida Statutes, in a
316 reference thereto, subsection (1) of section 944.609, Florida
317 Statutes, is reenacted to read:

318 944.609 Career offenders; notification upon release.—

319 (1) As used in this section, the term "career offender"
320 means a person who is in the custody or control of, or under the
321 supervision of, the department or is in the custody or control
322 of, or under the supervision of a contractor-operated
323 correctional facility, who is designated as a habitual violent
324 felony offender, a violent career criminal, or a three-time
325 violent felony offender under s. 775.084 or as a prison releasee
326 reoffender under s. 775.082(9).

327 Section 10. For the purpose of incorporating the amendment
328 made by this act to section 775.082, Florida Statutes, in a
329 reference thereto, paragraphs (a) and (b) of subsection (7) of



330 section 944.705, Florida Statutes, are reenacted to read:
331 944.705 Release orientation program.—
332 (7) (a) The department shall notify every inmate in the
333 inmate's release documents:
334 1. Of all outstanding terms of the inmate's sentence at the
335 time of release to assist the inmate in determining his or her
336 status with regard to the completion of all terms of sentence,
337 as that term is defined in s. 98.0751. This subparagraph does
338 not apply to inmates who are being released from the custody of
339 the department to any type of supervision monitored by the
340 department; and
341 2. In not less than 18-point type, that the inmate may be
342 sentenced pursuant to s. 775.082(9) if the inmate commits any
343 felony offense described in s. 775.082(9) within 3 years after
344 the inmate's release. This notice must be prefaced by the word
345 "WARNING" in boldfaced type.
346 (b) This section does not preclude the sentencing of a
347 person pursuant to s. 775.082(9), and evidence that the
348 department failed to provide this notice does not prohibit a
349 person from being sentenced pursuant to s. 775.082(9). The state
350 is not required to demonstrate that a person received any notice
351 from the department in order for the court to impose a sentence
352 pursuant to s. 775.082(9).
353
354 ===== T I T L E A M E N D M E N T =====
355 And the title is amended as follows:
356 Delete line 10
357 and insert:
358 in a reference thereto; amending s. 775.082, F.S.;



359 revising the definition of "prison releasee
360 reoffender" to include a defendant who commits or
361 attempts to commit felony battery that results in
362 bodily injury; reenacting ss. 775.261(2)(a), (4)(g),
363 (8), and (10), 900.05(2)(bb), 903.011(6), 907.041
364 (5)(c), 944.608(1) and (8), 944.609(1), and
365 944.705(7)(a) and (b), F.S., relating to the Florida
366 Career Offender Registration Act, the definition of
367 the term "prison release reoffender flag," pretrial
368 release, pretrial detention, notification to the
369 Department of Law Enforcement of information on career
370 offenders, notification upon release of certain career
371 offenders, and inmate release documents, respectively,
372 to incorporate the amendment made to s. 775.082, F.S.,
373 in references thereto; providing an effective date.

By Senator Leek

7-00342-26

2026436

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

14 Section 1. Subsection (2) of section 784.03, Florida
15 Statutes, is amended to read:

16 784.03 Battery; felony battery.-

17 (2) A person who has one prior conviction for battery,
18 aggravated battery, or felony battery, or resisting an officer
19 with violence under s. 843.01 and who commits any second or
20 subsequent battery commits a felony of the third degree,
21 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
22 For purposes of this subsection, the term "conviction" means a
23 determination of guilt that is the result of a plea or a trial,
24 regardless of whether adjudication is withheld or a plea of nolo
25 contendere is entered.

26 Section 2. For the purpose of incorporating the amendment
27 made by this act to section 784.03, Florida Statutes, in a
28 reference thereto, subsection (2) of section 943.0584, Florida
29 Statutes, is reenacted to read:

Page 1 of 4

CODING: Words stricken are deletions; words underlined are additions.

7-00342-26

2026436

30 943.0584 Criminal history records ineligible for court-
31 ordered expunction or court-ordered sealing.-
32 (2) A criminal history record is ineligible for a
33 certificate of eligibility for expunction or a court-ordered
34 expunction pursuant to s. 943.0585 or a certificate of
35 eligibility for sealing or a court-ordered sealing pursuant to
36 s. 943.059 if the record is a conviction for any of the
37 following offenses:
38 (a) Sexual misconduct, as defined in s. 393.135, s.
39 394.4593, or s. 916.1075;
40 (b) Illegal use of explosives, as defined in chapter 552;
41 (c) Terrorism, as defined in s. 775.30;
42 (d) Murder, as defined in s. 782.04, s. 782.065, or s.
43 782.09;
44 (e) Manslaughter or homicide, as defined in s. 782.07, s.
45 782.071, or s. 782.072;
46 (f) Assault or battery, as defined in ss. 784.011 and
47 784.03, respectively, of one family or household member by
48 another family or household member, as defined in s. 741.28(3);
49 (g) Aggravated assault, as defined in s. 784.021;
50 (h) Felony battery, domestic battery by strangulation, or
51 aggravated battery, as defined in ss. 784.03, 784.041, and
52 784.045, respectively;
53 (i) Stalking or aggravated stalking, as defined in s.
54 784.048;
55 (j) Luring or enticing a child, as defined in s. 787.025;
56 (k) Human trafficking, as defined in s. 787.06;
57 (l) Kidnapping or false imprisonment, as defined in s.
58 787.01 or s. 787.02;

Page 2 of 4

CODING: Words stricken are deletions; words underlined are additions.

7-00342-26

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- (m) Any offense defined in chapter 794;
- (n) Procuring a person less than 18 years of age for prostitution, as defined in former s. 796.03;
- (o) Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age, as defined in s. 800.04;
- (p) Arson, as defined in s. 806.01;
- (q) Burglary of a dwelling, as defined in s. 810.02;
- (r) Voyeurism or digital voyeurism, as defined in ss. 810.14 and 810.145, respectively;
- (s) Robbery or robbery by sudden snatching, as defined in ss. 812.13 and 812.131, respectively;
- (t) Carjacking, as defined in s. 812.133;
- (u) Home-invasion robbery, as defined in s. 812.135;
- (v) A violation of the Florida Communications Fraud Act, as provided in s. 817.034;
- (w) Abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult, as defined in s. 825.102;
- (x) Lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person, as defined in s. 825.1025;
- (y) Child abuse or aggravated child abuse, as defined in s. 827.03;
- (z) Sexual performance by a child, as defined in s. 827.071;
- (aa) Any offense defined in chapter 839;
- (bb) Certain acts in connection with obscenity, as defined in s. 847.0133;

Page 3 of 4

CODING: Words stricken are deletions; words underlined are additions.

7-00342-26

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88 (cc) Any offense defined in s. 847.0135;
89 (dd) Selling or buying of minors, as defined in s.
90 847.0145;
91 (ee) Aircraft piracy, as defined in s. 860.16;
92 (ff) Manufacturing a controlled substance in violation of
93 chapter 893;
94 (gg) Drug trafficking, as defined in s. 893.135; or
95 (hh) Any violation specified as a predicate offense for
96 registration as a sexual predator pursuant to s. 775.21, or
97 sexual offender pursuant to s. 943.0435, without regard to
98 whether that offense alone is sufficient to require such
99 registration.

Section 3. This act shall take effect July 1, 2026.

Page 4 of 4

CODING: Words ~~strieken~~ are deletions; words underlined are additions.

SB 436 – Felony Battery (Identical HB 623)

This bill amends s. 784.03, F.S., adding the following language to the Level 1, 3rd degree felony (new language in bold): “a person who has one prior conviction for battery, aggravated battery, felony battery, **or resisting an officer with violence under s. 843.01, F.S.** and who commits any second or subsequent battery...” This would impact those offenders currently charged with 1st degree misdemeanors for battery who had a prior conviction for resisting an officer with violence.

Per FDLE, in FY 24-25, there were 1,138 arrests for the 1st degree misdemeanor under s. 784.03, F.S., with 405 guilty/convicted charges and 70 adjudication withheld charges for those with a prior conviction or adjudication withheld under s. 843.01, F.S. Per DOC, the incarceration rate for this felony was between 11% and 15% over the last three fiscal years. This is higher than the incarceration rate for Level 1, 3rd degree felonies in general (9.7% in FY 24-25). However, even with the lowest incarceration rate the number of offenders that would be incarcerated would be above the threshold for significance (25 offenders in a fiscal year).

EDR PROPOSED ESTIMATE: Positive Significant

Requested by: Senate



The Florida Senate

Committee Agenda Request

To: Senator Jonathan Martin, Chair
Committee on Criminal Justice

Subject: Committee Agenda Request

Date: December 8, 2025

I respectfully request that **Senate Bill #436**, relating to Felony Battery, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Sincerely,

A blue ink signature of the name "Tom Leek".

Sen. Tom Leek
Florida Senator, District 7

01/12/2026

Meeting Date

The Florida Senate

APPEARANCE RECORD

0436

Bill Number or Topic

Committee

Amendment Barcode (if applicable)

Name Molly Hudson

Phone 386 214 5536

Address 123 W. Endhanded Ave.

Email mudson@volusiasheriff.gov

Street

Beland fl 32725

City State Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Volusia Sheriffs Office

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf \(flsenate.gov\)](https://www.leg.state.fl.us/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

January 12, 2026

The Florida Senate

436

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meetingMeeting Date
Criminal Justice

Bill Number or Topic

Committee

Name **Barney Bishop**

Amendment Barcode (if applicable)

Address **1454 Vieux Carre Drive**Phone **8505109922**

Street

Email **barney@barneybishop.com****Tallahassee****FL****32308**

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:**Florida Smart Justice Alliance** I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

1-12-2026

Meeting Date

Criminal Justice

Committee

Bob Cortes

Name

100 eslinger way
Street
Seminole FL
32773

City

State

Zip

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

436

Bill Number or Topic

Amendment Barcode (if applicable)

407-463-8257

Phone

Email

bcortes@seminolesheriff.org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

Seminole County Sheriff's Office

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 524

INTRODUCER: Senator Simon

SUBJECT: Department of Law Enforcement

DATE: January 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Vaughan	Stokes	CJ	<u>Favorable</u>
2. _____	_____	ACJ	_____
3. _____	_____	FP	_____

I. Summary:

SB 524 amends s. 406.02, F.S., to revise appointments and reappointments to the Medical Examiners Commission. The bill specifies that individuals appointed or reappointed by the Governor remain active until resignation, disqualification or a new member is appointed by the Governor.

Additionally, the Medical Examiners Commission must approve the appointment of medical examiners by a majority vote to fill vacancies.

The bill amends s. 406.06, F.S., to transfer the authority to appoint district medical examiners from the Governor to the Medical Examiners Commission.

The bill amends s. 943.11, F.S., to specify that Criminal Justice Standards and Training Commission (CJSTC) must act independently of any criminal justice agency. The CJSTC will continue to receive staff support from the Florida Department of Law Enforcement (FDLE).

The bill amends s. 943.1395, F.S., to revise the notification process for serving administrative complaints on a certified law enforcement, correctional, and correctional probation officer or instructor. The CJSTC staff must attempt notification via certified mail and via email, if possible. If proof of service is not provided, staff will attempt contact utilizing the last known telephone number and a notice to the licensee posted on the front page of the CJSTC's website.

The bill amends various sections of ch. 943. F.S., to provide that law enforcement officer curriculum is approved by the CJSTC not the FDLE.

The bill does not have a fiscal impact on state government. *See Section V., Fiscal Impact Statement.*

The bill takes effect July 1, 2026.

II. Present Situation:

The FDLE provides statewide leadership, coordination, and administrative support for key public safety oversight bodies. The FDLE staffs and supports the CJSTC, which sets minimum employment and training standards for law enforcement, correctional, and correctional probation officers; administers certification and decertification processes; and oversees officer training curricula and compliance. The FDLE also staffs and supports the Medical Examiners Commission, which oversees Florida's district medical examiner system, promotes consistent medicolegal death investigation practices, and ensures statewide standards and accountability for death investigations.

Medical Examiners

Florida medical examiners are local district officers appointed by the Governor to one of 25 medical examiner districts under ch. 406, F.S.¹ The Medical Examiners Act was enacted by the 1970 Legislature in order to establish minimum and uniform standards of excellence in statewide medical examiner services.²

Medical Examiners Commission

Medical examiners are governed by the Medical Examiners Commission, which is administratively housed within the FDLE. The commission consists of nine members who serve four-year terms and are selected as follows:

- Two physicians licensed pursuant to ch. 458, F.S., or ch. 459, F.S., and who are active district medical examiners (appointed by the Governor);
- One member who is a funeral director licensed pursuant to ch. 497, F.S., (appointed by the Governor);
- One state attorney (appointed by the Governor);
- One public defender (appointed by the Governor);
- One sheriff (appointed by the Governor); and
- One county commissioner.
- The Attorney General or her or his designated representative.
- The State Surgeon General or her or his designated representative.³

District medical examiners

District medical examiners are appointed by the Governor for each medical examiner district from nominees who are practicing physicians in pathology, whose nominations are submitted to the Governor by the Medical Examiners Commission. The term of office of each district medical examiner is 3 years. An appointment to fill a vacancy must be for the unexpired portion of the term.⁴ Current law requires district medical examiners to determine the cause of death in certain

¹ Section 406.06, F.S.

² Florida Department of Law Enforcement, *Medical Examiners Commission*, available at <https://www.fdle.state.fl.us/MEC/MEC-Home> (last visited January 6, 2026).

³ Section 406.02, F.S.

⁴ Section 406.06, F.S.

circumstances and to make any investigations, examinations, and autopsies necessary to make that determination as he or she shall deem necessary or as requested by the state attorney.⁵

Criminal Justice Standards and Training Commission (CJSTC)

The CJSTC is established under s. 943.11, F.S. The CJSTC is an independent policy making body that ensures that Florida's criminal justice officers are ethical, qualified, and well-trained. The CJSTC is responsible for creating entry-level curricula and certification testing for criminal justice officers in Florida, establishing minimum standards for employment and certification, and revoking the certification of officers who fail to maintain these minimum standards of conduct.⁶

An individual must be at least 19 years of age to become a certified law enforcement officer or a certified correctional probation officer and must be at least 18 years of age to become a certified correctional officer. Additionally, the individual must be a citizen of the United States, may not have been convicted of a felony or received a dishonorable discharge from the military, must pass a physical exam, and have good moral character as determined by a background investigation. Certification as a law enforcement officer or correctional officer requires a high school diploma or equivalent (GED). Certification as a correctional probation officer requires a bachelor's degree.^{7,8}

Investigations of Law Enforcement Officers

The CJSTC may initiate disciplinary action against a certified officer when there is a finding that the officer has failed to maintain compliance with statutory requirements, including good moral character standards⁹ or other grounds for revocation.¹⁰ An administrative complaint can be served after the CJSTC completes its investigation and a probable cause panel determines that sufficient grounds exist to proceed. The CJSTC is authorized to impose penalties such as revocation, suspension, probation, retraining, or reprimand in accordance with disciplinary guidelines adopted by rule.

Every law enforcement agency and correctional agency must establish and put into operation a system for the receipt, investigation, and determination of complaints received from any person. This must be the procedure for investigating a complaint against a law enforcement and correctional officer determining whether to proceed with disciplinary action or to file disciplinary charges.¹¹ When law enforcement or correctional agency personnel prepare an investigative report or summary, the person preparing the report must, at the time the report is

⁵ Section 406.11, F.S.

⁶ Florida Department of Law Enforcement, Criminal Justice Professionalism Division, *Overview of the Professionalism Division*, <https://www.fdle.state.fl.us/CJSTC/Overview.aspx> (last visited January 6, 2026).

⁷ Florida Department of Law Enforcement, *Criminal Justice Professionalism Services Officer Requirements How To Become a Certified Officer in Florida*, <https://www.fdle.state.fl.us/cjstc/officer-requirements/how-to-become-an-officer> (last visited January 6, 2026).

⁸ Section 943.1395, F.S.

⁹ Section 943.1395(7), F.S.

¹⁰ Section 943.13(4), F.S.

¹¹ Section s. 112.533, F.S.

completed verify that the contents are true and accurate based on the person's personal knowledge, information, and belief and include a specific statement.¹²¹³

Officer Bill of Rights

Law enforcement officers' and correctional officers' rights are outlined in the Florida Statutes, these are commonly referred to as, "law enforcement officers' bill of rights."^{14,15} Whenever a law enforcement officer or correctional officer is under investigation and subject to interrogation by members of his or her agency for any reason that could lead to disciplinary action, suspension, demotion, or dismissal, the interrogation must be conducted under the following conditions:¹⁶

- The interrogation must be conducted at a reasonable hour;
- The interrogation must take place either at the office of the command of the investigating officer or at the local precinct, police unit, or correctional unit in which the incident allegedly occurred;
- The officer under investigation must be informed of the rank, name, and command of the officer in charge of the investigation, the interrogating officer, and all persons present during the interrogation. All questions directed to the officer under interrogation must be asked by or through one interrogator during any one interrogation;
- The officer must be informed of the nature of the investigation before any interrogation begins, and must be informed of the names of all complainants;
- Interrogating sessions must be for reasonable periods and must be timed to allow for personal necessities and rest periods;
- The officer under interrogation may not be subjected to offensive language or be threatened with transfer, dismissal, or disciplinary action. A promise or reward may not be made as an inducement to answer questions;
- If the officer under interrogation is under arrest, or is likely to be placed under arrest, he or she must be completely informed of all his or her rights before commencing the interrogation; and
- At the request of the officer under investigation, he or she has the right to counsel, who must be present at all times during the interrogation.

Under the bill of rights, officers must receive notice of disciplinary action, a copy of and the opportunity to address contents of the investigative file. Any dismissal, demotion, transfer, reassignment, or other personnel action that might result in loss of pay or benefits or that might otherwise be considered a punitive measure may not be taken against any law enforcement officer or correctional officer unless the law enforcement officer or correctional officer is notified of the action and the reason or reasons for the action before the effective date of the action.¹⁷ The contents of the complaint and investigation must remain confidential until such

¹² Section 112.533, F.S.

¹³ Section 112.533(4)(a)2., F.S. "I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes."

¹⁴ Section 112.532, F.S.

¹⁵ Whenever a law enforcement officer or correctional officer is under investigation and subject to interrogation by members of his or her agency for any reason that could lead to disciplinary action, suspension, demotion, or dismissal, the interrogation must be conducted under certain conditions. Section 112.532, F.S.

¹⁶ Section 112.532(1), F.S.

¹⁷ Section 112.532(4)(a), F.S.

time as the employing law enforcement agency makes a final determination whether or not to issue a notice of disciplinary action consisting of suspension with loss of pay, demotion, or dismissal.¹⁸

No law enforcement officer or correctional officer may be discharged; disciplined; demoted; denied promotion, transfer, or reassignment; or otherwise discriminated against in regard to his or her employment or appointment, or be threatened with any such treatment, by reason of his or her exercise of the rights granted by this part.¹⁹

III. Effect of Proposed Changes:

The bill amends s. 406.02, F.S., to revise appointments and reappointments to the Medical Examiners Commission. The bill specifies that individuals appointed or reappointed by the Governor remain active until resignation, disqualification or a new member is appointed by the Governor.

Additionally, the Medical Examiners Commission must approve the appointment of medical examiners by a majority vote to fill vacancies.

The bill amends s. 406.06, F.S., to transfer the authority to appoint district medical examiners from the Governor to the Medical Examiners Commission.

The bill amends s. 943.11, F.S., to specify that Criminal Justice Standards and Training Commission (CJSTC) must act independently of any criminal justice agency. The CJSTC will continue to receive staff support from the Florida Department of Law Enforcement (FDLE).

The bill amends s. 943.1395, F.S., to revise the notification process for serving administrative complaints on a certified law enforcement, correctional, and correctional probation officer or instructor. The CJSTC staff must attempt notification via certified mail and via email, if possible. If proof of service is not provided, staff will attempt contact utilizing the last known telephone number and a notice to the licensee posted on the front page of the CJSTC's website.

The bill amends various sections of ch. 943. F.S., to provide that law enforcement officer curriculum is approved by the CJSTC not the FDLE.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

¹⁸ Section 112.532(4)(b), F.S.

¹⁹ Section 112.532(5), F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDLE has not indicated a fiscal impact.²⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 406.02, 406.06, 943.11, 943.1395, 943.1726, 943.17261, 943.1727, 943.17299

²⁰ Florida Department of Law Enforcement, *2026 Agency Analysis - SB 524 Department of Law Enforcement*, (on file with the Senate Committee on Criminal Justice).

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Simon

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30 date.

31

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

33

34 Section 1. Subsections (2) and (4) of section 406.02,
35 Florida Statutes, are amended to read:

36 406.02 Medical Examiners Commission; membership; terms;
37 duties; staff.—

38 (2) The term of office of the physicians appointed to the
39 commission shall be 4 years. The term of office of the state
40 attorney, public defender, sheriff, and county commissioner each
41 shall be 4 years unless she or he leaves that office sooner, in
42 which case her or his appointment will terminate. The term of
43 office of the funeral director shall be 4 years. Upon the
44 expiration of the present terms of office, the Governor shall
45 appoint two members for terms of 4 years, two members for terms
46 of 3 years, two members for terms of 2 years, and one member for
47 a term of 1 year. An appointment to fill a vacancy shall be for
48 the unexpired portion of the term. An appointment or
reappointment is considered in force until the appointee
resigns, the appointee is no longer qualified for the position,
or the Governor appoints a new member.

50

51

52 (4) The Medical Examiners Commission shall:

53 (a) Initiate cooperative policies with any agency of the
54 state or political subdivision thereof.

55 (b) Approve the appointment of district medical examiners
by a majority vote to fill vacancies.

56

57 (c) Remove or suspend district medical examiners pursuant
58 to this act and have the authority to investigate violations of

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59 this act.

60 (d) (e) Oversee the distribution of state funds for the
 61 medical examiner districts and may make such agreements and
 62 contracts, subject to approval of the executive director of the
 63 Department of Law Enforcement, as may be necessary to effect the
 64 provisions of this chapter.

65 Section 2. Subsection (1) of section 406.06, Florida
 66 Statutes, is amended to read:

67 406.06 District medical examiners; associates; suspension
 68 of medical examiners.—

69 (1) (a) ~~A district medical examiner shall be appointed by~~
 70 ~~The Medical Examiners Commission shall appoint a district~~
 71 ~~medical examiner, who must be a practicing physician in~~
 72 ~~pathology, Governor for each medical examiner district from~~
 73 ~~nominees who are practicing physicians in pathology, whose~~
 74 ~~nominations are submitted to the Governor by the Medical~~
 75 ~~Examiners Commission.~~ The term of office of each district
 76 medical examiner shall be 3 years. An appointment to fill a
 77 vacancy shall be for the unexpired portion of the term.

78 (b) A physician member of the Medical Examiners Commission
 79 ~~is shall be~~ eligible to serve as a district medical examiner
 80 upon approval by the Medical Examiners Commission Governor.

81 Section 3. Paragraph (a) of subsection (1) of section
 82 943.11, Florida Statutes, is amended to read:

83 943.11 Criminal Justice Standards and Training Commission;
 84 membership; meetings; compensation.—

85 (1) (a) There is created a Criminal Justice Standards and
 86 Training Commission within the Department of Law Enforcement.
 87 The Criminal Justice Professionalism Program shall provide staff

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88 support to the commission as authorized in s. 943.09; however,
 89 the commission must act independently of any criminal justice
 90 agency. The commission shall be composed of 19 members,
 91 consisting of the Secretary of Corrections or a designated
 92 assistant; the Attorney General or a designee; the Director of
 93 the Division of the Florida Highway Patrol; and 16 members
 94 appointed by the Governor, consisting of 3 sheriffs; 3 chiefs of
 95 police; 5 law enforcement officers who are of the rank of
 96 sergeant or below within the employing agency; 2 correctional
 97 officers, 1 of whom is an administrator of a state correctional
 98 institution and 1 of whom is of the rank of sergeant or below
 99 within the employing agency; 1 training center director; 1
 100 person who is in charge of a county correctional institution;
 101 and 1 resident of the state who falls into none of the foregoing
 102 classifications. Prior to the appointment, the sheriff, chief of
 103 police, law enforcement officer, and correctional officer
 104 members must have had at least 4 years' experience as law
 105 enforcement officers or correctional officers.

106 Section 4. Present subsection (10) of section 943.1395,
 107 Florida Statutes, is redesignated as subsection (11), and a new
 108 subsection (10) is added to that section, to read:

109 943.1395 Certification for employment or appointment;
 110 concurrent certification; reemployment or reappointment;
 111 inactive status; revocation; suspension; investigation.—

112 (10) Notwithstanding s. 120.60(5), if an administrative
 113 complaint is served on a certified law enforcement officer, a
 114 correctional officer, a correctional probation officer, or an
 115 instructor, commission staff must provide service by certified
 116 mail to the licensee's last known address of record and, if

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117 possible, by e-mail. If the person providing service does not
 118 provide commission staff with proof of service, commission staff
 119 must call the last known telephone number of record and cause a
 120 short, plain notice to the licensee to be posted on the front
 121 page of the commission's website.

122 Section 5. Section 943.1726, Florida Statutes, is amended
 123 to read:

124 943.1726 Continued employment training relating to diabetic
 125 emergencies.—The commission department shall establish an online
 126 continued employment training component relating to diabetic
 127 emergencies. The training component shall include, but need not
 128 be limited to, instruction on the recognition of symptoms of
 129 such an emergency, distinguishing such an emergency from alcohol
 130 intoxication or drug overdose, and appropriate first aid for
 131 such an emergency. Completion of the training component may
 132 count toward the 40 hours of instruction for continued
 133 employment or appointment as a law enforcement officer required
 134 under s. 943.135.

135 Section 6. Section 943.17261, Florida Statutes, is amended
 136 to read:

137 943.17261 Department of Law Enforcement, Training related
 138 to medical use of marijuana.—The commission Department of Law
 139 Enforcement shall develop a 4-hour online initial training
 140 course, and a 2-hour online continuing education course, which
 141 shall be made available for use by all law enforcement agencies
 142 in this state. Such training shall cover the legal parameters of
 143 marijuana-related activities governed by ss. 381.986 and 381.988
 144 relating to criminal laws governing marijuana.

145 Section 7. Section 943.1727, Florida Statutes, is amended

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146 to read:

147 943.1727 Continued employment training relating to autism
 148 spectrum disorder.—The commission department shall establish a
 149 continued employment training component relating to autism
 150 spectrum disorder as defined in s. 627.6686. The training
 151 component shall include, but need not be limited to, instruction
 152 on the recognition of the symptoms and characteristics of an
 153 individual on the autism disorder spectrum and appropriate
 154 responses to an individual exhibiting such symptoms and
 155 characteristics. Completion of the training component may count
 156 toward the 40 hours of instruction for continued employment or
 157 appointment as a law enforcement officer required under s.
 158 943.135.

159 Section 8. Section 943.17299, Florida Statutes, is amended
 160 to read:

161 943.17299 Continued employment training relating to
 162 Alzheimer's disease and related forms of dementia.—The
 163 commission department shall establish an online, continued
 164 employment training component relating to Alzheimer's disease
 165 and related forms of dementia. The training component must be
 166 developed in consultation with the Department of Elder Affairs
 167 and must include, but need not be limited to, instruction on
 168 interacting with persons with Alzheimer's disease or a related
 169 form of dementia, including instruction on techniques for
 170 recognizing behavioral symptoms and characteristics, effective
 171 communication, employing the use of alternatives to physical
 172 restraints, and identifying signs of abuse, neglect, or
 173 exploitation. Completion of the training component may count
 174 toward the 40 hours of instruction for continued employment or

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175 appointment as a law enforcement officer, correctional officer,
176 or correctional probation officer required under s. 943.135.
177 Section 9. This act shall take effect July 1, 2026.



2026 FDLE LEGISLATIVE BILL ANALYSIS



BILL INFORMATION	
BILL NUMBER:	SB 524
BILL TITLE:	Department of Law Enforcement
BILL SPONSOR:	Senator Simon
EFFECTIVE DATE:	July 1, 2026

COMMITTEES OF REFERENCE	CURRENT COMMITTEE
1) Senate Criminal Justice	
2) Senate Appropriations Committee on Criminal and Civil Justice	
3) Senate Fiscal Policy	
4)	
5)	

PREVIOUS LEGISLATION	SIMILAR BILLS
BILL NUMBER:	BILL NUMBER:
SPONSOR:	SPONSOR:
YEAR:	
LAST ACTION:	

IDENTICAL BILLS
BILL NUMBER:
SPONSOR:

Is this bill part of an agency package?
Yes

BILL ANALYSIS INFORMATION	
DATE OF ANALYSIS:	January 7, 2026
LEAD AGENCY ANALYST:	Chad Brown
ADDITIONAL ANALYST(S):	Brett Kirkland, Glen Hopkins, Ashley Pennington
LEGAL ANALYST:	Natalie Bielby
FISCAL ANALYST:	Elizabeth Martin

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

The bill transfers the authority to appoint district medical examiners (DMEs) from the Governor to the Medical Examiners Commission (MEC). The bill provides that MEC appointments and reappointments remain in force until the appointee resigns, is no longer qualified, or is replaced by the Governor. The bill amends the notification process for serving administrative complaints on a certified law enforcement officer, correctional officer, correctional probation officer, or instructor. The bill clarifies that the Criminal Justice Standards and Training Commission (CJSTC) must act independent of any criminal justice agency. The bill also clarifies that law enforcement curriculum is approved by the CJSTC, not the department. The bill takes effect July 1, 2026.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION:

The MEC is currently composed of nine members, seven of which are appointed by the Governor. The Governor also appoints the 25 DMEs from nominees, as submitted by the MEC, who are practicing physicians in pathology. Physician members of the MEC may serve as a DME upon approval by the Governor. Appointees may only serve for the duration of their authorized terms. As of July 2025, 24 of the 25 DMEs were pending either initial appointment or reappointment, except the District 23 Medical Examiner, which was the last gubernatorial appointment in 2023 and will be pending reappointment in 2026.

The CJSTC was created within the department and is enshrined in statute. However, some statutes declare that the department is responsible for certain criminal justice training while other statutes empower the CJSTC to be responsible for criminal justice training and certification, along with the establishment of standards and curricula. This disagreement and inconsistency in statute causes misunderstanding of roles and responsibilities.

Section 120.60(5), F.S., outlines the due process requirements of licensing bodies when issuing an administrative complaint to a licensee who holds a professional license. This statute states in part that "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for four consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county." The department spends an average of \$8,800 per year to advertise in newspapers with no history of successfully reaching the individual sought.

2. EFFECT OF THE BILL:

Section 1.

The bill amends s. 406.02, F.S., to expand the duties of the MEC to include appointing DMEs by a majority vote. The bill also specifies that Gubernatorial appointments and reappointments to the MEC remain in effect until the appointee resigns, is no longer qualified, or is replaced by the Governor.

Section 2

The bill amends s. 406.06, F.S., to transfer the authority to appoint DMEs from the Governor to the MEC. The bill also transfers the authority to approve an eligible commission member to serve as a DME from the Governor to the MEC.

Section 3

The bill amends s. 943.11, F.S., to clarify that the CJSTC must act independently of any criminal justice agency.

Section 4.

The bill amends s. 943.1395, F.S., to change the notification process for serving administrative complaints on a certified law enforcement officer, correctional officer, correctional probation officer, or instructor. The bill requires CJSTC staff to attempt notification via certified mail and via email, if possible. If proof of service is not provided, staff must attempt to contact by utilizing the last known telephone number of the officer or instructor and post a notice to the certificate holder on the front page of the CJSTC's website.

Section 5-8.

The bill amends ss. 943.1726, 943.17261, 943.1727, and 943.17299, F.S., to clarify that the CJSTC, rather than the department, must establish the specified trainings.

Section 9.

The bill takes effect July 1, 2026.

3. DOES THE LEGISLATION DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES OR PROCEDURES? Y N

If yes, explain:	
What is the expected impact to the agency's core mission?	
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

List any known proponents and opponents:	
Provide a summary of the proponents' and opponents' positions:	

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL? Y N

If yes, provide a description:	
Date Due:	
Bill Section Number:	

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSION, ETC. REQUIRED BY THIS BILL? Y N

Board:	Medical Examiners Commission
Board Purpose:	The MEC oversees and regulates the state's medical examiner system to ensure consistent, professional, and lawful investigation of deaths.
Who Appoints:	The MEC is composed of nine members, seven of which are appointed by the Governor.
Appointee Term:	The term of office of the physicians appointed to the commission is four years. The term of office of the state attorney, public defender, sheriff, and county commissioner each shall be four years unless she or he leaves that office sooner. The term of office of the funeral director is four years.
Changes:	The bill amends s. 406.02, F.S., to expand the duties of the MEC to include appointing DMEs by a majority vote. The bill also specifies that Gubernatorial appointments and reappointments to the MEC remain in effect until the appointee resigns, is no longer qualified, or is replaced by the Governor. The bill amends s. 406.06, F.S., to transfer the authority to appoint DMEs from the Governor to the MEC. The bill also transfers the authority to approve an eligible commission member to serve as a DME from the Governor to the MEC.
Bill Section Number(s):	Sections 1 and 2

FISCAL ANALYSIS

1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT? Y N

Revenues:	
Expenditures:	
Does the legislation increase local taxes or fees?	
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT? Y N

Revenues:	
Expenditures:	

Does the legislation contain a State Government appropriation?	
If yes, was this appropriated last year?	

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR? Y N

Revenues:	
Expenditures:	
Other:	

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES? Y N

Does the bill increase taxes, fees or fines?	
Does the bill decrease taxes, fees or fines?	
What is the impact of the increase or decrease?	
Bill Section Number:	

TECHNOLOGY IMPACT**1. DOES THE LEGISLATION IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E., IT SUPPORT, LICENSING, SOFTWARE, DATA STORAGE, ETC.)? Y N**

If yes, describe the anticipated impact to the agency including any fiscal impact.	
--	--

FEDERAL IMPACT**1. DOES THE LEGISLATION HAVE A FEDERAL IMPACT (I.E., FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)? Y N**

If yes, describe the anticipated impact including any fiscal impact.	
--	--

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments and recommended action:	N/A.
--	------

ADDITIONAL COMMENTS

The Florida Senate

01/12/2026

Meeting Date

Criminal Justice

Committee

Will Grissom

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 524

Bill Number or Topic

Name

Amendment Barcode (if applicable)

850-410-7000

2331 Phillips Rd

Email **williamgrissom@fdle.state.fl.us**

Street

Tallahassee

FL

32308

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:		
<input type="checkbox"/> I am appearing without compensation or sponsorship.	<input checked="" type="checkbox"/> I am a registered lobbyist, representing: Florida Department of Law Enforcement	<input type="checkbox"/> I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: CS/SB 536

INTRODUCER: Criminal Justice Committee and Senator Martin

SUBJECT: Criminal Gang Members

DATE: January 13, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<u>Fav/CS</u>
2. _____	_____	ACJ	_____
3. _____	_____	FP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 536 amends s. 874.03, F.S., to modify the definition of a “criminal gang member” as it pertains to criminal investigations, charges against suspected gang members, and the sentencing of criminal gang members, and creates a definition for the term “gang-related language”.

The bill may have a positive indeterminate fiscal impact on the Department of Corrections. *See Section V. Fiscal Impact Statement.*

The bill takes effect on July 1, 2026.

II. Present Situation:

Recent Criminal Gang Activity in Florida

Following a multi-year investigation, 10 suspected senior members of a violent, criminal enterprise were arrested in May 2025, on charges related to racketeering that include underlying offenses of conspiracy to commit homicide, directing activities of a criminal gang and money laundering. Additionally, detectives discovered a kill list of the gang members’ intended victims and notified them before the crimes occurred. Arrest warrants were filed in March, and in April, a coordinated and sweeping statewide operation resulted in 10 arrests.¹

¹ Broward County Sheriff's Office, *Investigation Tops Leadership of Notorious Sex, Money, Murder Blood Gang*, reported by Miranda Grossman/PIO 5/2/2025 1400; available at <https://www.sheriff.org/PIO/BSONews/Pages/BSO->

The Polk County Sheriff's Office arrested five men for organized theft crimes that they say also had ties to the Venezuelan gang Tren De Aragua. The five men are all accused of trying to steal about \$3,200 in liquor from a Sam's Club store in north Lakeland. All of the men are linked to over three dozen retail thefts across the area, according to the sheriff's office. The robbery charges have been upgraded to a first-degree felony because the sheriff's office says two of the men are known members of the Tren De Aragua gang, and the other three are associates. The suspects are believed to be linked to over 3 dozen retail thefts across the central part of Florida.²

Criminal Gangs

“Criminal gang”³ means a formal or informal ongoing organization, association, or group⁴ that has as one of its primary activities⁵ the commission of criminal or delinquent acts, and that consists of three or more persons who have a common name or common identifying signs, colors, or symbols, including, but not limited to, terrorist organizations,⁶ transnational crime organizations,⁷ and hate groups⁸.

A “criminal gang associate”⁹ is a person who:

- Admits to criminal gang association; or
- Meets any single defining criterion for criminal gang membership.¹⁰

A “criminal gang member” is a person who meets *two or more* of the following criteria:

- Admits to criminal gang membership.
- Is identified as a criminal gang member by a parent or guardian.
- Is identified as a criminal gang member by a documented reliable informant.
- Adopts the style of dress of a criminal gang.
- Adopts the use of a hand sign identified as used by a criminal gang.
- Has a tattoo identified as used by a criminal gang.
- Associates with one or more known criminal gang members.

[INVESTIGATION-TOPPLES-LEADERSHIP-OF-NOTORIOUS-SEX,-MONEY,-MURDER-BLOOD-GANG-.aspx](#)? (last visited January 6, 2026).

² News 6, *Robbery Suspects Were Linked to Venezuelan Gang, Polk County Sheriff Says*, Christie Zizo, April 18, 2025; available at <https://www.clickorlando.com/news/local/2025/04/18/5-robery-suspects-were-linked-to-venezuelan-gang-polk-county-sheriff-says/> (last visited January 6, 2026).

³ Section 874.03(1), F.S.

⁴ “Ongoing” means that the organization was in existence during the time period charged in a petition, information, indictment, or action for civil injunctive relief. s. 874.03(1)(a), F.S.

⁵ “Primary activities” means that a criminal gang spends a substantial amount of time engaged in such activity, although such activity need not be the only, or even the most important, activity in which the criminal gang engages. s. 874.03(1)(b), F.S.

⁶ “Terrorist organization” means any organized group engaged in or organized for the purpose of engaging in terrorism as defined in s. 775.30, F.S. This definition shall not be construed to prevent prosecution under this chapter of individuals acting alone. s. 874.03(7), F.S.

⁷ “Transnational crime organization” means any group, network, or association of persons, at least one of which is an unauthorized alien as defined in s. 908.111, F.S., that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans. s. 874.03(8), F.S.

⁸ “Hate group” means an organization whose primary purpose is to promote animosity, hostility, and malice against a person or persons or against the property of a person or persons because of race, religion, disability, sexual orientation, ethnicity, or national origin. s. 874.03(6), F.S.

⁹ Section 874.03(2), F.S.

¹⁰ Section s. 874.03(3), F.S.

- Is identified as a criminal gang member by an informant of previously untested reliability and such identification is corroborated by independent information.
- Is identified as a criminal gang member by physical evidence.
- Has been observed in the company of one or more known criminal gang members four or more times. Observation in a custodial setting requires a willful association. It is the intent of the Legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings.
- Has authored any communication indicating responsibility for the commission of any crime by the criminal gang.

Where a single act or factual transaction satisfies the requirements of more than one of the criteria listed above, each of those criteria has thereby been satisfied for the purposes of the statute.¹¹

A person who intentionally causes, encourages, solicits, or recruits another person to become a criminal gang member where a condition of membership or continued membership is the commission of any crime commits a third degree felony.¹² It is a second degree felony for a person to commit this crime if the person recruited to become a gang member is *under the age of 13* and where a condition of membership or continued membership is the commission of any crime.¹³ Enhanced penalties are provided for second or subsequent offenses.

All profits, proceeds, and instrumentalities of criminal gang activity or criminal gang recruitment and all property used or intended or attempted to be used to facilitate the criminal activity of any criminal gang, criminal gang member, or criminal gang recruitment, are subject to seizure and forfeiture under the Florida Contraband Forfeiture Act¹⁴

Any person who knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity commits a first degree felony.¹⁵ "Criminal gang-related activity" is an activity:

- Committed with the intent to benefit, promote, or further the interests of a criminal gang, or for the purposes of increasing a person's own standing or position within a criminal gang;
- In which the participants are identified as criminal gang members or criminal gang associates acting individually or collectively to further any criminal purpose of the gang;
- That is defined as criminal gang activity by a documented reliable informant; or
- That is identified as criminal gang activity by an informant of previously untested reliability and such identification is corroborated by independent information.¹⁶

¹¹ Section 874.03(3)(a)-(k), F.S.

¹² Section 874.05(1)(a), F.S., A third degree felony is punishable by up to 5 years imprisonment and a \$5,000 fine., ss. 775.082 and s. 775.083, F.S.

¹³ Section 874.05(2)(a), F.S., A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. ss. 775.082 and s. 775.03, F.S.

¹⁴ Section 932.704, F.S.

¹⁵ Section 874.10, F.S.; A first degree felony is punishable by imprisonment for a term of years not exceeding 30 years and up to a \$10,000 fine. ss. 775.082, 775.083, and 775.084, F.S.

¹⁶ Section 874.03(4)(a)-(d), F.S.

- That is identified as criminal gang activity by an informant of previously untested reliability and such identification is corroborated by independent information.¹⁷

Any person possessing or manufacturing any blank, forged, stolen, fictitious, fraudulent, counterfeit, or otherwise unlawfully issued identification document for the purpose of benefiting, promoting, or furthering the interests of a criminal gang commits a second degree felony.¹⁸

Enhanced Penalties

Section 874.04, F.S., provides for enhanced penalties for a crime committed for the purpose of benefiting, promoting, or furthering the interests of a criminal gang.¹⁹ If the factfinder determines beyond a reasonable doubt that the defendant committed the offense charged for the purpose of benefiting, promoting, or furthering the interests of a criminal gang, the penalty may be enhanced to the penalty of a crime one degree higher than that committed.

III. Effect of Proposed Changes:

The bill amends s. 874.03(4), F.S., to revise the definition of a criminal gang member as it pertains to criminal investigations of or charges brought against suspected gang members. Although the defendant charged with a criminal offense does not necessarily *have* to meet the criminal gang member definition to be *charged* with any criminal offense, meeting the definition does often provide enhanced penalties for a criminal conviction.²⁰

The definition of a “criminal gang member,” including the list of criteria, is amended to mean a person who meets two or more specified criteria. Criteria added or amended by the bill includes that the person:

- *Admits in person or on an online platform or social media that he or she is a criminal gang member.*
- Is *identified or claimed* by a criminal gang as one of its members.
- Is identified as a criminal gang member by a parent, guardian, or *spouse living with the person.*
- Is identified as a criminal gang member by a documented reliable informant.
- Has been observed in the company of one or more known criminal gang members *two or more times*; observation in a custodial setting requires a willful association. It is the intent of the Legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings.
- Has authored any communication indicating *gang affiliation or gang activity or accepting responsibility* for the commission of any crime by a criminal gang member.
- *Uses gang-related language on an online platform or social media.*

¹⁷ Section 874.03(4)(a)-(d), F.S.

¹⁸ Section 874.12, F.S.; A second degree felony is punishable by up to 15 years imprisonment and a \$10,000 fine. ss. 775.082 and s. 775.03, F.S.

¹⁹ Section 874.04, F.S.; “Enhanced penalties” means that a misdemeanor of the second degree may be punished *as if it were* a misdemeanor of the first degree; a misdemeanor of the first degree may be punished *as if it were* a felony of the third degree; a felony of the third degree may be punished *as if it were* a felony of the second degree; a felony of the second degree may be punished *as if it were* a felony of the first degree; and a felony of the first degree may be punished *as if it were* a life felony.

²⁰ See ss. 874.04, 874.05, F.S., and s. 921.0024(1)(b), F.S.

The bill creates a definition of the term “gang-related language” in s. 874.03(3), F.S. “Gang-related language” is any verbal or written statement that signals gang affiliation, supports gang activity, or uses recognized gang codes, symbols, or terminology associated with criminal organizations. Written statements include any digital or electronic statements, including statements made on any online platform or social media.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s., of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill amends s. 874.03, F.S., expanding the definition of a “criminal gang member” in multiple ways that creates additional witnesses and social media evidence, as well as reducing the number of times the person has to be observed in the company of one or more known criminal gang members from four or more to two or more. This would

impact the multiple felonies listed under Ch. 874, F.S., including penalty enhancements for certain crimes as a criminal gang member under s. 874.04, F.S. (1st degree misdemeanor to 3rd degree felony, 3rd degree felony to 2nd degree felony, etc.). Furthermore, it would impact the Level 7, 1st degree felony (punishable by life) for someone possessing a weapon who qualifies for these penalty enhancements (s. 790.23(4), F.S.) and the Level 1, 3rd degree felony for registration of convicted felons (s. 775.13(4)(b), F.S.). This expansion in the definition could increase the pool of future offenders charged with these felonies. Finally, this expanded pool could impact the aggravating factor where a criminal gang member committed a capital felony and thus increase the number of death sentences that might currently be life sentences.²¹

Per FDLE, there were no arrests or convictions/adjudications withheld under s. 874.04, F.S. in FY 24-25. Per DOC, in FY 24-25, there were no new commitments under s. 874.04, F.S. The lack of data is likely due to the statute enhancing other offenses, so the number of offenders is not known. Per FDLE, for the remaining felonies under Ch. 874, F.S., in FY 24-25, there were 15 arrests and no convictions/adjudications withheld. Per DOC, there was one new commitment in FY 24-25. Furthermore, there were 6 new commitments for possessing a weapon as a convicted felon (s. 790.23(4), F.S.) and one for registration of a convicted felon (s. 775.13(4)(b), F.S.).²²

Per DOC, 5 inmates were admitted to the prison system in FY 24-25 with a death sentence and 469 inmates were admitted with a life sentence. For those admitted with a death sentence, one was listed as a gang member, and for those admitted with life sentences, 67 were listed as gang members and 25 were listed as associates. It is not known how many of these life sentences were given instead of a death sentence. Furthermore, those inmates executed in FY 24-25 averaged 27 years in prison, with the shortest time between initial incarceration and execution being 22 years. Assuming that future inmates on death row would have similar time in prison, any impact on prison beds should not be felt for at least a decade and would have no impact within the forecast window.²³

Although, few offenders are currently arriving as new commitments for most felonies impacted by this bill, it is not known how many are impacted by the penalty enhancements under s. 874.04, F.S. Therefore, the magnitude of the impact cannot be quantified.²⁴

The proposed estimate by the Office of Economic and Demographic Research as reported on January 12, 2026, is Positive Indeterminate, meaning the bill could have a positive indeterminate prison bed impact.²⁵

²¹ Office of Economic and Demographic Research, email sent to Senate Criminal Justice Committee, Preliminary Estimate. January 12, 2026; (*on file with the Senate Criminal Justice Committee*).

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 874.03, 823.05, 921.141, 951.23.

IX. Additional Information:

A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Criminal Justice on January 12, 2026

The Committee Substitute:

- Changes the definition of the term “criminal gang member” to provide that a person must meet two or more criteria to be considered a gang member and revises such criteria.
- Provides a definition for the term “gang-related language.”

B. **Amendments:**

None.

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



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
	.	
	.	
	.	

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

1 **Senate Amendment (with title amendment)**

2

3 Delete lines 15 - 46

4 and insert:

5 (3) "Gang-related language" is any verbal or written
6 statement that signals gang affiliation, supports gang activity,
7 or uses recognized gang codes, symbols, or terminology
8 associated with criminal organizations. Written statements
9 include any digital or electronic statements, including
10 statements made on any online platform or social media.



556058

11 (4) "Criminal gang member" means is a person who meets two
12 or more of the following criteria:

13 (a) Admits in person or on an online platform or social
14 media that he or she is a criminal gang member.

15 (b) ~~(a)~~ Is identified or claimed by a Admits to criminal
16 gang as one of its members membership.

17 (c) ~~(b)~~ Is identified as a criminal gang member by a parent,
18 or guardian, or spouse living with the person.

19 (d) ~~(c)~~ Is identified as a criminal gang member by a
20 documented reliable informant.

21 (e) ~~(d)~~ Adopts the style of dress of a criminal gang.

22 (f) ~~(e)~~ Adopts the use of a hand sign identified as used by
23 a criminal gang.

24 (g) ~~(f)~~ Has a tattoo identified as used by a criminal gang.

25 (h) ~~(g)~~ Associates with one or more known criminal gang
26 members.

27 (i) ~~(h)~~ Is identified as a criminal gang member by an
28 informant of previously untested reliability and such
29 identification is corroborated by independent information.

30 (j) ~~(i)~~ Is identified as a criminal gang member by physical
31 evidence.

32 (k) ~~(j)~~ Has been observed in the company of one or more
33 known criminal gang members ~~two~~ four or more times. Observation
34 in a custodial setting requires a willful association. It is the
35 intent of the Legislature to allow this criterion to be used to
36 identify gang members who recruit and organize in jails,
37 prisons, and other detention settings.

38 (l) ~~(k)~~ Has authored any communication indicating gang
39 affiliation or gang activity or accepting responsibility for the



556058

40 commission of any crime by a ~~the~~ criminal gang member.

41 (m) Uses gang-related language on an online platform or
42 social media.

43

44

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

46 And the title is amended as follows:

47 Delete line 3

48 and insert:

49 874.03, F.S.; defining "gang-related language";
50 revising the definition of the term

By Senator Martin

33-00605A-26

2026536

A bill to be entitled

An act relating to criminal gang members; amending s. 874.03, F.S.; revising the definition of the term "criminal gang member"; reenacting ss. 823.05(2)(a), 921.141(6)(n), and 951.23(11), F.S., all relating to the definition of the term "criminal gang member", to incorporate the amendment made to s. 874.03, F.S., in references thereto; providing an effective date.

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

Section 1. Subsection (3) of section 874.03, Florida Statutes, is amended to read:

874.03 Definitions.—As used in this chapter:

(3) "Criminal gang member" means is a person who either admits in person or on social media to criminal gang membership or who meets two or more of the following criteria:

(a) Is identified or claimed by a Admits to criminal gang as one of its members membership.

(b) Is identified as a criminal gang member by a parent, or guardian, or spouse living with the person.

(c) Is identified as a criminal gang member by a law enforcement officer or a documented reliable informant.

(d) Adopts the style of dress of a criminal gang.

(e) Adopts the use of a hand sign identified as used by a criminal gang.

(f) Has a tattoo identified as used by a criminal gang.

(g) Associates with one or more known criminal gang members.

Page 1 of 3

CODING: Words stricken are deletions; words underlined are additions.

33-00605A-26

2026536

(h) Is identified as a criminal gang member by an informant of previously untested reliability and such identification is corroborated by independent information.

(i) Is identified as a criminal gang member by physical evidence.

(j) Has been observed in the company of one or more known criminal gang members ~~two four~~ or more times. Observation in a custodial setting requires a willful association. It is the intent of the Legislature to allow this criterion to be used to identify gang members who recruit and organize in jails, prisons, and other detention settings.

(k) Has authored any communication indicating gang affiliation or gang activity or accepting responsibility for the commission of any crime by the criminal gang. Meeting the criteria of this paragraph replaces the need for a standard field interview.

(l) Using gang-related language on social media.

Where a single act or factual transaction satisfies the requirements of more than one of the criteria in this subsection, each of those criteria has thereby been satisfied for the purposes of this subsection the statute.

Section 2. For the purpose of incorporating the amendment made by this act to section 874.03, Florida Statutes, in a reference thereto, paragraph (a) of subsection (2) of section 823.05, Florida Statutes, is reenacted to read:

823.05 Places and groups engaged in certain activities declared a nuisance; abatement and injunction.—

(2) (a) As used in this subsection, the terms "criminal

Page 2 of 3

CODING: Words stricken are deletions; words underlined are additions.

33-00605A-26

2026536

59 gang," "criminal gang member," "criminal gang associate," and
60 "criminal gang-related activity" have the same meanings as
61 provided in s. 874.03.

62 Section 3. For the purpose of incorporating the amendment
63 made by this act to section 874.03, Florida Statutes, in a
64 reference thereto, paragraph (n) of subsection (6) of section
65 921.141, Florida Statutes, is reenacted to read:

66 921.141 Sentence of death or life imprisonment for capital
67 felonies; further proceedings to determine sentence.—

68 (6) AGGRAVATING FACTORS.—Aggravating factors shall be
69 limited to the following:

70 (n) The capital felony was committed by a criminal gang
71 member, as defined in s. 874.03.

72 Section 4. For the purpose of incorporating the amendment
73 made by this act to section 874.03, Florida Statutes, in a
74 reference thereto, subsection (11) of section 951.23, Florida
75 Statutes, is reenacted to read:

76 951.23 County and municipal detention facilities;
77 definitions; administration; standards and requirements.—

78 (11) GANG STATUS OF INMATES.—A county or municipal
79 detention facility may designate an individual to be responsible
80 for assessing whether each current inmate is a criminal gang
81 member or associate using the criteria in s. 874.03. The
82 individual should at least once biweekly transmit information on
83 inmates believed to be criminal gang members or associates to
84 the arresting law enforcement agency.

85 Section 5. This act shall take effect July 1, 2026.

The Florida Senate

APPEARANCE RECORD

Jan 12, 2020

Meeting Date

Criminal Justice

Committee

Name Erin Ballas

Address 730 East Park Ave
Street

Tallahassee

FL

32301

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Miami Dade
Sheriff office

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.leg.state.fl.us/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

January 12, 2026

The Florida Senate

APPEARANCE RECORD

536

Meeting Date

Criminal Justice

Bill Number or Topic

Committee

Name **Barney Bishop**

Amendment Barcode (if applicable)

Address **1454 Vieux Carre Drive**

Phone

8505109922

Street

Tallahassee**FL****32308**

Email

barney@barneybishop.com
btbneyp@Ba3355@yahoo.com

City

State

Zip

Speaking: For Against Information**OR**Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

 I am appearing without compensation or sponsorship. I am a registered lobbyist, representing:**Florida Smart Justice Alliance** I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

Jan 12, 2026

Meeting Date

Criminal Justice

Committee

Name Erin Ballas

Address 730 East Park Ave

Street

Tallahassee

Fl

32301

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Miami Dade
Sheriff office

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](#) (flesenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

SB 536 – Criminal Gang Members

This bill amends s. 874.03, F.S., expanding the definition of a “criminal gang member” in multiple ways that creates additional witnesses and social media evidence, as well as reducing the number of times the person has to be observed in the company of one or more known criminal gang members from four or more to two or more. This would impact the multiple felonies listed under Chapter 874, including penalty enhancements for certain crimes as a criminal gang member under s. 874.04, F.S. (1st degree misdemeanor to 3rd degree felony, 3rd degree felony to 2nd degree felony, etc.). Furthermore, it would impact the Level 7, 1st degree felony (punishable by life) for someone possessing a weapon who qualifies for these penalty enhancements (s. 790.23(4), F.S.) and the Level 1, 3rd degree felony for registration of convicted felons (s. 775.13(4)(b), F.S.). This expansion in the definition could increase the pool of future offenders charged with these felonies. Finally, this expanded pool could impact the aggravating factor where a criminal gang member committed a capital felony, and thus increase the number of death sentences that might currently be life sentences.

Per FDLE, there were no arrests or convictions/adjudications withheld under s. 874.04, F.S. in FY 24-25. Per DOC, in FY 24-25, there were no new commitments under s. 874.04, F.S. The lack of data is likely due to the statute enhancing other offenses, so the number of offenders is not known. Per FDLE, for the remaining felonies under Chapter 874, in FY 24-25, there were 15 arrests and no convictions/adjudications withheld. Per DOC, there was one new commitment in FY 24-25. Furthermore, there were 6 new commitments for possessing a weapon as a convicted felon (s. 790.23(4), F.S.) and one for registration of a convicted felon (s. 775.13(4)(b), F.S.).

Per DOC, 5 inmates were admitted to the prison system in FY 24-25 with a death sentence and 469 inmates were admitted with a life sentence. For those admitted with a death sentence, one was listed as a gang member, and for those admitted with life sentences, 67 were listed as gang members and 25 were listed as associates. It is not known how many of these life sentences were given instead of a death sentence. Furthermore, those inmates executed in FY 24-25 averaged 27 years in prison, with the shortest time between initial incarceration and execution being 22 years. Assuming that future inmates on death row would have similar time in prison, any impact on prison beds should not be felt for at least a decade, and would have no impact within the forecast window.

Although, few offenders are currently arriving as new commitments for most felonies impacted by this bill, it is not known how many are impacted by the penalty enhancements under s. 874.04, F.S. Therefore, the magnitude of the impact cannot be quantified.

EDR PROPOSED ESTIMATE: Positive Indeterminate

Requested by: Senate

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 590

INTRODUCER: Senator Bradley

SUBJECT: Statute of Limitations Period for Violations Involving Required Reports Concerning Children

DATE: January 9, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Parker	Stokes	CJ	Favorable
2.		CF	
3.		RC	

I. Summary:

SB 590 amends s. 775.15, F.S., to provide that the statute of limitations is tolled for a violation of an offense of failing to make a mandatory report of known or suspected child abuse, including sexual abuse, abandonment, and neglect, until a law enforcement agency or other governmental agency, excluding any institution where the violation occurs, is made aware of the violation.

Section 39.201, F.S., provides that a person is required to report immediately to the central abuse hotline in writing, through a call to the toll-free telephone number, or through electronic reporting, if he or she knows, or has reason to suspect, that any child abuse has occurred.

The bill may have a positive indeterminate prison bed impact (unquantifiable increase prison bed impact) on the Department of Corrections.

The bill takes effect on July 1, 2026.

II. Present Situation:

Department of Children and Families' Central Abuse Hotline

The Florida Abuse Hotline serves as the central reporting center for allegations of abuse, neglect, and/or exploitation for all children and vulnerable adults in Florida. The Hotline receives calls, faxes, and web based reports from citizens and professionals with concerns of abuse, neglect, or exploitation of children and vulnerable adults in Florida.¹

¹ Florida Department of Children and Families, *About the Florida Abuse Hotline*, available at <https://www.myflfamilies.com/services/abuse-hotline/about> (last visited on January 6, 2026).

Mandatory Reporting of Child Abuse

A provides that a person is required to report immediately to the central abuse hotline in writing, through a call to the toll-free telephone number, or through electronic reporting, if he or she knows, or has reasonable cause to suspect that any of the following has occurred²:

- Child abuse, abandonment, or neglect by a parent or caregiver, which includes, but is not limited to, when a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare or when a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide such supervision and care.³
- Child abuse by an adult other than a parent, legal guardian, caregiver, or other person responsible for the child's welfare. The central abuse hotline must immediately electronically transfer such reports to the appropriate county sheriff's office.⁴

Any person who knows, or has reasonable cause to suspect, that a child is the victim of sexual abuse or juvenile sexual abuse must report such knowledge or suspicion to the central abuse hotline, including if the alleged incident involves a child who is in the custody of or under the protective supervision of the department.⁵

Mandatory Reporters

A person from the general public may make a report to the central abuse hotline anonymously if he or she chooses to do so.⁶ However, A person making a report to the central abuse hotline whose occupation is in any of the following categories is required to provide his or her name to the central abuse hotline counselors:

- Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;⁷
- Health care professional or mental health professional;⁸
- Practitioner who relies solely on spiritual means for healing;⁹
- School teacher or other school official or personnel;¹⁰
- Social worker, day care center worker, or other professional child care worker, foster care worker, residential worker, or institutional worker;¹¹
- Law enforcement officer;¹²
- Judge;¹³ or
- Animal control officer.¹⁴

² Section 39.201, F.S.

³ Section 39.201(1)(a)1.a., F.S.

⁴ Section 39.201(1)(a)1.b., F.S.

⁵ Section 39.201(1)2., F.S.

⁶ Section 39.201(1)2.(b)1., F.S.

⁷ Section 39.201(1)(b)2.a., F.S.

⁸ Section 39.201(1)(b)2.b., F.S.

⁹ Section 39.201(1)(b)2.c., F.S.

¹⁰ Section 39.201(1)(b)2.d., F.S.

¹¹ Section 39.201(1)(b)2.e., F.S.

¹² Section 39.201(1)(b)2.f., F.S.

¹³ Section 39.201(1)(b)2.g., F.S.

¹⁴ Section 39.201(1)(b)2.h., F.S.

Failure to Report – Penalties

A person who knowingly and willfully fails to report to the central abuse hotline known or suspected child abuse, abandonment, or neglect, or who knowingly and willfully prevents another person from doing so, commits a third degree felony.¹⁵

Any person, official, or institution participating in good faith in any act authorized or required by this chapter or reporting in good faith any instance of child abuse, abandonment, or neglect to the department or any law enforcement agency, is to be immune from any civil or criminal liability which might otherwise result by reason of such action.¹⁶

Statute of Limitations

The purpose of a statute of limitations is to limit exposure to criminal prosecution to a certain fixed period of time following the occurrence of those acts the legislature has decided to punish by criminal sanctions. Such a limitation is designed to protect individuals from having to defend themselves against charges when the basic facts may have become obscured by the passage of time and to minimize the danger of official punishment because of acts in the far-distant past.¹⁷

Courts have held that the statute of limitations affect substantive rights and that the statute of limitations that applies in a criminal case is the one that was in effect at the time of the incidents that gave rise to the charges.¹⁸

In general, time starts to run on the day after the offense is committed. An offense is committed either when every element has occurred or, if a legislative purpose to prohibit a continuing course of conduct plainly appears, at the time when the course of conduct or the defendant's complicity therein is terminated.¹⁹

Prosecution on a charge for which the defendant has previously been arrested or served with a summons is commenced by the filing of an indictment, information, or other charging document.²⁰

A prosecution on a charge for which the defendant has not previously been arrested or served with a summons is commenced when either an indictment or information is filed, provided the writs, summonses, or other process issued on such indictment or information is executed without unreasonable delay. In determining what is reasonable, inability to locate the defendant after diligent search or the defendant's absence from the state shall be considered. The failure to execute process on or extradite a defendant in another state who has been charged by information or indictment with a crime in this state does not constitute an unreasonable delay.²¹

¹⁵ Section 39.205(1), F.S.

¹⁶ Section 39.203(1)(a), F.S.

¹⁷ *Reino v. State*, 352 So.2d 853, 860 (Fla. 1977) (citing *Toussie v. United States*, 397 U.S. 112, 114-15, 90 S.Ct. 858, 25 L.Ed.2d 156 (1970)).

¹⁸ *Torgerson v. State*, 964 So.2d 178, 179 (Fla. 4th DCA 2007) (citing *State v. Shamy*, 759 So.2d 728 (Fla. 4th DCA 2000)).

¹⁹ Section 775.15(3), F.S.

²⁰ Section 775.15(4)(a), F.S.

²¹ Section 775.15(4)(b), F.S.

The period of limitation does not run during any time when the defendant is continuously absent from the state or has no reasonably ascertainable place of abode or work within the state. However, this does not extend the period of limitation otherwise applicable by more than 3 years. This does not limit the prosecution of a defendant who has been timely charged by indictment or information or other charging document and who has not been arrested due to his or her absence from this state or has not been extradited for prosecution from another state.²²

General Time Limitations

A prosecution for a capital felony, a life felony, or a felony that resulted in a death may be commenced at any time. If the death penalty is held to be unconstitutional by the Florida Supreme Court or the United States Supreme Court, all crimes designated as capital felonies are be considered life felonies, and prosecution for such crimes may be commenced at any time.

Prosecution for offenses other than capital felony, life felony or a felony that resulted in death are subject to the following periods of limitations:

- A prosecution for a first degree felony must be commenced within 4 years after it is committed.²³
- A prosecution for any other felony must be commenced within 3 years after it is committed.²⁴
- A prosecution for a first degree misdemeanor must be commenced within 2 years after it is committed.²⁵
- A prosecution for a second degree misdemeanor or a noncriminal violation must be commenced within 1 years after it is committed.²⁶

Exceptions – Time Limitations

The Legislature may create statutory exceptions to otherwise applicable time limitations by delaying when a limitation period begins, extending it, or eliminating it entirely for specific offenses or circumstances.

Some examples of legislative exceptions to time limitations include:

- There is no time limitation for prosecuting a sexual battery committed on or after July 1, 2020, on a victim who is under 18 years of age at the time of the offense.²⁷
- Sexual battery offenses involving victims under 16 years of age may be prosecuted at any time, except when prosecution was already barred on or before July 1, 2010.²⁸
- For victims aged 16 or older, prosecution may be commenced at any time if reported within 72 hours, or otherwise must be commenced within eight years, subject to statutory exceptions.²⁹

²² Section 775.15(5), F.S.

²³ Section 775.15(2)(a), F.S.

²⁴ Section 775.15(2)(b), F.S.

²⁵ Section 775.15(2)(c), F.S.

²⁶ Section 775.15(2)(d), F.S.

²⁷ Section 775.15(20), F.S.

²⁸ Section 775.15(13)(c), F.S.

²⁹ Section 775.15(14)(a), F.S.

III. Effect of Proposed Changes:

The bill amends s. 775.15, F.S., to provide that the statute of limitations is tolled for a violation of s. 39.201, F.S., until a law enforcement agency or other governmental agency, excluding any institution where the violation occurs, is made aware of the violation.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Criminal Justice Impact Conference, which provides the final official estimate of the prison bed impact, if any, of legislation, has not yet reviewed the bill. The bill tolls the statute of limitations for criminal prosecution of failure to report known or suspected

child abuse. The bill may have a positive indeterminate prison bed impact (unquantifiable increase prison bed impact) on the Department of Corrections.

VI. Technical Deficiencies:

The bill does not include a barred prosecution date for offenses occurring on or before the effective date.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following section 775.15 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Bradley

6-00623-26

2026590

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

12 Section 1. Subsection (23) is added to section 775.15,
13 Florida Statutes, to read:
14 775.15 Time limitations; general time limitations;
15 exceptions.—
16 (23) If the offense is a violation of s. 39.201, the
17 applicable period of limitation does not begin to run until a
18 law enforcement agency or other governmental agency, excluding
19 any institution where the violation occurs, is made aware of the
20 violation.

21 Section 2. This act shall take effect July 1, 2026.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Regulated Industries, *Chair*
Appropriations Committee on Higher
Education, *Vice Chair*
Appropriations Committee on Pre-K - 12 Education
Criminal Justice
Ethics and Elections
Fiscal Policy
Rules

JOINT COMMITTEES:

Joint Committee on Public Counsel Oversight,
Alternating Chair

SENATOR JENNIFER BRADLEY

6th District

December 10, 2025

Senator Jonathan Martin, Chairman
Criminal Justice Committee
315 Senate Building
404 South Monroe Street
Tallahassee, Florida 32299-1100

Dear Chair Martin:

I respectfully request that Senate Bill 590 be placed on the agenda of the Criminal Justice Committee at your earliest convenience. The bill would modify the statute of limitations in cases involving child abuse and other proceedings related to children.

Thank you for your consideration and please reach out if you have any questions or concerns about the bill.

Sincerely,

Jennifer Bradley

cc: Amanda Stokes Staff Director
Tori Denson, Administrative Assistant

REPLY TO:

- 1845 East West Parkway, Suite 5, Fleming Island, Florida 32003 (904) 278-2085
- 406 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5006

Senate's Website: www.flsenate.gov

BEN ALBRITTON
President of the Senate

JASON BRODEUR
President Pro Tempore

January 12, 2026

The Florida Senate

APPEARANCE RECORD

590

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Criminal Justice

Committee

Name **Barney Bishop**

Address **1454 Vieux Carre Drive**

Street

Tallahassee

FL

32308

City

State

Zip

Phone

8505109922

Email

*barneye_bishop@yahoo.com
btbney@Ba3355@yahoo.com*

Speaking: For Against Information

OR

Waive Speaking: In Support Against

I am appearing without
compensation or sponsorship.

PLEASE CHECK ONE OF THE FOLLOWING:

I am a registered lobbyist,
representing:

Florida Smart Justice Alliance

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://flsenate.gov/2020-2022JointRules.pdf)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 676

INTRODUCER: Senator Arrington

SUBJECT: Criminal Offenses

DATE: January 9, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cellon</u>	<u>Stokes</u>	<u>CJ</u>	<u>Favorable</u>
2. _____	_____	<u>ACJ</u>	_____
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 676 amends s. 827.04, F.S., relating to contributing to the delinquency of a minor, to create a graduated penalty structure for the offender based on the delinquent act or criminal offense the child committed.

The bill amends ss. 828.12, 828.122 and 828.126, F.S., to create a third degree felony offense for a person eighteen years of age or older who causes or entices a minor to commit, or in the presence of a minor, commits a violation of the following sections of law:

- Aggravated animal cruelty pursuant to s. 828.12(2), F.S.
- Fighting or baiting animals pursuant to s. 828.122, F.S.
- Sexual activities involving animals pursuant to s. 828.126, F.S.

The bill amends the Offense Severity Ranking Chart to rank new offenses created by the bill and increase the ranking for the offense of fighting or baiting animals.

According to the preliminary estimate by the Office of Economic and Demographic Research, the bill will have a positive indeterminate fiscal impact on the Department of Corrections. *See Section V. Fiscal Impact Statement.*

The bill takes effect on October 1, 2026.

II. Present Situation:

Contributing to the Delinquency or Dependency of a Minor

A person commits a first degree¹ misdemeanor if he or she:

- Commits any act which causes, tends to cause, encourages, or contributes to a child becoming a delinquent or dependent child or a child in need of services; or
- Induces or endeavors to induce, by act, threat, command, or persuasion, a child to commit or perform any act, follow any course of conduct, or live in a manner that causes or tends to cause such child to become or to remain a dependent or delinquent child or a child in need of services.

The offense is a first degree misdemeanor regardless of the offense child commits.²

It is not necessary for any court exercising juvenile jurisdiction to make an adjudication that any child is delinquent or dependent or a child in need of services in order to prosecute a violation of contributing to the delinquency or dependency of a minor. An adjudication that a child is delinquent or dependent or a child in need of services does not preclude a subsequent prosecution of contributing to the delinquency or dependency of a minor.

Crimes Victimizing Animals

Aggravated Animal Cruelty

A person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty. This offense is a third degree felony. F.S. ^{3,4}

Fighting or Baiting Animals

A person who knowingly commits any of the following acts commits a third degree felony:⁵

¹ A first degree misdemeanor is punishable by up to a year in the county jail and a \$1,000 fine. ss. 775.082 and 775.083, F.S.

² Section 827.04(1), F.S.

³ A third degree felony is generally punishable by not more than 5 years in state prison and a fine not exceeding \$5,000. Sections 775.082 and 775.083, F.S. As part of the sentence for the offense of aggravated animal cruelty the court may impose a fine of *not more than* \$10,000.

⁴ A person convicted of a violation of s. 828.12(2), F.S., where the finder of fact determines that the violation includes the knowing and intentional torture or torment of an animal that injures, mutilates, or kills the animal, must be ordered to pay a minimum mandatory fine of \$2,500 and undergo psychological counseling or complete an anger management treatment program. A person convicted of a second or subsequent violation of s. 828.12(2), F.S., must be required to pay a minimum mandatory fine of \$5,000 and serve a minimum mandatory period of incarceration of 6 months. In addition, the person shall be released only upon expiration of sentence, is not eligible for parole, control release, or any form of early release, and must serve 100 percent of the court-imposed sentence. Any plea of nolo contendere shall be considered a conviction for purposes of s. 828.12(2), F.S.

⁵ Section 828.122(3)(a)-(h), F.S. is a third degree felony which is punishable by not more than 5 years in state prison and a fine not exceeding \$5,000. Sections 775.082 and 775.083, F.S.

- Baiting,⁶ breeding, training, transporting, selling, owning, possessing, or using any wild or domestic animal for the purpose of animal fighting⁷ or baiting;
- Owning, possessing, or selling equipment for use in any such activity;
- Owning, leasing, managing, operating, or having control of any property kept or used for such activities;
- Promoting, staging, advertising, or charging any admission fee to a fight or baiting between two or more animals;
- Performing any service or act to facilitate animal fighting or baiting, including but not limited to, providing security, refereeing, or handling or transporting animals or being a stakeholder of any money wagered on animal fighting or baiting;
- Removing or facilitating the removal of any animal impounded under s. 828.122, F.S., from an agency where the animal is impounded or from a location designated by the court, without prior authorization from the court.
- Betting or wagering any money or other valuable consideration on the fighting or baiting of animals; or
- Attending the fighting or baiting of animals.

Sexual Activities Involving Animals

“Sexual contact with an animal” means any act committed between a person and an animal for the purpose of sexual gratification, abuse, or financial gain which involves:⁸

- Contact between the sex organ or anus of one and the mouth, sex organ, or anus of the other;
- The fondling of the sex organ or anus of an animal; or
- The insertion, however slight, of any part of the body of a person or any object into the vaginal or anal opening of an animal, or the insertion of any part of the body of an animal into the vaginal or anal opening of a person.

A person commits a third degree felony if he or she knowingly:^{9,10}

- Engages in any sexual contact with an animal;
- Causes, aids, or abets another person to engage in any sexual contact with an animal;
- Permits any sexual contact with an animal to be conducted on any premises under his or her charge or control;
- Organizes, promotes, conducts, aids, abets, participates in as an observer, or advertises, offers, or accepts an offer of an animal for the purpose of sexual contact with such animal, or performs any service in the furtherance of an act involving any sexual contact with an animal; or

⁶ “Baiting” means to attack with violence, to provoke, or to harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with or among other animals. In addition, “baiting” means the use of live animals in the training of racing greyhounds. Section 828.122(2)(b), F.S.

⁷ “Animal fighting” means fighting between roosters or other birds or between dogs, bears, or other animals.

Section 828.122(2)(a), F.S.

⁸ Section 828.126(1)(a)-(c), F.S.

⁹ Section 828.126(2)(a)-(e), F.S.; A third degree felony is punishable by up to five years in prison and a \$5,000 fine. ss. 775.082 and 775.083, F.S.

¹⁰ Section 828.126(3), F.S.

- Films, distributes, or possesses any pornographic image or video of a person and an animal engaged in any of the prohibited activities.¹¹

It should be noted that the crimes of Lewd or Lascivious Battery and Lewd or Lascivious Exhibition, second degree felony offenses,¹² contain elements that are similar to the third degree felony crime of Sexual Contact with an Animal. A person commits:

- Lewd or Lascivious Battery if he or she commits the acts of encouraging, forcing, or enticing any person less than 16 years of age to engage in sadomasochistic abuse, *sexual bestiality*, prostitution, or any other act involving sexual activity.
- Lewd or Lascivious Exhibition if he or she intentionally commits a sexual act that does not involve actual physical or sexual contact with the victim, including but not limited to, sadomasochistic abuse, *sexual bestiality*, or the simulation of any act involving sexual activity in the presence of a victim who is less than 16 years of age.¹³

Although the term “sexual bestiality” is not defined in the Lewd or Lascivious Battery offenses, it is defined elsewhere in the Florida Statutes. For example, the definition in s. 775.0847(1)(g), F.S., is “sexual bestiality means any sexual act, actual or simulated, between a person and an animal involving the sex organ of the one and the mouth, anus, or female genitals of the other.”

Criminal Punishment Code

The Criminal Punishment Code¹⁴ (Code) is Florida’s primary sentencing policy. Noncapital felonies sentenced under the Code receive an offense severity level ranking (Levels 1-10).¹⁵ The maximum sentence that can be imposed for a criminal offense is generally based on the degree of the misdemeanor or felony:

- Sixty days in a county jail for a second degree misdemeanor;
- One year in a county jail for a first degree misdemeanor;
- Five years in state prison for a third degree felony;
- Fifteen years in state prison for a second degree felony;
- Generally, 30 years to life in state prison for a first degree felony; and
- The death penalty, or life imprisonment without the possibility of parole for a capital felony.¹⁶

¹¹ A study of incidents from 1975 to 2015 found that 31.6 percent of animal sex offenders also sexually offended adults and children. Additionally, 52.9 percent of animal sex offenders had a prior or subsequent criminal record involving human sexual abuse, animal abuse, interpersonal violence, substances or property offenses. The Journal of the American Academy of Psychiatry and the Law, *Arrest and Prosecution of Animal Sex Abuse (Bestiality) Offenders in the United States, 1975 – 2015*, May 2019, available at <http://jaapl.org/content/early/2019/05/16/JAAPL.003836-19> (last visited January 6, 2026).

¹² A second degree felony is punishable by up to fifteen years imprisonment and a \$10,000 fine. ss. 775.082 and 775.083, F.S.

¹³ *Id.* Sections 800.04(4) and 800.04(7), F.S.

¹⁴ Sections 921.002-921.0027, F.S. See chs. 97-194 and 98-204, L.O.F. The Code is effective for offenses committed on or after October 1, 1998.

¹⁵ Offenses are either ranked in the offense severity level ranking chart in s. 921.0022, F.S., or are ranked by default based on a ranking assigned to the felony degree of the offense as provided in s. 921.0023, F.S.

¹⁶ Section 775.082, F.S. Fines may also be imposed, and those fines escalate based on the degree of the offense. Section 775.083, F.S., provides the following maximum fines; \$500 for a second degree misdemeanor; \$1,000 for a first degree misdemeanor; \$5,000 for a third degree felony; and \$10,000 for a second degree felony and a first degree felony.

Severity Ranking Chart

Section 921.0022(1) and (2), F.S., provides the offense severity ranking chart that must be used with the Criminal Punishment Code worksheet to compute a sentence score for each felony offender whose offense was committed on or after October 1, 1998. The chart has 10 offense levels, ranked from least severe to most severe.

Section 921.0023, F.S., provides that until the Legislature specifically assigns an offense to a severity level in the offense severity ranking chart, the severity level is within the following parameters:

- A third degree felony is within offense level 1;
- A second degree felony is within offense level 4;
- A first degree felony is within offense level 7;
- A first degree punishable by life felony is within offense level 9; and
- A life felony is within offense level 10.

Points are assigned and accrue based upon the offense severity level ranking assigned to the primary offense, additional offenses, and prior offenses. Sentence points escalate as the severity level escalates. Points may also be added or multiplied for other factors such as victim injury or the commission of certain offenses. The lowest permissible sentence is any non-state prison sanction in which total sentence points equal or are less than 44 points, unless the court determines that a prison sentence is appropriate. If total sentence points exceed 44 points, the lowest permissible sentence in prison months is calculated by subtracting 28 points from the total sentence points and decreasing the remaining total by 25 percent.¹⁷ Absent mitigation,¹⁸ the permissible sentencing range under the Code is generally the lowest permissible sentence scored up to and including the maximum penalty provided under s. 775.082, F.S.¹⁹

III. Effect of Proposed Changes:

The bill amends s. 827.04, F.S., to provides that a person who *commits any act that causes, tends to cause, encourages, or contributes to a child committing an offense that is:*

- A third degree felony commits a first degree misdemeanor.
- A second degree felony commits a third degree felony.
- A first degree felony commits a felony of the second degree.
- A capital felony commits a first degree felony.

The bill likewise provides that for a person who *induces or endeavors to induce, by act, threat, command, or persuasion, a child to commit an offense that is:*

- A third degree felony commits a first degree misdemeanor.
- A second degree felony commits a third degree felony.
- A first degree felony commits a felony of the second degree.

¹⁷ Section 921.0024, F.S. Unless otherwise noted, information on the Code is from this source.

¹⁸ The court may “mitigate” or “depart downward” from the scored lowest permissible sentence, if the court finds a mitigating circumstance. Section 921.0026, F.S., provides a list of mitigating circumstances.

¹⁹ If the scored lowest permissible sentence exceeds the maximum penalty in s. 775.082, F.S., the sentence required by the Code must be imposed. If total sentence points are greater than or equal to 363 points, the court may sentence the offender to life imprisonment. Section 921.0024(2), F.S.

- A capital felony commits a first degree felony.

The bill amends ss. 828.12, 828.122, and 828.126, F.S., to provide that it is a third degree felony offense for a person eighteen years of age or older to *cause or entice a minor to commit, or in the presence of a minor to commit an offense* under the following sections of law:

- Aggravated animal cruelty pursuant to s. 828.12(2), F.S.
- Fighting or baiting animals pursuant to s. 828.122, F.S.
- Sexual activities involving animals pursuant to s. 828.126, F.S.

The bill amends the Offense Severity Ranking Chart to:

- Elevate the crime of fighting or baiting an animal from a Level 1 crime to a Level 5;
- Rank the offense for causing or enticing a minor to commit, or committing in the presence of a minor animal cruelty as a Level 6;
- Rank the offense for causing or enticing a minor to commit, or committing in the presence of a minor fighting or baiting animals as a Level 6; and
- Rank the offense for causing or enticing a minor to commit, or committing in the presence of a minor, sexual activities involving animals as a Level 7.²⁰

The bill takes effect October 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require cities or counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

²⁰ The Offense Severity Ranking Chart, s. 921.0022, F.S.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Office of Economic and Demographic Research completed a preliminary report on the bill and estimated that the bill will have a positive indeterminate prison bed impact which means the estimated impact is a positive unquantifiable one.²¹

Per FDLE, in FY 24-25, there were 719 arrests, with 254 guilty/convicted charges and 125 adjudicated withheld charges for contributing to the delinquency of a minor, which is currently a 1st degree misdemeanor. It is not known how many of these instances would now be under the new elevated felony structure.

This bill then amends s. 828.12, F.S., adding a Level 6, 3rd degree felony for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits” the following Level 5, 3rd degree felony: “a person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty...” Per DOC, in FY 24-25, there were 20 new commitments for the Level 5, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved.

Additionally, the bill amends s. 828.122, F.S, adding a Level 6, 3rd degree felony for when “a person 18 years of age of older...causes or entices a minor to commit, or in the presence of a minor commits...” the current Level 1, 3rd degree felony for a list of acts related to animal fighting or baiting. It then raises this felony to a Level 5, 3rd degree felony. Per DOC, in FY 24-25, there were no new commitments for this Level 1, 3rd degree felony.

Finally, the bill amends s. 828.126, F.S., adding a Level 7, 3rd degree felony for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” a Level 6, 3rd degree felony for a list of acts related to sexual activities involving animals. Per DOC, in FY 24-25, there were 5 new commitments for this Level 6, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added

²¹ Office of Economic and Demographic Research, *SB 676 – Criminal Offenses*, (on file with the Senate Committee on Criminal Justice).

with a minor involved. However, there are penalties under Chapter 827, where “sexual conduct” is defined with the inclusion of sexual bestiality, with felonies against similarly defined acts under s. 827.071, F.S. (sexual performance by a child). Per DOC, in FY 24-25, there was one new commitment involving such an act, though sexual conduct is broadly defined. Lastly, sexual conduct is also used for the 1st degree misdemeanor under s. 827.11, F.S. (expose children to an adult live performance). There were no arrests or convictions/adjudications withheld for this 1st degree misdemeanor in FY 24-25.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 827.04, 828.12, 828.122, 828.126, 921.0022, 39.201, 90.4025, 382.356, 409.2355, 742.107.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

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

None.

B. Amendments:

None.

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

By Senator Arrington

25-00013B-26

2026676

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

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59 or s. 775.084.

60 4. A capital felony, commits a felony of the first degree,
61 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.62 (b) A person who induces or endeavors to induce, by act,
63 threat, command, or persuasion, a child to commit an offense
64 that is:65 1. A felony of the third degree, commits a misdemeanor of
66 the first degree, punishable as provided in s. 775.082 or s.
67 775.083.68 2. A felony of the second degree, commits a felony of the
69 third degree, punishable as provided in s. 775.082, s. 775.083,
70 or s. 775.084.71 3. A felony of the first degree, commits a felony of the
72 second degree, punishable as provided in s. 775.082, s. 775.083,
73 or s. 775.084.74 4. A capital felony, commits a felony of the first degree,
75 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.76 Section 2. Present subsections (4) through (7) of section
77 828.12, Florida Statutes, are renumbered as subsections (5)
78 through (8), respectively, a new subsection (4) is added to that
79 section, and subsection (2) of that section is republished, to
80 read:

81 828.12 Cruelty to animals.—

82 (2) A person who intentionally commits an act to any
83 animal, or a person who owns or has the custody or control of
84 any animal and fails to act, which results in the cruel death,
85 or excessive or repeated infliction of unnecessary pain or
86 suffering, or causes the same to be done, commits aggravated
87 animal cruelty, a felony of the third degree, punishable as

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88 provided in s. 775.082 or by a fine of not more than \$10,000, or
89 both.90 (a) A person convicted of a violation of this subsection,
91 where the finder of fact determines that the violation includes
92 the knowing and intentional torture or torment of an animal that
93 injures, mutilates, or kills the animal, shall be ordered to pay
94 a minimum mandatory fine of \$2,500 and undergo psychological
95 counseling or complete an anger management treatment program.96 (b) A person convicted of a second or subsequent violation
97 of this subsection shall be required to pay a minimum mandatory
98 fine of \$5,000 and serve a minimum mandatory period of
99 incarceration of 6 months. In addition, the person shall be
100 released only upon expiration of sentence, is not eligible for
101 parole, control release, or any form of early release, and must
102 serve 100 percent of the court-imposed sentence. Any plea of
103 nolo contendere shall be considered a conviction for purposes of
104 this subsection.105 (4) A person 18 years of age or older commits a felony of
106 the third degree, punishable as provided in s. 775.082, s.
107 775.083, or s. 775.084, if he or she causes or entices a minor
108 to commit, or in the presence of a minor commits, a violation of
109 subsection (2).110 Section 3. Present subsections (4) through (10) of section
111 828.122, Florida Statutes, are renumbered as subsections (5)
112 through (11), respectively, a new subsection (4) is added to
113 that section, and subsection (3) of that section is amended, to
114 read:115 828.122 Fighting or baiting animals; offenses; penalties.—
116 (3) A Any person who knowingly commits any of the following

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117 acts commits a felony of the third degree, punishable as
 118 provided in s. 775.082, s. 775.083, or s. 775.084:
 119 (a) Baiting, breeding, training, transporting, selling,
 120 owning, possessing, or using any wild or domestic animal for the
 121 purpose of animal fighting or baiting;
 122 (b) Owning, possessing, or selling equipment for use in any
 123 activity described in paragraph (a);
 124 (c) Owning, leasing, managing, operating, or having control
 125 of any property kept or used for any activity described in
 126 paragraph (a) or paragraph (b);
 127 (d) Promoting, staging, advertising, or charging any
 128 admission fee to a fight or baiting between two or more animals;
 129 (e) Performing any service or act to facilitate animal
 130 fighting or baiting, including, but not limited to, providing
 131 security, refereeing, or handling or transporting animals or
 132 being a stakeholder of any money wagered on animal fighting or
 133 baiting;
 134 (f) Removing or facilitating the removal of any animal
 135 impounded under this section from an agency where the animal is
 136 impounded or from a location designated by the court under
 137 subsection (5) (4), subsection (6) (5), or subsection (8) (7),
 138 without the prior authorization of the court;
 139 (g) Betting or wagering any money or other valuable
 140 consideration on the fighting or baiting of animals; or
 141 (h) Attending the fighting or baiting of animals.
 142
 143 Notwithstanding any provision of this subsection to the
 144 contrary, possession of the animal alone does not constitute a
 145 violation of this section.

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146 (4) A person 18 years of age or older commits a felony of
 147 the third degree, punishable as provided in s. 775.082, s.
 148 775.083, or s. 775.084, if he or she causes or entices a minor
 149 to commit, or in the presence of a minor commits a violation of
 150 subsection (3).
 151 Section 4. Subsection (6) is added to section 828.126,
 152 Florida Statutes, and subsection (2) of that section is
 153 republished, to read:
 154 828.126 Sexual activities involving animals.—
 155 (2) A person may not:
 156 (a) Knowingly engage in any sexual contact with an animal;
 157 (b) Knowingly cause, aid, or abet another person to engage
 158 in any sexual contact with an animal;
 159 (c) Knowingly permit any sexual contact with an animal to
 160 be conducted on any premises under his or her charge or control;
 161 (d) Knowingly organize, promote, conduct, aid, abet, or
 162 participate in as an observer, or advertise, offer, solicit, or
 163 accept an offer of an animal for the purpose of sexual contact
 164 with such animal, or perform any service in the furtherance of
 165 an act involving any sexual contact with an animal; or
 166 (e) Knowingly film, distribute, or possess any pornographic
 167 image or video of a person and an animal engaged in any of the
 168 activities prohibited by this section.
 169 (6) A person 18 years of age or older commits a felony of
 170 the third degree, punishable as provided in s. 775.082, s.
 171 775.083, or s. 775.084, if he or she causes or entices a minor
 172 to commit, or in the presence of a minor commits a violation of
 173 subsection (2).
 174 Section 5. Paragraphs (a), (e), (f), and (g) of subsection

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175 (3) of section 921.0022, Florida Statutes, are amended to read:

176 921.0022 Criminal Punishment Code; offense severity ranking

177 chart.—

178 (3) OFFENSE SEVERITY RANKING CHART

179 (a) LEVEL 1

180

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
104.0616(2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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187 319.30(5) 3rd Sell, exchange, give away certificate of title or identification number plate.

188 319.35(1)(a) 3rd Tamper, adjust, change, etc., an odometer.

189 320.26(1)(a) 3rd Counterfeit, manufacture, or sell registration license plates or validation stickers.

190 322.212 (1)(a)-(c) 3rd Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.

191 322.212(4) 3rd Supply or aid in supplying unauthorized driver license or identification card.

192 322.212(5)(a) 3rd False application for driver license or identification card.

193 414.39(3)(a) 3rd Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

25-00013B-26			2026676
194	443.071(1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
195	509.151(1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
196	517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
197	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
198	812.014(3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
199	815.04(4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
200	817.52(2)	3rd	Hiring with intent to defraud, motor vehicle services.
	817.569(2)	3rd	Use of public record or public records information or

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25-00013B-26			2026676
201			providing false information to facilitate commission of a felony.
202	826.01	3rd	Bigamy.
203	828.122(3)	3rd	Fighting or baiting animals.
204	831.04(1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
205	831.31(1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
206	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
207	832.05(2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
208	838.15(2)	3rd	Commercial bribe receiving.

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209	25-00013B-26		2026676
	838.16	3rd	Commercial bribery.
210	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
211	847.011(1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
212	849.09(1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
213	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
214	849.25(2)	3rd	Engaging in bookmaking.
215	860.08	3rd	Interfere with a railroad signal.
216	860.13(1) (a)	3rd	Operate aircraft while under the influence.
217	893.13(2) (a)2.	3rd	Purchase of cannabis.

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218	25-00013B-26		2026676
	893.13(6) (a)	3rd	Possession of cannabis (more than 20 grams).
219	934.03(1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.
220	(e) LEVEL 5		
221	Florida Statute	Felony Degree	Description
222	316.027(2) (a)	3rd	Accidents involving personal injuries other than serious bodily injury, failure to stop; leaving scene.
223	316.1935(3) (a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
224	316.80(2)	2nd	Unlawful conveyance of fuel; obtaining fuel fraudulently.
225	322.34(6)	3rd	Careless operation of motor vehicle with suspended license,

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226	25-00013B-26		2026676	resulting in death or serious bodily injury.
227	327.30(5)(a)2.	3rd	Vessel accidents involving personal injuries other than serious bodily injury; leaving scene.	
228	365.172 (14)(b)2.	2nd	Misuse of emergency communications system resulting in death.	
	379.365(2)(c)1.	3rd	Violation of rules relating to: willful molestation of stone crab traps, lines, or buoys; illegal bartering, trading, or sale, conspiring or aiding in such barter, trade, or sale, or supplying, agreeing to supply, aiding in supplying, or giving away stone crab trap tags or certificates; making, altering, forging, counterfeiting, or reproducing stone crab trap tags; possession of forged, counterfeit, or imitation stone crab trap tags; and engaging in the commercial harvest of stone crabs while license is	

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229	25-00013B-26		2026676	suspended or revoked.
230	379.367(4)	3rd	Willful molestation of a commercial harvester's spiny lobster trap, line, or buoy.	
231	379.407(5)(b)3.	3rd	Possession of 100 or more undersized spiny lobsters.	
232	381.0041(11)(b)	3rd	Donate blood, plasma, or organs knowing HIV positive.	
233	440.10(1)(g)	2nd	Failure to obtain workers' compensation coverage.	
234	440.105(5)	2nd	Unlawful solicitation for the purpose of making workers' compensation claims.	
235	440.381(2)	3rd	Submission of false, misleading, or incomplete information with the purpose of avoiding or reducing workers' compensation premiums.	
	624.401(4)(b)2.	2nd	Transacting insurance without a certificate or authority; premium collected \$20,000 or more but less than \$100,000.	

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236	25-00013B-26		2026676
	626.902(1) (c)	2nd	Representing an unauthorized insurer; repeat offender.
237	790.01(3)	3rd	Unlawful carrying of a concealed firearm.
238	790.162	2nd	Threat to throw or discharge destructive device.
239	790.163(1)	2nd	False report of bomb, explosive, weapon of mass destruction, or use of firearms in violent manner.
240	790.221(1)	2nd	Possession of short-barreled shotgun or machine gun.
241	790.23	2nd	Felons in possession of firearms, ammunition, or electronic weapons or devices.
242	796.05(1)	2nd	Live on earnings of a prostitute; 1st offense.
243	800.04(6) (c)	3rd	Lewd or lascivious conduct; offender less than 18 years of age.
244			

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245	25-00013B-26		2026676
	800.04(7) (b)	2nd	Lewd or lascivious exhibition; offender 18 years of age or older.
246	806.111(1)	3rd	Possess, manufacture, or dispense fire bomb with intent to damage any structure or property.
247	810.145(4)	3rd	Commercial digital voyeurism dissemination.
248	810.145(7) (a)	2nd	Digital voyeurism; 2nd or subsequent offense.
249	810.145(8) (a)	2nd	Digital voyeurism; certain minor victims.
250	812.014(2) (d) 3.	2nd	Grand theft, 2nd degree; theft from 20 or more dwellings or their unenclosed curtilage, or any combination.
251	812.0145(2) (b)	2nd	Theft from person 65 years of age or older; \$10,000 or more but less than \$50,000.
	812.015	3rd	Retail theft; property stolen is valued at \$750 or more and (8) (a) & (c) -

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252	25-00013B-26 (e)	2026676	one or more specified acts.
253	812.015(8)(f)	3rd	Retail theft; multiple thefts within specified period.
254	812.015(8)(g)	3rd	Retail theft; committed with specified number of other persons.
255	812.019(1)	2nd	Stolen property; dealing in or trafficking in.
256	812.081(3)	2nd	Trafficking in trade secrets.
257	812.131(2)(b)	3rd	Robbery by sudden snatching.
258	812.16(2)	3rd	Owning, operating, or conducting a chop shop.
259	817.034(4)(a)2.	2nd	Communications fraud, value \$20,000 to \$50,000.
260	817.234(11)(b)	2nd	Insurance fraud; property value \$20,000 or more but less than \$100,000.
	817.2341(1), (2)(a) & (3)(a)	3rd	Filing false financial statements, making false entries of material fact or

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261	25-00013B-26	2026676	false statements regarding property values relating to the solvency of an insuring entity.
262	817.568(2)(b)	2nd	Fraudulent use of personal identification information; value of benefit, services received, payment avoided, or amount of injury or fraud, \$5,000 or more or use of personal identification information of 10 or more persons.
263	817.611(2)(a)	2nd	Traffic in or possess 5 to 14 counterfeit credit cards or related documents.
264	817.625(2)(b)	2nd	Second or subsequent fraudulent use of scanning device, skimming device, or reencoder.
265	825.1025(4)	3rd	Lewd or lascivious exhibition in the presence of an elderly person or disabled adult.
	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or

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266	25-00013B-26		2026676	death.
267	<u>828.122(3)</u>	3rd	<u>Fighting or baiting animals.</u>	
268	836.14(4)	2nd	Person who willfully promotes for financial gain a sexually explicit image of an identifiable person without consent.	
269	839.13(2) (b)	2nd	Falsifying records of an individual in the care and custody of a state agency involving great bodily harm or death.	
270	843.01(1)	3rd	Resist officer with violence to person; resist arrest with violence.	
271	847.0135(5) (b)	2nd	Lewd or lascivious exhibition using computer; offender 18 years or older.	
272	847.0137 (2) & (3)	3rd	Transmission of pornography by electronic device or equipment.	
273	847.0138 (2) & (3)	3rd	Transmission of material harmful to minors to a minor by	

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273	25-00013B-26		2026676	electronic device or equipment.
274	874.05(1) (b)	2nd	Encouraging or recruiting another to join a criminal gang; second or subsequent offense.	
275	874.05(2) (a)	2nd	Encouraging or recruiting person under 13 years of age to join a criminal gang.	
276	893.13(1) (a)1.	2nd	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs).	
277	893.13(1) (c)2.	2nd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.	

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277	25-00013B-26		2026676
	893.13(1) (d)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of university.
278	893.13(1) (e)2.	2nd	Sell, manufacture, or deliver cannabis or other drug prohibited under s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) within 1,000 feet of property used for religious services or a specified business site.
279	893.13(1) (f)1.	1st	Sell, manufacture, or deliver cocaine (or other s. 893.03(1)(a), (1)(b), (1)(d), or (2)(a), (2)(b), or (2)(c)5. drugs) within 1,000 feet of public housing facility.
280	893.13(4) (b)	2nd	Use or hire of minor; deliver to minor other controlled substance.

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281	25-00013B-26		2026676
	893.1351(1)	3rd	Ownership, lease, or rental for trafficking in or manufacturing of controlled substance.
282			
283	(f) LEVEL 6		
284			
	Florida Statute	Felony Degree	Description
285	316.027(2) (b)	2nd	Leaving the scene of a crash involving serious bodily injury.
286	316.193(2) (b)	3rd	Felony DUI, 4th or subsequent conviction.
287	316.1935(4) (a)	2nd	Aggravated fleeing or eluding.
288	327.30(5) (a)3.	2nd	Vessel accidents involving serious bodily injury; leaving scene.
289	400.9935(4) (c)	2nd	Operating a clinic, or offering services requiring licensure, without a license.
290	499.0051(2)	2nd	Knowing forgery of transaction history, transaction

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291	25-00013B-26		2026676	information, or transaction statement.
292	499.0051(3)	2nd		Knowing purchase or receipt of prescription drug from unauthorized person.
293	499.0051(4)	2nd		Knowing sale or transfer of prescription drug to unauthorized person.
294	775.0875(1)	3rd		Taking firearm from law enforcement officer.
295	784.021(1)(a)	3rd		Aggravated assault; deadly weapon without intent to kill.
296	784.021(1)(b)	3rd		Aggravated assault; intent to commit felony.
297	784.041	3rd		Felony battery; domestic battery by strangulation.
298	784.048(3)	3rd		Aggravated stalking; credible threat.
299	784.048(5)	3rd		Aggravated stalking of person under 16.

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300	25-00013B-26	2026676	Aggravated assault on law enforcement officer.
301	784.07(2)(c)	2nd	Aggravated assault on sexually violent predators facility staff.
302	784.074(1)(b)	2nd	Aggravated assault on a person 65 years of age or older.
303	784.08(2)(b)	2nd	Aggravated assault on specified official or employee.
304	784.081(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
305	784.082(2)	2nd	Aggravated assault on code inspector.
306	787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
307	787.025(2)(a)	3rd	Luring or enticing a child.
308	790.115(2)(d)	2nd	Discharging firearm or weapon on school property.

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25-00013B-26			2026676
309	790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
310	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.
311	790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
312	794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
313	794.05(1)	2nd	Unlawful sexual activity with specified minor.
314	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.
	800.04(6)(b)	2nd	Lewd or lascivious conduct;

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315	25-00013B-26		2026676
			offender 18 years of age or older.
316	806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
317	810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
318	810.145(8)(b)	2nd	Digital voyeurism; certain minor victims; 2nd or subsequent offense.
319	812.014(2)(b)1.	2nd	Property stolen \$20,000 or more, but less than \$100,000, grand theft in 2nd degree.
320	812.014(2)(c)5.	3rd	Grand theft; third degree; firearm.
321	812.014(6)	2nd	Theft; property stolen \$3,000 or more; coordination of others.
322	812.015(9)(a)	2nd	Retail theft; property stolen \$750 or more; second or subsequent conviction.

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			2026676
323	812.015(9)(b)	2nd	Retail theft; aggregated property stolen within 120 days is \$3,000 or more; coordination of others.
324	812.015(9)(d)	2nd	Retail theft; multiple thefts within specified period.
325	812.015(9)(e)	2nd	Retail theft; committed with specified number of other persons and use of social media platform.
326	812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
327	817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
328	817.49(2)(b)2.	2nd	Willful making of a false report of a crime resulting in death.
329	817.505(4)(b)	2nd	Patient brokering; 10 or more patients.
	817.5695(3)(b)	2nd	Exploitation of person 65 years of age or older, value \$10,000

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			2026676
330			or more, but less than \$50,000.
331	825.102(1)	3rd	Abuse of an elderly person or disabled adult.
332	825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
333	825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
334	825.103(3)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than \$10,000.
335	827.03(2)(c)	3rd	Abuse of a child.
336	827.03(2)(d)	3rd	Neglect of a child.
337	827.071(5)	3rd	Possess, control, or intentionally view any photographic material, motion picture, etc., which includes child pornography.
	<u>828.12(4)</u>	3rd	<u>Causing or enticing a minor to commit, or committing in the presence of a minor, animal</u>

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25-00013B-26			2026676
338		<u>cruelty.</u>	
	<u>828.122(4)</u>	<u>3rd</u>	<u>Causing or enticing a minor to commit, or committing in the presence of a minor, fighting or baiting animals.</u>
339	<u>828.126(3)</u>	<u>3rd</u>	<u>Sexual activities involving animals.</u>
340	<u>836.05</u>	<u>2nd</u>	<u>Threats; extortion.</u>
341	<u>836.10</u>	<u>2nd</u>	<u>Written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.</u>
342	<u>843.12</u>	<u>3rd</u>	<u>Aids or assists person to escape.</u>
343	<u>847.011</u>	<u>3rd</u>	<u>Distributing, offering to distribute, or possessing with intent to distribute obscene materials depicting minors.</u>
344	<u>847.012</u>	<u>3rd</u>	<u>Knowingly using a minor in the production of materials harmful to minors.</u>
345			

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25-00013B-26			2026676
346	<u>847.0135(2)</u>	<u>3rd</u>	<u>Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.</u>
	<u>893.131</u>	<u>2nd</u>	<u>Distribution of controlled substances resulting in overdose or serious bodily injury.</u>
347	<u>914.23</u>	<u>2nd</u>	<u>Retaliation against a witness, victim, or informant, with bodily injury.</u>
	<u>918.13(2) (b)</u>	<u>2nd</u>	<u>Tampering with or fabricating physical evidence relating to a capital felony.</u>
348	<u>944.35(3) (a)2.</u>	<u>3rd</u>	<u>Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.</u>
349			
350	<u>944.40</u>	<u>2nd</u>	<u>Escapes.</u>
351	<u>944.46</u>	<u>3rd</u>	<u>Harboring, concealing, aiding escaped prisoners.</u>
352			

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25-00013B-26			2026676
353	944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
354	951.22(1)(i)	3rd	Firearm or weapon introduced into county detention facility.
355	(g) LEVEL 7		
356	Florida Statute	Felony Degree	Description
357	316.027(2)(c)	1st	Accident involving death, failure to stop; leaving scene.
358	316.193(3)(c)2.	3rd	DUI resulting in serious bodily injury.
359	316.1935(3)(b)	1st	Causing serious bodily injury or death to another person; driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
360	327.35(3)(a)3.b.	3rd	Vessel BUI resulting in serious bodily injury.

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361	25-00013B-26		2026676
362	402.319(2)	2nd	Misrepresentation and negligence or intentional act resulting in great bodily harm, permanent disfigurement, permanent disability, or death.
363	409.920 (2)(b)1.a.	3rd	Medicaid provider fraud; \$10,000 or less.
364	409.920 (2)(b)1.b.	2nd	Medicaid provider fraud; more than \$10,000, but less than \$50,000.
365	456.065(2)	3rd	Practicing a health care profession without a license.
366	456.065(2)	2nd	Practicing a health care profession without a license which results in serious bodily injury.
367	458.327(1)	3rd	Practicing medicine without a license.
368	459.013(1)	3rd	Practicing osteopathic medicine without a license.
	460.411(1)	3rd	Practicing chiropractic

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25-00013B-26			2026676
369		medicine without a license.	
	461.012(1)	3rd	Practicing podiatric medicine without a license.
370	462.17	3rd	Practicing naturopathy without a license.
371	463.015(1)	3rd	Practicing optometry without a license.
372	464.016(1)	3rd	Practicing nursing without a license.
373	465.015(2)	3rd	Practicing pharmacy without a license.
374	466.026(1)	3rd	Practicing dentistry or dental hygiene without a license.
375	467.201	3rd	Practicing midwifery without a license.
376	468.366	3rd	Delivering respiratory care services without a license.
377	483.828(1)	3rd	Practicing as clinical laboratory personnel without a license.

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25-00013B-26			2026676
378	483.901(7)	3rd	Practicing medical physics without a license.
379	484.013(1) (c)	3rd	Preparing or dispensing optical devices without a prescription.
380	484.053	3rd	Dispensing hearing aids without a license.
381	494.0018(2)	1st	Conviction of any violation of chapter 494 in which the total money and property unlawfully obtained exceeded \$50,000 and there were five or more victims.
382	560.123(8) (b)1.	3rd	Failure to report currency or payment instruments exceeding \$300 but less than \$20,000 by a money services business.
383	560.125(5) (a)	3rd	Money services business by unauthorized person, currency or payment instruments exceeding \$300 but less than \$20,000.
384	655.50(10) (b)1.	3rd	Failure to report financial

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25-00013B-26		2026676
385		transactions exceeding \$300 but less than \$20,000 by financial institution.
775.21(10) (a)	3rd	Sexual predator; failure to register; failure to renew driver license or identification card; other registration violations.
386		775.21(10) (b)
387		3rd Sexual predator working where children regularly congregate.
388		775.21(10) (g)
389		3rd Failure to report or providing false information about a sexual predator; harbor or conceal a sexual predator.
390		782.051(3)
	2nd	Attempted felony murder of a person by a person other than the perpetrator or the perpetrator of an attempted felony.
	2nd	782.07(1) Killing of a human being by the act, procurement, or culpable negligence of another (manslaughter).

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25-00013B-26		2026676
391	782.071	2nd Killing of a human being or unborn child by the operation of a motor vehicle in a reckless manner (vehicular homicide).
392	782.072	2nd Killing of a human being by the operation of a vessel in a reckless manner (vessel homicide).
393	784.045(1) (a)1.	2nd Aggravated battery; intentionally causing great bodily harm or disfigurement.
394	784.045(1) (a)2.	2nd Aggravated battery; using deadly weapon.
395	784.045(1) (b)	2nd Aggravated battery; perpetrator aware victim pregnant.
396	784.048(4)	3rd Aggravated stalking; violation of injunction or court order.
397	784.048(7)	3rd Aggravated stalking; violation of court order.
	784.07(2) (d)	1st Aggravated battery on law enforcement officer.

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398	25-00013B-26		2026676	
	784.074(1) (a)	1st	Aggravated battery on sexually violent predators facility staff.	
399	784.08(2) (a)	1st	Aggravated battery on a person 65 years of age or older.	
400	784.081(1)	1st	Aggravated battery on specified official or employee.	
401	784.082(1)	1st	Aggravated battery by detained person on visitor or other detainee.	
402	784.083(1)	1st	Aggravated battery on code inspector.	
403	787.025(2) (b)	2nd	Luring or enticing a child; second or subsequent offense.	
404	787.025(2) (c)	2nd	Luring or enticing a child with a specified prior conviction.	
405	787.06(3) (a)2.	1st	Human trafficking using coercion for labor and services of an adult.	
406	787.06(3) (e)2.	1st	Human trafficking using	

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

407	25-00013B-26		2026676	
			coercion for labor and services by the transfer or transport of an adult from outside Florida to within the state.	
408	790.07(4)	1st	Specified weapons violation subsequent to previous conviction of s. 790.07(1) or (2).	
409	790.16(1)	1st	Discharge of a machine gun under specified circumstances.	
410	790.165(2)	2nd	Manufacture, sell, possess, or deliver hoax bomb.	
411	790.165(3)	2nd	Possessing, displaying, or threatening to use any hoax bomb while committing or attempting to commit a felony.	
412	790.166(3)	2nd	Possessing, selling, using, or attempting to use a hoax weapon of mass destruction.	
	790.166(4)	2nd	Possessing, displaying, or threatening to use a hoax weapon of mass destruction while committing or attempting	

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25-00013B-26			2026676
413		to commit a felony.	
790.23	1st, PBL	Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.	
414	794.08(4)	3rd Female genital mutilation; consent by a parent, guardian, or a person in custodial authority to a victim younger than 18 years of age.	
415	796.05(1)	1st Live on earnings of a prostitute; 2nd offense.	
416	796.05(1)	1st Live on earnings of a prostitute; 3rd and subsequent offense.	
417	800.04(5) (c)1.	2nd Lewd or lascivious molestation; victim younger than 12 years of age; offender younger than 18 years of age.	
418	800.04(5) (c)2.	2nd Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years of age; offender 18 years of age	

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419		or older.	
800.04(5) (e)	1st	Lewd or lascivious molestation; victim 12 years of age or older but younger than 16 years; offender 18 years or older; prior conviction for specified sex offense.	
420	2nd	Maliciously damage structure by fire or explosive.	
810.02(3) (a)	2nd	Burglary of occupied dwelling; unarmed; no assault or battery.	
422	2nd	Burglary of unoccupied dwelling; unarmed; no assault or battery.	
810.02(3) (b)	2nd	Burglary of occupied conveyance; unarmed; no assault or battery.	
423	2nd	Burglary of authorized emergency vehicle.	
810.02(3) (d)	2nd	Property stolen, valued at \$100,000 or more or a semitrailer deployed by a law	
424	2nd		
810.02(3) (e)	1st		
425	1st		
812.014(2) (a)1.			

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			25-00013B-26	2026676
426			enforcement officer; property stolen while causing other property damage; 1st degree grand theft.	
	812.014(2)(b)2.	2nd	Property stolen, cargo valued at less than \$50,000, grand theft in 2nd degree.	
427	812.014(2)(b)3.	2nd	Property stolen, emergency medical equipment; 2nd degree grand theft.	
428	812.014(2)(b)4.	2nd	Property stolen, law enforcement equipment from authorized emergency vehicle.	
429	812.014(2)(g)	2nd	Grand theft; second degree; firearm with previous conviction of s.	
			812.014(2)(c)5.	
430	812.0145(2)(a)	1st	Theft from person 65 years of age or older; \$50,000 or more.	
431	812.019(2)	1st	Stolen property; initiates, organizes, plans, etc., the theft of property and traffics in stolen property.	

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

			25-00013B-26	2026676
432			812.131(2)(a)	2nd Robbery by sudden snatching.
433			812.133(2)(b)	1st Carjacking; no firearm, deadly weapon, or other weapon.
434			817.034(4)(a)1.	1st Communications fraud, value greater than \$50,000.
435			817.234(8)(a)	2nd Solicitation of motor vehicle accident victims with intent to defraud.
436			817.234(9)	2nd Organizing, planning, or participating in an intentional motor vehicle collision.
437			817.234(11)(c)	1st Insurance fraud; property value \$100,000 or more.
438			817.2341 (2)(b) & (3)(b)	1st Making false entries of material fact or false statements regarding property values relating to the solvency of an insuring entity which are a significant cause of the insolvency of that entity.
439			817.418(2)(a)	3rd Offering for sale or

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25-00013B-26			2026676
		advertising personal protective equipment with intent to defraud.	
440	817.504(1)(a)	3rd	Offering or advertising a vaccine with intent to defraud.
441	817.535(2)(a)	3rd	Filing false lien or other unauthorized document.
442	817.611(2)(b)	2nd	Traffic in or possess 15 to 49 counterfeit credit cards or related documents.
443	825.102(3)(b)	2nd	Neglecting an elderly person or disabled adult causing great bodily harm, disability, or disfigurement.
444	825.103(3)(b)	2nd	Exploiting an elderly person or disabled adult and property is valued at \$10,000 or more, but less than \$50,000.
445	827.03(2)(b)	2nd	Neglect of a child causing great bodily harm, disability, or disfigurement.
446	<u>827.04(4)</u>	3rd	Impregnation of a child under

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		<u>827.04(3)</u>	16 years of age by person 21 years of age or older.
447		827.071(2) & (3)	2nd Use or induce a child in a sexual performance, or promote or direct such performance.
448		827.071(4)	2nd Possess with intent to promote any photographic material, motion picture, etc., which includes child pornography.
449		<u>828.126(6)</u>	<u>3rd</u> <u>Causing or enticing a minor to commit, or committing in the presence of a minor, sexual activities involving animals.</u>
450		837.05(2)	3rd Giving false information about alleged capital felony to a law enforcement officer.
451		838.015	2nd Bribery.
452		838.016	2nd Unlawful compensation or reward for official behavior.
453		838.021(3)(a)	2nd Unlawful harm to a public servant.
454			

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455	838.22	2nd	Bid tampering.
456	843.0855 (2)	3rd	Impersonation of a public officer or employee.
457	843.0855 (3)	3rd	Unlawful simulation of legal process.
458	843.0855 (4)	3rd	Intimidation of a public officer or employee.
459	847.0135 (3)	3rd	Solicitation of a child, via a computer service, to commit an unlawful sex act.
460	847.0135 (4)	2nd	Traveling to meet a minor to commit an unlawful sex act.
461	872.06	2nd	Abuse of a dead human body.
462	874.05 (2) (b)	1st	Encouraging or recruiting person under 13 to join a criminal gang; second or subsequent offense.
	874.10	1st, PBL	Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.

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463	25-00013B-26		2026676
464	893.13 (1) (c)1.	1st	Sell, manufacture, or deliver cocaine (or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5.) within 1,000 feet of a child care facility, school, or state, county, or municipal park or publicly owned recreational facility or community center.
465	893.13 (1) (e)1.	1st	Sell, manufacture, or deliver cocaine or other drug prohibited under s. 893.03 (1) (a), (1) (b), (1) (d), (2) (a), (2) (b), or (2) (c) 5., within 1,000 feet of property used for religious services or a specified business site.
466	893.13 (4) (a)	1st	Use or hire of minor; deliver to minor other controlled substance.
	893.135 (1) (a)1.	1st	Trafficking in cannabis, more than 25 lbs., less than 2,000 lbs.

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467	25-00013B-26	2026676	2026676
	893.135 (1) (b)1.a.	1st Trafficking in cocaine, more than 28 grams, less than 200 grams.	893.135 (1) (d)1.a.
468	893.135 (1) (c)1.a.	1st Trafficking in illegal drugs, more than 4 grams, less than 14 grams.	893.135 (1) (e)1.
469	893.135 (1) (c)2.a.	1st Trafficking in hydrocodone, 28 grams or more, less than 50 grams.	893.135 (1) (f)1.
470	893.135 (1) (c)2.b.	1st Trafficking in hydrocodone, 50 grams or more, less than 100 grams.	893.135 (1) (g)1.a.
471	893.135 (1) (c)3.a.	1st Trafficking in oxycodone, 7 grams or more, less than 14 grams.	893.135 (1) (h)1.a.
472	893.135 (1) (c)3.b.	1st Trafficking in oxycodone, 14 grams or more, less than 25 grams.	893.135 (1) (i)1.a.
473	893.135 (1) (c)4.b.(I)	1st Trafficking in fentanyl, 4 grams or more, less than 14 grams.	893.135 (1) (j)1.a.
474			893.135 (1) (k)2.a.

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475	25-00013B-26	2026676	2026676
	893.135 (1) (d)1.a.	1st Trafficking in phencyclidine, 28 grams or more, less than 200 grams.	893.135 (1) (e)1.
476		1st Trafficking in methaqualone, 200 grams or more, less than 5 kilograms.	893.135 (1) (f)1.
477		1st Trafficking in amphetamine, 14 grams or more, less than 28 grams.	893.135 (1) (g)1.a.
478		1st Trafficking in flunitrazepam, 4 grams or more, less than 14 grams.	893.135 (1) (h)1.a.
479		1st Trafficking in gamma-hydroxybutyric acid (GHB), 1 kilogram or more, less than 5 kilograms.	893.135 (1) (i)1.a.
480		1st Trafficking in 1,4-Butanediol, 1 kilogram or more, less than 5 kilograms.	893.135 (1) (j)1.a.
481		1st Trafficking in Phenethylamines, 10 grams or more, less than 200 grams.	893.135 (1) (k)2.a.

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			2026676
482	893.135 (1) (m) 2.a.	1st	Trafficking in synthetic cannabinoids, 280 grams or more, less than 500 grams.
483	893.135 (1) (m) 2.b.	1st	Trafficking in synthetic cannabinoids, 500 grams or more, less than 1,000 grams.
484	893.135 (1) (n) 2.a.	1st	Trafficking in n-benzyl phenethylamines, 14 grams or more, less than 100 grams.
485	893.1351(2)	2nd	Possession of place for trafficking in or manufacturing of controlled substance.
486	896.101(5) (a)	3rd	Money laundering, financial transactions exceeding \$300 but less than \$20,000.
487	896.104(4) (a)1.	3rd	Structuring transactions to evade reporting or registration requirements, financial transactions exceeding \$300 but less than \$20,000.
	943.0435(4) (c)	2nd	Sexual offender vacating permanent residence; failure to comply with reporting

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			2026676
488	943.0435(8)	2nd	Sexual offender; remains in state after indicating intent to leave; failure to comply with reporting requirements.
489	943.0435(9) (a)	3rd	Sexual offender; failure to comply with reporting requirements.
490	943.0435(13)	3rd	Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.
491	943.0435(14)	3rd	Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.
492	944.607(9)	3rd	Sexual offender; failure to comply with reporting requirements.
493	944.607(10) (a)	3rd	Sexual offender; failure to submit to the taking of a digitized photograph.

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494 944.607(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

495 944.607(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

496 985.4815(10) 3rd Sexual offender; failure to submit to the taking of a digitized photograph.

497 985.4815(12) 3rd Failure to report or providing false information about a sexual offender; harbor or conceal a sexual offender.

498 985.4815(13) 3rd Sexual offender; failure to report and reregister; failure to respond to address verification; providing false registration information.

499 500 501 Section 6. Paragraph (c) of subsection (3) of section 39.201, Florida Statutes, is amended to read:

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502 39.201 Required reports of child abuse, abandonment, or neglect, sexual abuse of a child, and juvenile sexual abuse; required reports of death; reports involving a child who has exhibited inappropriate sexual behavior.—

503 (3) ADDITIONAL CIRCUMSTANCES RELATED TO REPORTS.—

504 (c) Abuse involving *impregnation of a child*.—A report must

505 be immediately electronically transferred to the appropriate

506 county sheriff's office or other appropriate law enforcement

507 agency by the central abuse hotline if the report is of an

508 instance of known or suspected child abuse involving

509 impregnation of a child 15 years of age or younger by a person

510 21 years of age or older under s. 827.04(4) s. 827.04(3). If the

511 report is of known or suspected child abuse under s. 827.04(4)

512 s. 827.04(3), subsection (1) does not apply to health care

513 professionals or other professionals who provide medical or

514 counseling services to pregnant children when such reporting

515 would interfere with the provision of such medical or counseling

516 services.

517 Section 7. Section 90.4025, Florida Statutes, is amended to

518 read:

519 90.4025 Admissibility of paternity determination in certain

520 criminal prosecutions.—If a person less than 18 years of age

521 gives birth to a child and the paternity of that child is

522 established under chapter 742, such evidence of paternity is

523 admissible in a criminal prosecution under ss. 794.011, 794.05,

524 800.04, and 827.04(4) 827.04(3).

525 Section 8. Section 382.356, Florida Statutes, is amended to

526 read:

527 382.356 Protocol for sharing certain birth certificate

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531 information.—In order to facilitate the prosecution of offenses
532 under s. 794.011, s. 794.05, s. 800.04, or s. 827.04(4) s.
533 ~~s. 827.04(3)~~, the Department of Health, the Department of Revenue,
534 and the Florida Prosecuting Attorneys Association shall develop
535 a protocol for sharing birth certificate information for all
536 children born to unmarried mothers who are less than 17 years of
537 age at the time of the child's birth.

538 Section 9. Section 409.2355, Florida Statutes, is amended
539 to read:

540 409.2355 Programs for prosecution of males over age 21 who
541 commit certain offenses involving girls under age 16.—Subject to
542 specific appropriated funds, the Department of Children and
543 Families is directed to establish a program by which local
544 communities, through the state attorney's office of each
545 judicial circuit, may apply for grants to fund innovative
546 programs for the prosecution of males over the age of 21 who
547 victimize girls under the age of 16 in violation of s. 794.011,
548 s. 794.05, s. 800.04, s. 827.04(4) s. 827.04(3), or s.
549 847.0135(5).

550 Section 10. Subsection (4) of section 742.107, Florida
551 Statutes, is amended to read:

552 742.107 Determining paternity of child with mother under 16
553 years of age when impregnated.—

554 (4) When the information provided by the applicant or
555 recipient who was impregnated while under age 16 indicates that
556 such person is the victim of child abuse as provided in s.
557 s. 827.04(4) s. 827.04(3), the Department of Revenue or the
558 Department of Children and Families shall notify the county
559 sheriff's office or other appropriate agency or official and

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560 provide information needed to protect the child's health or
561 welfare.

562 Section 11. This act shall take effect October 1, 2026.

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Florida Senate

Kristen Arrington

Senator, District 25

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Environment, and
General Government
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Tourism, and Economic
Development
Appropriations

Environment and
Natural Resources

Fiscal Policy

Governmental
Oversight and
Accountability

Transportation

December 12, 2025

The Honorable Jonathan Martin, Chair
315 Senate Building
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear Senator Martin,

I am respectfully requesting that you place SB 676, Criminal Offenses, on the agenda for the next Criminal Justice Committee meeting at your earliest opportunity.

SB 676 would create criminal penalties for adults that commit acts of animal cruelty in the presence of a minor or coerce a minor to participate. This bill specifies animal cruelty as fighting, baiting, or sexual acitivities. SB 676 also increases the level on the offense severity ranking chart for fighting or baiting animals. This bill is identical to CS/SB 1732, Criminal Justice from the 2025 Session.

Studies show that children that witness or participate in acts of animal cruelty have a greater increase in mental health issues, along with an increased likelihood of engaging in violence themselves. By addressing the cycle of abuse early on, children can be shielded from additional trauma caused by witnessing violence.

If you have any questions, please do not hesitate to reach me at (407) 973-4070. Thank you for your consideration in placing SB 676 on the next committee agenda.

Respectfully,

Senator Kristen Arrington

CC: The Honorable Carlos Guillermo Smith, Vice Chair
Amanda Stokes, Staff Director

SB 676 – Criminal Offenses (Identical HB 559)

This bill amends multiple statutes. First, it amends s. 827.04, F.S., adding elevated misdemeanor and felony levels for “a person who commits any act that causes, tends to cause, encourages, or contributes to a child committing an offense that” is as follows:

- 3rd degree felony: 1st degree misdemeanor
- 2nd degree felony: 3rd degree felony
- 1st degree felony: 2nd degree felony
- capital felony: 1st degree felony

It further adds that a “a person who induces or endeavors to induce, by act, threat, command, or persuasion, a child to commit an offense that is:”

- 3rd degree felony: 1st degree misdemeanor
- 2nd degree felony: 3rd degree felony
- 1st degree felony: 2nd degree felony
- capital felony: 1st degree felony

Per FDLE, in FY 24-25, there were 719 arrests, with 254 guilty/convicted charges and 125 adjudicated withheld charges for contributing to the delinquency of a minor, which is currently a 1st degree misdemeanor. It is not known how many of these instances would now be under the new elevated felony structure.

This bill then amends s. 828.12, F.S., adding a **Level 6, 3rd degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits” the following Level 5, 3rd degree felony: “a person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty...” Per DOC, in FY 24-25, there were 20 new commitments for the Level 5, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved.

Additionally, the bill amends s. 828.122, F.S, adding a **Level 6, 3rd degree felony** for when “a person 18 years of age of older...causes or entices a minor to commit, or in the presence of a minor commits...” the current Level 1, 3rd degree felony for a list of acts related to animal fighting or baiting. It then raises this felony to a **Level 5, 3rd degree felony**. Per DOC, in FY 24-25, there were no new commitments for this Level 1, 3rd degree felony.

Finally, the bill amends s. 828.126, F.S., adding a **Level 7, 3rd degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” a Level 6, 3rd degree felony for a list of acts related to sexual activities involving animals. Per DOC, in FY 24-25, there were 5 new

commitments for this Level 6, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved. However, there are penalties under Chapter 827, where “sexual conduct” is defined with the inclusion of sexual bestiality, with felonies against similarly defined acts under s. 827.071, F.S. (sexual performance by a child). Per DOC, in FY 24-25, there was one new commitment involving such an act, though sexual conduct is broadly defined. Lastly, sexual conduct is also used for the 1st degree misdemeanor under s. 827.11, F.S. (expose children to an adult live performance). There were no arrests or convictions/adjudications withheld for this 1st degree misdemeanor in FY 24-25.

EDR PROPOSED ESTIMATE: Positive Indeterminate

Requested by: Senate

1/12/26

Meeting Date

CJ.

Committee

Name Kate MacFall

Address 1206 Walton Dr.
Street
Tallahassee FL.

City

State

Zip

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
Senate professional staff conducting the meeting

SB 676

Bill Number or Topic

Amendment Barcode (if applicable)

Phone 850 508-1001

Email KMacFall@hsus.org

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without
compensation or sponsorship.

I am a registered lobbyist,
representing:

Humane World

I am not a lobbyist, but received
something of value for my appearance
(travel, meals, lodging, etc.),
sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022JointRules.pdf](https://www.flsenate.gov/2020-2022JointRules.pdf) (flsenate.gov)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

CourtSmart Tag Report

Room: SB 37

Case No.:

Type:

Caption: Senate Criminal Justice Committee

Judge:

Started: 1/12/2026 1:30:49 PM

Ends: 1/12/2026 2:53:01 PM

Length: 01:22:12

1:30:49 PM Chair Martin calls meeting to order
1:30:58 PM Roll call
1:31:24 PM Chair Martin gives introductory announcements
1:31:43 PM Tab 1: SB 50
1:31:56 PM Sen Gaetz explains the bill
1:33:17 PM Chair Martin recognizes Sen Gaetz to explain amendment 553034
1:33:25 PM Sen Gaetz explains the amendment
1:33:52 PM Chair Martin
1:33:57 PM Appearance Cards:
1:34:09 PM Dan Hendrickson
1:36:21 PM Chair Martin
1:36:32 PM Chair recognizes Sen Gaetz to explain amendment 669186
1:36:36 PM Sen Gaetz
1:36:55 PM Chair Martin
1:37:01 PM Sen Gaetz
1:37:02 PM Chair Martin
1:37:09 PM Questions:
1:37:13 PM Vice Chair Smith
1:37:50 PM Sen Gaetz
1:38:39 PM Chair Martin
1:38:50 PM Appearance Cards:
1:38:55 PM Chair Martin acknowledges waives speaking
1:40:30 PM Christina Heady
1:43:06 PM Vice Chair Smith
1:43:59 PM Pastor Jearlyn Dennie, Alliance for Safety & Justice
1:46:00 PM Chair Martin
1:46:06 PM Debate:
1:46:10 PM Vice Chair Smith
1:47:13 PM Chair Martin
1:47:31 PM Sen Gaetz closes on the bill
1:47:42 PM Roll call
1:47:52 PM Chair Martin reports favorably on the bill
1:47:59 PM Chair Martin passes gavel to Vice Chair Smith
1:48:17 PM Tab 2: SB 52
1:48:37 PM Vice Chair recognizes Sen Gaetz to explain amendment 596732
1:48:43 PM Sen Gaetz
1:49:53 PM Vice Chair Smith
1:50:32 PM Appearance Cards:
1:50:40 PM Reggie Bartkowski, Pensacola Christian College
1:52:45 PM Vice Chair Smith
1:52:52 PM Pastor Joshua Burdick, Campus Church
1:55:45 PM Vice Chair Smith passes gavel to Chair Martin
1:55:50 PM Chair Martin
1:55:58 PM Trevor Huff
1:58:07 PM Chair Martin acknowledges waives speaking
1:58:17 PM Chair Martin recognizes Sen Gaetz close
1:58:21 PM Sen Gaetz
1:58:43 PM Roll call
1:58:53 PM Chair Martin reports CS/SB 52 as favorable
1:59:10 PM Tab 4: SB 436
1:59:20 PM Chair Martin passes gavel to Vice Chair Smith
1:59:22 PM Vice Chair Smith

2:00:12 PM Vice Chair Smith recognizes Chair Martin to explain amendment 288848
2:00:22 PM Chair Martin
2:01:34 PM Vice Chair Smith
2:01:43 PM Questions:
2:01:46 PM Vice Chair Smith
2:03:09 PM Chair Martin
2:05:59 PM Vice Chair Smith
2:06:22 PM Chair Martin
2:06:43 PM Vice Chair Smith
2:07:04 PM Sen Pizzo
2:09:11 PM Chair Martin
2:10:06 PM Sen Pizzo
2:10:47 PM Chair Martin
2:10:50 PM Sen Pizzo
2:10:54 PM Chair Martin
2:11:53 PM Sen Pizzo
2:11:56 PM Chair Martin
2:11:57 PM Sen Pizzo
2:11:59 PM Chair Martin
2:12:05 PM Vice Chair Smith
2:12:47 PM Vice Chair Smith recognizes Chair Martin to explain the bill
2:12:50 PM Chair Martin
2:13:47 PM Vice Chair Smith
2:13:50 PM Questions:
2:13:54 PM Vice Chair Smith
2:14:44 PM Chair Martin
2:15:56 PM Vice Chair Smith
2:16:25 PM Vice Chair Smith acknowledges waives speaking
2:16:47 PM Debate:
2:16:50 PM Sen Pizzo
2:17:23 PM Vice Chair Smith
2:19:15 PM Chair Martin closes on the bill
2:19:59 PM Vice Chair Smith
2:20:05 PM Roll call
2:20:21 PM Vice Chair Smith reports on CS/SB 436 favorably
2:20:50 PM Tab 8: SB 676
2:21:01 PM Vice Chair Smith recognizes Sen Arrington to explain the bill
2:21:03 PM Sen Arrington
2:23:12 PM Vice Chair Smith
2:23:24 PM Vice Chair Smith acknowledges waives speaking
2:23:38 PM Vice Chair Smith recognizes Sen Arrington to close on the bill
2:23:44 PM Sen Arrington
2:23:48 PM Vice Chair Smith
2:23:52 PM Roll call
2:24:10 PM Vice Chair Smith reports SB 676 as favorable
2:24:22 PM Tab 6: SB 536
2:24:43 PM Vice Chair Smith recognizes Chair Martin to explain amendment 556058
2:24:46 PM Chair Martin
2:25:13 PM Questions:
2:25:15 PM Sen Pizzo
2:25:53 PM Chair Martin
2:25:56 PM Sen Pizzo
2:26:20 PM Chair Martin
2:26:30 PM Sen Pizzo
2:26:54 PM Chair Martin
2:26:59 PM Sen Pizzo
2:27:19 PM Chair Martin
2:27:23 PM Vice Chair Smith
2:27:30 PM Vice Chair Smith acknowledges waives speaking
2:28:19 PM Questions:
2:28:24 PM Sen Pizzo
2:28:50 PM Vice Chair Smith

2:29:03 PM Sen Pizzo
2:29:09 PM Chair Martin
2:29:11 PM Sen Pizzo
2:29:47 PM Chair Martin
2:29:53 PM Sen Pizzo
2:29:59 PM Chair Martin
2:30:07 PM Sen Pizzo
2:30:27 PM Chair Martin
2:30:31 PM Sen Pizzo
2:31:54 PM Chair Martin
2:32:03 PM Vice Chair Smith
2:32:15 PM Sen Bernard
2:32:31 PM Chair Martin
2:32:40 PM Vice Chair Smith
2:32:58 PM Vice Chair Smith acknowledges waives speaking
2:33:00 PM Appearance Cards:
2:33:08 PM Frin Ballas, Miami Dade Sheriff Office
2:34:46 PM Sen Pizzo
2:35:09 PM Ballas
2:35:25 PM Sen Pizzo
2:35:41 PM Ballas
2:35:50 PM Sen Pizzo
2:36:45 PM Ballas
2:36:50 PM Sen Pizzo
2:36:55 PM Ballas
2:37:06 PM Sen Pizzo
2:37:37 PM Ballas
2:37:42 PM Sen Pizzo
2:37:47 PM Ballas
2:37:58 PM Sen Pizzo
2:39:06 PM Ballas
2:39:07 PM Sen Pizzo
2:39:36 PM Vice Chair Smith
2:39:51 PM Debate:
2:39:54 PM Sen Simon
2:40:33 PM Vice Chair Smith
2:40:36 PM Sen Pizzo
2:41:16 PM Vice Chair Smith recognizes Chair Martin to close on the bill
2:41:20 PM Chair Martin
2:43:56 PM Roll call
2:44:18 PM Vic Chair Smith reports CS/SB 536 as favorable
2:44:24 PM Vice Chair Smith passes gavel to Chair Martin
2:44:28 PM Chair Martin
2:44:42 PM Tab 3: SB 432
2:44:44 PM Chair Martin recognizes Sen Yarborough to explain the bill
2:44:46 PM Sen Yarborough
2:46:04 PM Chair Martin
2:46:20 PM Chair Martin acknowledges waives speaking
2:46:45 PM Debate:
2:46:48 PM Vice Chair Smith
2:47:36 PM Chair Martin recognizes Sen Yarborough to close on the bill
2:47:40 PM Sen Yarborough
2:48:29 PM Roll call
2:48:41 PM Chair Martin reports SB 432 as favorable
2:48:46 PM Tab 5: SB 524
2:48:47 PM Chair Martin recognizes Sen Simon to explain the bill
2:48:52 PM Sen Simon
2:50:15 PM Chair Martin
2:50:20 PM Chair Martin acknowledges waives speaking
2:50:30 PM Roll call
2:50:44 PM Chair Martin reports SB 524 as favorable
2:50:50 PM Tab 7: SB 590

2:50:55 PM Chair Martin recognizes Sen Bradley to explain the bill
2:51:05 PM Sen Bradley
2:52:03 PM Chair Martin acknowledges waives speaking
2:52:12 PM Roll call
2:52:27 PM Chair Martin reports SB 590 as favorable
2:52:37 PM Sen Pizzo motions to be recorded as voting yes on SB 524
2:52:50 PM Chair Martin
2:52:56 PM Adjournment