

<b>Tab 2</b>	<b>SB 132</b> by <b>Polsky</b> ; Similar to H 00073 Restoration of Voting Rights				
183638	A	S	RCS	ACJ, Polsky	Delete L.66: 02/05 08:37 AM
<b>Tab 3</b>	<b>SB 418</b> by <b>Jones (CO-INTRODUCERS) Smith</b> ; Identical to H 00365 Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder				
<b>Tab 4</b>	<b>SB 646</b> by <b>Gaetz</b> ; Identical to H 00477 Drug Paraphernalia				
<b>Tab 5</b>	<b>SB 820</b> by <b>Bradley</b> ; Identical to H 00831 Problem-solving Court Reports				
571020	D	S	RCS	ACJ, Bradley	Delete everything after 02/05 08:38 AM
<b>Tab 6</b>	<b>SB 1734</b> by <b>Martin</b> ; Similar to CS/H 01153 Juvenile Justice				

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**  
**APPROPRIATIONS COMMITTEE ON CRIMINAL AND CIVIL**  
**JUSTICE**  
**Senator Garcia, Chair**  
**Senator Martin, Vice Chair**

**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 3:45—6:00 p.m.

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

**MEMBERS:** Senator Garcia, Chair; Senator Martin, Vice Chair; Senators Osgood, Polsky, Simon, Smith, Wright, and Yarborough

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Review and Discussion of Fiscal Year 2026-2027 Budget Issues Relating to:  Department of Corrections Department of Juvenile Justice Department of Law Enforcement Department of Legal Affairs/Attorney General Florida Commission on Offender Review State Courts Public Defenders State Attorneys Regional Conflict Counsels Statewide Guardian ad Litem Capital Collateral Regional Counsels Justice Administration Commission		Not Considered
2	<b>SB 132</b> Polsky (Similar H 73, Compare H 1419, S 1598)	Restoration of Voting Rights; Requiring the Florida Commission on Offender Review to develop and maintain a database containing certain information for a certain purpose; requiring the Department of Management Services, acting through the Florida Digital Service, to provide certain technical assistance to the commission; providing that a person who takes certain actions in reasonable reliance on the database has an affirmative right to register and to vote and may not be charged with certain violations of criminal law, etc.	Fav/CS Yea 8 Nay 0
		CJ 01/26/2026 Favorable ACJ 02/04/2026 Fav/CS FP	

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Criminal and Civil Justice  
Wednesday, February 4, 2026, 3:45—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	<b>SB 418</b> Jones (Identical H 365)	Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder; Requiring the Department of Highway Safety and Motor Vehicles to establish a program to improve communication between individuals with autism spectrum disorder and law enforcement officers under certain circumstances; requiring the department to develop and make available to individuals with autism spectrum disorder a certain envelope by a specified date; defining the terms "agency" and "autism spectrum disorder"; requiring the Criminal Justice Standards and Training Commission within the Department of Law Enforcement to establish an employment training component relating to individuals with autism spectrum disorder, etc.  CJ 01/26/2026 Favorable ACJ 02/04/2026 Favorable FP	Favorable Yea 8 Nays 0
4	<b>SB 646</b> Gaetz (Identical H 477)	Drug Paraphernalia; Revising the definition of "drug paraphernalia" to exclude certain narcotic-drug-testing products, etc.  CJ 01/26/2026 Favorable ACJ 02/04/2026 Favorable FP	Favorable Yea 8 Nays 0
5	<b>SB 820</b> Bradley (Identical H 831)	Problem-solving Court Reports; Requiring that specified data be included in problem-solving court reports; revising the frequency with which mental health and treatment-based drug court program reports, respectively, must be reported to the Office of the State Courts Administrator, etc.  JU 01/27/2026 Favorable ACJ 02/04/2026 Fav/CS RC	Fav/CS Yea 8 Nays 0
6	<b>SB 1734</b> Martin (Identical H 1153)	Juvenile Justice; Authorizing the Governor to award a Medal of Heroism to juvenile detention and juvenile probation officers; authorizing certain entities to establish an award program to award a Medal of Valor to a juvenile detention officer or probation officer in certain circumstances; revising the definition of the term "officer" to include juvenile detention and juvenile probation officers; providing that a child subject to proceedings under ch. 984, F.S., may only be placed in a shelter in certain circumstances, etc.  CJ 01/26/2026 Favorable ACJ 02/04/2026 Favorable FP	Favorable Yea 8 Nays 0

**COMMITTEE MEETING EXPANDED AGENDA**

Appropriations Committee on Criminal and Civil Justice  
Wednesday, February 4, 2026, 3:45—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
Other Related Meeting Documents			

By Senator Polsky

30-00124-26

A bill to be entitled

2026132

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

Section 1. Subsection (4) is added to section 20.32.

Page 1 of 4

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

30-00124-26

2026132

Florida Statutes, to read:

20.32 Florida Commission on Offender Review.—

(4)(a) For the purpose of assisting a person who has been disqualified from voting based on a felony conviction other than murder or a felony sexual offense in determining whether he or she has met the requirements under s. 98.0751 to have his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution, the Florida Commission on Offender Review shall develop and maintain a database that contains for each such person all of the following information:

1. His or her name and any other personal identifying information.

2. The remaining length of any term of supervision, including, but not limited to, probation, community control, or parole, ordered by a court as a part of his or her sentence.

3. The remaining amount of any restitution owed to a victim as ordered by a court as a part of his or her sentence.

4. The remaining amount due of any fines or fees that were initially ordered by a court as a part of his or her sentence or as a condition of any form of supervision, including, but not limited to, probation, community control, or parole.

5. The completion status of any other term ordered by a court as a part of his or her sentence

6. Any other information needed to determine whether he or she has met the requirements for restoration of voting rights under s. 98.0751.

(b) The Department of State, the Department of Corrections, the clerks of the circuit courts, the county comptrollers, and the Board of Executive Clemency shall provide to the commission

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Page 2 of 4

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30-00124-26

2026132

59 monthly any information held by these governmental entities  
 60 which is required under paragraph (a).  
 61 (c) The Department of Management Services, acting through  
 62 the Florida Digital Service, shall provide any technical  
 63 assistance necessary for the commission to develop and maintain  
 64 the database. The Department of Management Services may adopt  
 65 rules to provide such assistance.  
 66 (d) By July 1, 2029, the commission shall make the database  
 67 available to the public on an Internet website. The commission  
 68 shall update the database monthly with the information received  
 69 from each governmental entity under paragraph (b). The  
 70 commission shall publish on the website clear instructions that  
 71 a person who has been disqualified from voting based on a felony  
 72 conviction other than murder or a felony sexual offense may  
 73 follow to have his or her voting rights restored and to register  
 74 to vote.  
 75 (e) By July 1, 2027, the commission shall provide a  
 76 comprehensive plan to the Governor, the President of the Senate,  
 77 and the Speaker of the House of Representatives which includes  
 78 all of the following:  
 79 1. The governmental entities from which and the methods by  
 80 which the commission shall collect, centralize, analyze, and  
 81 secure the information required to be included in the database.  
 82 2. A description of any infrastructure and services,  
 83 including, but not limited to, software, hardware, and  
 84 information technology services, which may be necessary to  
 85 create and maintain the database.  
 86 3. The anticipated number of additional employees necessary  
 87 for:

Page 3 of 4

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30-00124-26

2026132

88 a. The commission to develop and maintain the database.  
 89 b. A governmental entity to provide the information  
 90 required under paragraph (b).  
 91 c. The Florida Digital Service to provide the assistance  
 92 required under paragraph (c).  
 93 4. The anticipated initial cost to develop the database;  
 94 the annual cost to maintain the database; and the annual  
 95 appropriation required to fund the anticipated costs incurred by  
 96 the commission, each governmental entity, and the Florida  
 97 Digital Service.  
 98 5. Any legal authority necessary for the commission to  
 99 develop and maintain the database.  
 100 6. Draft legislation to implement the comprehensive plan.  
 101 (f) Notwithstanding any law to the contrary, a person who  
 102 registers to vote or who votes in reasonable reliance on  
 103 information contained in the database indicating that his or her  
 104 voting rights have been restored pursuant to s. 4, Art. VI of  
 105 the State Constitution has an affirmative right to register and  
 106 to vote and may not be charged with a violation of any criminal  
 107 law of this state related to fraudulently voting or registering  
 108 to vote.  
 109 (g) The commission shall adopt rules to implement this  
 110 subsection.  
 111 Section 2. This act shall take effect July 1, 2026.

Page 4 of 4

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

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil Justice **Tab #:** 2 **Sponsor:** P

Tab #. 2

**Meeting Date:** Wednesday, February 4, 2026

**Subject: Restoration of Voting Rights**

Time: 3:45—6:00 p.m.

Time: 6.15 - 8.00 p.m.

Place: 97-Gen  
Bill #: SB 132

### **Final Action: Favorable with Committee Substitute**

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil  
Justice **Tab #:** 2

**Sponsor:** Polsky

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Restoration of Voting Rights

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building

**Bill #:** SB 132

**Final Action:** Favorable with Committee Substitute

**CODES:** FAV=Favorable  
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# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Appropriations on Transportation, Tourism, and Economic Development, *Vice Chair*  
Appropriations  
Appropriations on Criminal and Civil Justice  
Environment and Natural Resources  
Ethics and Elections  
Governmental Oversight and Accountability  
Judiciary

## SELECT COMMITTEE:

Joint Select Committee on Collective Bargaining

**SENATOR TINA SCOTT POLSKY**

30th District

January 26, 2026

Chairwoman Ileana Garcia  
Appropriations Committee on Criminal and Civil Justice  
201 The Capitol  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Chairwoman Garcia,

I respectfully request that you place SB 132, relating to Restoration of Voting Rights on the agenda of the Appropriations Committee on Criminal and Civil Justice, at your earliest convenience.

Should you have any questions or concerns, please feel free to contact me or my office. Thank you in advance for your consideration.

Kindest Regards,

Senator Tina S. Polsky  
Florida Senate, District 30

cc: , Staff Director  
Sheila Clark, Administrative Assistant

REPLY TO:  
 5301 North Federal Highway, Suite 135, Boca Raton, Florida 33487 (561) 443-8170  
 220 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5030

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

## The Florida Senate

2-4-26

## APPEARANCE RECORD

132

Meeting Date

Bill Number or Topic

Appropriation - Criminal

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

Committee

Amendment Barcode (if applicable)

Name Barbara DeVane

Phone 850-251-4280

Address 625 E. Brevard ST

Email barbara.devane.1@yahoo.com

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:

FL Now

 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)

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

S-001 (08/10/2021)

February 4, 2026

Meeting Date

**Criminal & Civil Approps**

Committee

Name **Barney Bishop**

Address **1454 Vieux Carre Drive**

Street

**Tallahassee**

**FL**

**32312**

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 (flesenate.gov)*

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

132

Bill Number or Topic

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

Amendment Barcode (if applicable)

Phone **850-510-9922**

Email **barney@BarneyBishop.com**

2. V. 26

Meeting Date

5 CJ APPROP

Committee

Name Laura Minutello Phone \_\_\_\_\_

Address 2473 Care Dr Email lauram@disabilityfl.org  
Street

Tallahassee FL  
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:

Disability Rights FL

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)

132

Bill Number or Topic

Amendment Barcode (if applicable)



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/05/2026	.	
	.	
	.	
	.	

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The Appropriations Committee on Criminal and Civil Justice (Polksky) recommended the following:

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

2

3                   Delete line 66

4 and insert:

5                   (d) By July 1, 2029, subject to legislative appropriation,  
6 the commission shall make the database

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

8 And the title is amended as follows:

9

10                  Delete line 12



11 and insert:  
12       department to adopt rules; requiring the commission,  
13       subject to legislative appropriation, to

**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.)

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

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BILL: CS/SB 132

INTRODUCER: Appropriations Committee on Criminal and Civil Justice and Senator Polsky

SUBJECT: Restoration of Voting Rights

DATE: February 6, 2026      REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Wyant	Stokes	CJ	<b>Favorable</b>
2. Kolich	Harkness	ACJ	<b>Fav/CS</b>
3. _____	_____	FP	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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## I. Summary:

CS/SB 132 amends s. 20.32, F.S., to require the Florida Commission on Offender Review (FCOR) to develop and maintain a database that contains specified information to assist a person in determining whether he or she has met certain requirements to have his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution. The bill requires the database to be available to the public on an Internet website by July 1, 2029, subject to legislative appropriation, and to update the database monthly thereafter.

Further, the bill requires the FCOR to publish clear instructions that a person, who has been disqualified from voting based on a felony conviction other than murder or a felony sexual offense, may be able to follow to have his or her voting rights restored and to register to vote.

The bill requires the Department of State (DOS), the Department of Corrections (DOC), the clerks of the circuit courts, the county comptrollers, and the Board of Executive Clemency to provide the FCOR with monthly reports to support such data collection. Additionally, the Department of Management Services (DMS), acting through the Florida Digital Service, must provide technical assistance necessary for the FCOR to develop and maintain the database.

The bill provides a person who registers to vote or who votes in reasonable reliance on information contained in the database indicating his or her voting rights have been restored has an affirmative right to register and to vote and may not be charged with a violation of any criminal law of this state related to fraudulently voting or registering to vote.

The bill may have an indeterminate fiscal impact to the FCOR and the DMS. However, the requirement that the database be available to the public on an internet website is subject to legislative appropriation. There may be an additional workload impact to the governmental entities required to provide monthly information related to the database. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

## II. Present Situation:

### **Florida Commission on Offender Review (FCOR)**

The FCOR consists of three commissioners directly appointed by the Governor and Cabinet. The appointments must be certified to the Senate by the Governor and Cabinet for confirmation.<sup>1</sup>

The FCOR has all of the following powers and duties, to:

- Determine what persons must be placed on parole.
- Fix the time and conditions of parole.
- Determine whether a person has violated parole and take action with respect to such violation.
- Make such investigations as may be necessary.
- Report to the Board of Executive Clemency the circumstances, the criminal records, and the social, physical, mental, and psychiatric conditions and histories of persons under consideration by the board for pardon, commutation of sentence, or remission of fine, penalty, or forfeiture.
- Establish the terms and conditions of persons released on conditional release,<sup>2</sup> control release,<sup>3</sup> and conditional medical release<sup>4</sup> and determine whether a person has violated the conditions of release and take action with respect to such violation.<sup>5</sup>

### **Restoration of Voting Rights**

Prior to 2018, the state constitution provided that “[n]o person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability.”<sup>6</sup> In November of 2018, nearly 65 percent of Florida voters approved Amendment 4, a constitutional amendment that provided that “[e]xcept as provided in subsection (b)<sup>7</sup> of this section, any disqualification from

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<sup>1</sup> Sections 947.01 and 947.02, F.S.

<sup>2</sup> Section 947.1405, F.S.

<sup>3</sup> Section 947.146, F.S.

<sup>4</sup> Section 947.149, F.S.

<sup>5</sup> Section 947.13(1)(a)-(h), F.S.

<sup>6</sup> Section 4, Art. VI, Fla. Const. (2018).

<sup>7</sup> Section 4(b), Art. VI, Fla. Const. restricts individuals convicted of murder or a felony sexual offense from qualifying to vote until restoration of civil rights.

voting arising from a felony conviction shall terminate and voting rights shall be restored *upon completion of all terms of sentence* including parole or probation.”<sup>8</sup>

To implement the constitutional amendment, SB 7066 was passed during the 2019 session<sup>9</sup> and provided that the term “completion of all terms of sentence” includes “any portion of a sentence that is contained in the four corners of the sentencing document” and further went on to specify five categories of terms that are included in the sentencing document. Specifically, the law included full payment of restitution and fines or fees.<sup>10</sup>

Current law also provides that “[a] term required to be completed in accordance with this paragraph shall be deemed completed if the court modifies the original sentencing order to no longer require completion of such term. The requirement to pay any financial obligation specified in this paragraph is not deemed completed upon conversion to a civil lien.”<sup>11</sup>

The Governor sought an advisory opinion to determine the meaning of the term “upon completion of all term of sentence,” to which the Court found, in part, that such term includes “all legal financial obligations, including fines, restitution, costs, and fees, ordered by a sentencing court.”<sup>12</sup>

Beginning on November 28, 2024, people with felony convictions who are unsure about their eligibility may request an advisory opinion from the Division of Elections (Division) within the Department of State. The division must respond within 90 days to indicate whether a person is eligible or ineligible to register and to vote. Individuals can submit a form as a PDF attachment by email to dos.generalcounsel@dos.myflorida.com or by mail or in person.<sup>13</sup>

When issuing an advisory opinion, the division applies the standards in s. 98.075(5), F.S., to determine whether a felon is eligible to register or vote. Therefore, if the felon has provided the required information and if the division finds no credible and reliable information to indicate the felon is ineligible to register or to vote, the division will issue an opinion stating that the felon is eligible.<sup>14</sup>

### III. Effect of Proposed Changes:

The bill amends s. 20.32, F.S., to require the FCOR to develop and maintain a database to assist a person in determining whether he or she has met certain requirements to have his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution. The database must contain for each such person, all of the following information:

<sup>8</sup> Section 4, Art. VI, Fla. Const.

<sup>9</sup> Chapter 2019-162, Laws of Fla.

<sup>10</sup> Section 98.0751(2)5., F.S.

<sup>11</sup> Section 98.0751(2), F.S.

<sup>12</sup> Advisory Opinion to the Governor re Implementation of Amendment 4, The Voting Restoration Amendment, 288 So. 3d 1070 (Fla. 2020).

<sup>13</sup> The Brennan Center for Justice, *Voting Rights Restoration Efforts in Florida*, updated Nov. 18, 2024, available at: <https://www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-florida> (last visited January 29, 2026).

<sup>14</sup> Florida Department of State, Division of Elections, *Felon Voting Rights*, updated July 10, 2024, available at: <https://dos.fl.gov/elections/for-voters/voter-registration/felon-voting-rights/> (last visited January 29, 2026).

- His or her name and any other personal identifying information.
- The remaining length of any term of supervision, including, but not limited to, probation, community control, or parole, ordered by a court as a part of his or her sentence.
- The remaining amount of any restitution owed to a victim as ordered by a court as part of his or her sentence.
- The remaining amount due of any fines or fees that were initially ordered by a court as a part of his or her sentence or as a condition of any form of supervision, including, but not limited to, probation, community control, or parole.
- The completion status of any other term ordered by a court as a part of his or her sentence.
- Any other information needed to determine whether he or she has met the requirements for restoration of voting rights under s. 98.0751, F.S.

The bill requires the database to be available to the public on an Internet website by July 1, 2029, subject to legislative appropriation, and to update the database monthly thereafter. Further, the bill requires the FCOR to publish clear instructions that a person who has been disqualified from voting based on a felony conviction other than murder or a felony sexual offense may be able to follow to have his or her voting rights restored and to register to vote.

The bill requires the FCOR to provide a comprehensive plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2027, which must include all the following:

- The governmental entities from which and the methods by which the FCOR will collect, centralize, analyze, and secure the information required to be included in the database.
- A description of any infrastructure and services, including, but not limited to, software, hardware, and information technology services, which may be necessary to create and maintain the database.
- The anticipated number of additional employees necessary for:
  - The FCOR to develop and maintain the database.
  - A governmental entity to provide the information required.
  - The Florida Digital Service to provide the assistance required.
- The anticipated initial cost to develop the database; the annual cost to maintain the database; and the annual appropriation required to fund the anticipated costs incurred by the FCOR, each governmental entity, and the Florida Digital Service.
- Any legal authority necessary for the FCOR to develop and maintain the database.
- Draft legislation to implement the comprehensive plan.

The bill provides that a person who registers to vote or who votes in reasonable reliance on information contained in the database indicating his or her voting rights have been restored has an affirmative right to register and to vote and may not be charged with a violation of any criminal law of this state related to fraudulently voting or registering to vote.

The bill requires the Department of State, the Department of Corrections, the clerks of the circuit courts, the county comptrollers, and the Board of Executive Clemency to provide the FCOR with monthly reports to support such data collection. The Department of Management Services (DMS), acting through the Florida Digital Service, is required to provide the technical assistance necessary for the FCOR to develop and maintain the database.

The DMS is authorized to adopt rules to provide such technical assistance, and the FCOR must adopt rules for implementation.

The bill takes effect on July 1, 2026.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

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 has an indeterminate negative fiscal impact to the FCOR to develop and maintain the database and potentially to the DMS for providing technical assistance. However, the requirement that the database be available to the public on an internet website is subject to legislative appropriation. Additionally, there may be a workload impact to the DOS, DOC, clerks of the circuit courts, and county comptrollers to support the FCOR's monthly update of the database. The bill also requires the FCOR to provide a comprehensive plan prior to the establishment of the database. The development of the plan will have an indeterminate workload impact on the FCOR and the other stakeholders.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 20.32 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 Appropriations Committee on Criminal and Civil Justice on February 4, 2026:**

The committee substitute provides that the requirement for FCOR to make the database available to the public on an Internet website by July 1, 2029, is subject to legislative appropriation.

**B. Amendments:**

None.

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

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By Senator Jones

34-00167B-26

A bill to be entitled

2026418

Page 1 of 5

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

34-00167B-26

an effective date.

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

Section 1. Section 320.021, Florida Statutes, is created to read:

320.021 Blue envelope program.—

(1) The department shall establish a blue envelope program for the purpose of improving communication between individuals with autism spectrum disorder and law enforcement officers during motor vehicle-related interactions.

(2) By January 1, 2027, the department shall develop and make available to individuals with autism spectrum disorder a blue envelope that is intended to hold a copy of an individual's driver license and his or her vehicle registration, proof of insurance, and emergency contact information, which envelope may be provided by the individual to a law enforcement officer during a motor vehicle-related interaction. The exterior of the blue envelope must identify the individual as an individual with autism spectrum disorder and include communication guidelines intended to assist law enforcement officers during interactions with drivers with autism spectrum disorder.

(3) Beginning January 1, 2027, an individual with autism spectrum disorder may request a blue envelope from the department or a tax collector's office.

Section 2. Section 943.1727, Florida Statutes, is amended to read:

943.1727 continued Employment training relating to autism spectrum disorder.-

Page 2 of 5

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

34-00167B-26

2026418

59       (1) As used in this section, the term:

60       (a) "Agency" means the ability to make independent

61 decisions and act in one's own best interests.

62       (b) "Autism spectrum disorder" has the same meaning as in

63 s. 627.6686(2).

64       (2) The commission department shall establish an a

65 continued employment training component relating to individuals

66 with autism spectrum disorder. Such training component must be

67 developed jointly by the commission and an organization that

68 advocates on behalf of, and offers training to law enforcement

69 officers in this state on interactions with, individuals with

70 autism spectrum disorder as defined in s. 627.6686. The training

71 component shall include, but need not be limited to, instruction

72 on the recognition of the symptoms and characteristics of an

73 individual on the autism disorder spectrum and appropriate

74 responses to an individual exhibiting such symptoms and

75 characteristics. Completion of the training component counts may

76 count toward the 40 hours of instruction for continued

77 employment or appointment as a law enforcement officer required

78 under s. 943.135.

79       (3) The employment training component for law enforcement

80 officers which relates to interactions with individuals with

81 autism spectrum disorder must include in-person instruction for

82 initial certification and online or in-person instruction for

83 continued employment training or education required under s.

84 943.135(1) in all of the following:

85       (a) The nature and manifestation of autism spectrum

86 disorder.

87       (b) Techniques for interviewing or interrogating an

Page 3 of 5

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

34-00167B-26

2026418

88       individual with autism spectrum disorder, including techniques

89 to ensure the legality of statements made by the individual and

90 techniques used to protect the rights of the individual.

91       (c) Techniques for locating an individual with autism

92 spectrum disorder who has run away and is in danger and for

93 returning that individual while causing as little stress as

94 possible to the individual.

95       (d) Techniques for recognizing the agency of an individual

96 with autism spectrum disorder while identifying potential

97 abusive or coercive situations.

98       (e) Techniques for de-escalating a potentially dangerous

99 situation to maximize the safety of both the officer and the

100 individual with autism spectrum disorder.

101       (f) Techniques for differentiating an individual with

102 autism spectrum disorder from an individual who is belligerent,

103 uncooperative, or otherwise displaying traits similar to the

104 characteristics of an individual with autism spectrum disorder

105 and for understanding the law as it relates to the use of the

106 Baker Act on an individual with autism spectrum disorder.

107       (g) The impact of an interaction with officers on

108 individuals with autism spectrum disorder.

109       (h) Information about the blue envelope program established

110 under s. 320.021 and the "SAFE" designation included in the

111 motor vehicle record pursuant to s. 320.02(15).

112       (4) All recruits must complete the employment training

113 component relating to individuals with autism spectrum disorder.

114 Such training component may be taught as part of other relevant

115 components of the training.

116       (5) The commission shall by rule require that each law

Page 4 of 5

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

34-00167B-26

2026418\_\_

117 enforcement officer receive instruction in the techniques and  
118 procedures described in subsection (3) as part of basic recruit  
119 training and as part of the required instruction for continued  
120 employment or appointment as such an officer.

121 (a) By July 1, 2028, each basic skills course required for  
122 law enforcement officers to obtain initial certification, as  
123 required under s. 943.13(9), must incorporate such training.

124 (b) By July 1, 2029, each law enforcement officer must  
125 successfully complete such training, as required under s.  
126 943.131(4)(a) and as part of continued training or education  
127 required under s. 943.135(1).

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

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil Justice **Tab #:** 3 **Sponsor:** Joe

### Sponsor: Jones

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building

**Bill #: SB 418**

### **Final Action: Favorable**

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil  
Justice **Tab #:** 3

**Sponsor:** Jones

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Law Enforcement Officer Interactions with Individuals  
with Autism Spectrum Disorder

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building  
**Bill #:** SB 418

**Final Action:** Favorable

**CODES:** FAV=Favorable  
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The Florida Senate

## Committee Agenda Request

**To:** Senator Ileana Garcia, Chair  
Appropriations Committee on Criminal and Civil Justice

**Subject:** Committee Agenda Request

**Date:** February 2, 2026

---

I respectfully request that **Senate Bill #418**, relating to Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder, be placed on the:

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

A handwritten signature in black ink, appearing to read "Shev" or "S. D. Jones".

---

Senator Shevrin D. "Shev" Jones  
Florida Senate, District 34

February 4, 2026

Meeting Date  
**Criminal & Civil Approps**

Committee

Name **Barney Bishop**

Address **1454 Vieux Carre Drive**

Street

**Tallahassee**

**FL**

**32312**

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.flsenate.gov.*

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

**418**

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-510-9922**

Email **barney@BarneyBishop.com**

2/4/26

The Florida Senate

## APPEARANCE RECORD

Meeting Date

Approp. Criminal + Civil Justice

Committee

Name JONATHAN Webber

Address PO Box 1018

Street

Tallahassee

FL

32302

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:

SPLC

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)

SB ~~418~~ 418

Bill Number or Topic

Amendment Barcode (if applicable)

GSY-593 444 9

Email JONATHAN.Webber@SPLCato.org

2-4-26

Meeting Date

6 CJ APPRS

Committee

Name Laura Minutello

Phone

Address 2413 Cole Dr

Street

Tallahassee FL

City

State

32301

Zip

Email

laura.m@disability  
rightsflorida.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:

Disability Rights FL

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)

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

S-001 (08/10/2021)

2/4/2026

The Florida Senate

# APPEARANCE RECORD

SB418

Meeting Date

APPROPRIATIONS COMMITTEE ON CRIMINAL AND CIVIL JUSTICE

Committee

Name **Donna Lorman**

Address **4743 Hearthside Drive**

Street

**Orlando**

**FL**

**32837**

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 **4076166201**

Email **dlorman@asgo.org**

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:

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)*

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

S-001 (08/10/2021)

2/4/2026

The Florida Senate

# APPEARANCE RECORD

SB418

Meeting Date

APPROPRIATIONS COMMITTEE ON CRIMINAL AND CIVIL JUSTICE

Committee

Name **Monica Carretero**

Address **1764 Prairie View Ln**

Street

**Oviedo**

**FL**

**32765**

City

State

Zip

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:



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)

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

S-001 (08/10/2021)

2/4/26

Meeting Date

The Florida Senate

## APPEARANCE RECORD

SB 418

Bill Number or Topic

Approp criminal & civic

Committee JUSTICE

Name LAURETTE PHILIPSEN

Address 7240 Westwind Drive

Street

Port Richey FL 34668

City

State

Zip

Phone

727-484-0237

Email

Advocatephilipsen@  
Smart-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:

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](http://2020-2022JointRules.pdf) [flsenate.gov](http://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 Appropriations Committee on Criminal and Civil Justice

---

BILL: SB 418

INTRODUCER: Senator Jones

SUBJECT: Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder

DATE: February 3, 2026 REVISED: \_\_\_\_\_

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

---

### I. Summary:

SB 418 creates s. 320.021, F.S., to create the “Blue Envelope Program” within the Department of Highway Safety and Motor Vehicles (HSMV) to improve communication between individuals with autism spectrum disorder and law enforcement officers during motor vehicle-related interactions by January 1, 2027.

The blue envelope will identify the individual as having Autism Spectrum Disorder (ASD), the envelopes will include communication guidelines for officers and will be available by request from the HSMV or local tax collector beginning January 1, 2027.

The bill amends s. 943.1727, F.S., to create joint training with the Criminal Justice Standards and Training Commission (CJSTC) and an organization that advocates on behalf of, and offers training to law enforcement officers on interactions with, individuals with ASD. The training must include all of the following:

- Recognizing ASD symptoms.
- Interview/interrogation techniques.
- Locating missing individuals with ASD.
- Techniques for recognizing the agency of an individual with ASD while identifying potential abusive or coercive situations.
- De-escalation strategies.
- Differentiating ASD behaviors from belligerence and understanding the law as it related to the use of the Baker Act on an individual with ASD.
- Impact of officer interactions on ASD individuals.
- Information about the blue envelope program and “SAFE” designation.

The bill requires that initial certification includes in-person instruction and online or in-person for continued employment training or education.

The bill requires that each basic skills course required for law enforcement officers to obtain initial certification includes the required training by July 1, 2028. By July 1, 2029, each law enforcement officer must successfully complete such training as part of continued training or education.

The bill has an insignificant negative fiscal impact to the Florida Department of Law Enforcement (FDLE) related to programmatic changes needed to implement the bill. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

## II. Present Situation:

### Criminal Justice Standards and Training Commission (CJSTC)

The CJSTC is established under s. 943.11, F.S within the Florida Department of Law Enforcement (FDLE). The commission 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.<sup>1</sup>

#### *Minimum Qualifications*

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, not have been convicted of a felony after a specified date or received a dishonorable discharge from the military, 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.<sup>2,3</sup>

#### *Autism Training*

In 2017, s. 943.1727, F.S., was amended to establish autism training for law enforcement officers. This training may be counted toward the 40 hours of instruction for continued employment or appointment as a law enforcement officer under s. 943.135, F.S.<sup>4</sup>

<sup>1</sup> 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 27, 2026).

<sup>2</sup> Florida Department of Law Enforcement, *Department of Law Enforcement Criminal Justice Professionalism Services*, <https://www.fdle.state.fl.us/cjstc/officer-requirements/how-to-become-an-officer> (last visited January 27, 2026).

<sup>3</sup> Section 943.13, F.S.

<sup>4</sup> The commission shall, by rule, adopt a program that requires all officers, as a condition of continued employment or appointment as officers, to receive periodic commission-approved continuing training or education. Such continuing training or education shall be required at the rate of 40 hours every 4 years. No officer shall be denied a reasonable opportunity by the employing agency to comply with this section. The employing agency must document that the continuing training or education is job-related and consistent with the needs of the employing agency. The employing agency must maintain and

Section 627.6686(2)(b), F.S., defines “autism spectrum disorder” to mean any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

- Autistic disorder.
- Asperger’s syndrome.
- Pervasive developmental disorder not otherwise specified.<sup>5</sup>

The Florida Law Enforcement Academy Basic Recruit Training Program requires a total of 770 hours of instruction time, including a lesson on topics relating to the autism spectrum disorder. Training includes information on interviewing people with autism spectrum disorder and responding to missing persons incidents involving people with autism spectrum disorder.

There is a 4-hour CJSTC specialized course, Autism Spectrum Disorder and Awareness, which is currently under revision but will be up for approval by the CJSTC in May of 2026. Additionally, the FDLE offers two online courses related to autism which can be taken as part of an officer’s mandatory retraining. These are Autism Awareness Telecommunicator and Autism Spectrum Disorders (ASD) and Interviews. While these two courses can be counted toward mandatory retraining, they were not developed by the CJSTC.<sup>6</sup>

### **III. Effect of Proposed Changes:**

The bill creates s. 320.021, F.S., to create the “Blue Envelope Program” within the Department of Highway Safety and Motor Vehicles (HSMV) to improve communication between individuals with autism spectrum disorder and law enforcement officers during motor vehicle-related interactions by January 1, 2027.

The blue envelope will identify the individual as having Autism Spectrum Disorder (ASD) and will include communication guidelines for officers during interactions with these individuals. The blue envelopes will be available by request from the HSMV or local tax collector beginning January 1, 2027.

The bill amends s. 943.1727, F.S., to create joint training with the CJSTC and an organization that advocates on behalf of, and offers training to, law enforcement officers in this state on interactions with individuals with ASD. The training must include:

- Recognizing ASD symptoms,
- Interview/interrogation techniques,
- Locating missing individuals with ASD,
- Techniques for recognizing the agency of an individual with ASD while identifying potential abusive or coercive situations,
- De-escalation strategies,

---

submit, or electronically transmit, the documentation to the commission, in a format approved by the commission. Section 943.135, F.S.

<sup>5</sup> Section 627.6686, F.S.

<sup>6</sup> Florida Department of Law Enforcement, 2026 Agency Legislative Bill Analysis, *SB 418-Law Enforcement Officer Interactions with Individuals with Autism Spectrum Disorder*, December 6, 2025 (on file with the Senate Committee on Criminal Justice).

- Differentiating ASD behaviors from belligerence and understanding the law as it related to the use of the Baker Act on an individual with ASD,
- Impact of officer interactions on ASD individuals and
- Information about the Blue Envelope Program and “SAFE” designation.

The bill requires that initial certification includes in-person instruction and online or in-person for continued employment training or education.

The bill requires that each basic skills course required for law enforcement officers to obtain initial certification includes the required training by July 1, 2028. By July 1, 2029, each law enforcement officer must successfully complete such training as part of continued training or education.

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 Art. 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 FDLE estimated in their agency bill analysis that the cost to make changes in the Automated Training Management System (ATMS) would be \$64,000 and would take approximately four months and the cost to update the curriculum is indeterminate but insignificant. The costs of both requirements can be absorbed within existing resources.<sup>7</sup> The HSMV will be able to absorb the cost of creating the Blue Envelope Program within existing resources.

**VI. Technical Deficiencies:**

The FDLE recommends that the effective date be amended to January 1, 2027, to allow time to complete necessary programmatic changes to the ATMS system.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 943.1727 of the Florida Statutes.

This bill creates section 320.021 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.

---

<sup>7</sup> *Id.*

By Senator Gaetz

1-00876-26

2026646

1 A bill to be entitled

2 An act relating to drug paraphernalia; providing  
 3 legislative findings and intent; amending s. 893.145,  
 4 F.S.; revising the definition of "drug paraphernalia"  
 5 to exclude certain narcotic-drug-testing products;  
 6 providing an effective date.

7  
 8 Be It Enacted by the Legislature of the State of Florida:

9  
 10 Section 1. (1) The Legislature finds and declares that  
 11 this state continues to experience unprecedeted deaths caused  
 12 by synthetic opioids, stimulants, and other adulterated or  
 13 misrepresented substances in the illicit drug supply.

14 (2) In the 2024 Annual Report of the Florida Medical  
 15 Examiners, Florida Department of Law Enforcement, the most  
 16 frequently occurring drugs found in decedents were fentanyl and  
 17 fentanyl analogs, benzodiazepines, cannabinoids, morphine,  
 18 xylazine, cocaine, methamphetamine, amphetamine, gabapentin,  
 19 cathinones, and oxycodone.

20 (3) The Legislature recognizes that drug-testing products,  
 21 including test strips, reagent kits, and related products, are  
 22 evidence-based harm reduction strategies that do not encourage  
 23 drug use, but, instead, prevent overdose and death by allowing  
 24 individuals and communities to identify the presence of  
 25 dangerous controlled substances and adulterants.

26 (4) It is the intent of the Legislature to decriminalize  
 27 the possession, distribution, and use of drug-testing products  
 28 so that residents of this state can access life-saving  
 29 information about controlled substances and adulterants before

Page 1 of 5

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1-00876-26

2026646

30 tragedy occurs.

31 Section 2. Section 893.145, Florida Statutes, is amended to  
 32 read:

33 893.145 "Drug paraphernalia" defined.—The term "drug  
 34 paraphernalia" means all equipment, products, and materials of  
 35 any kind which are used, intended for use, or designed for use  
 36 in planting, propagating, cultivating, growing, harvesting,  
 37 manufacturing, compounding, converting, producing, processing,  
 38 preparing, ~~testing~~, analyzing, packaging, repackaging, storing,  
 39 containing, concealing, transporting, injecting, ingesting,  
 40 inhaling, or otherwise introducing into the human body a  
 41 controlled substance in violation of this chapter or s. 877.111.  
 42 Drug paraphernalia is deemed to be contraband which shall be  
 43 subject to civil forfeiture. The term includes, but is not  
 44 limited to:

45 (1) Kits used, intended for use, or designed for use in the  
 46 planting, propagating, cultivating, growing, or harvesting of  
 47 any species of plant which is a controlled substance or from  
 48 which a controlled substance can be derived.

49 (2) Kits used, intended for use, or designed for use in  
 50 manufacturing, compounding, converting, producing, processing,  
 51 or preparing controlled substances.

52 (3) Isomerization devices used, intended for use, or  
 53 designed for use in increasing the potency of any species of  
 54 plant which is a controlled substance.

55 (4) Testing equipment used, intended for use, or designed  
 56 for use in identifying, or in analyzing the strength,  
 57 effectiveness, or purity of, controlled substances. The term  
 58 does not include test strips, reagent kits, or any other,

Page 2 of 5

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1-00876-26

2026646

59       excluding narcotic-drug-testing products that are used solely to  
 60       determine whether a controlled substance contains fentanyl as  
 61       described in s. 893.03(2)(b)9. or dangerous fentanyl or fentanyl  
 62       analogues as any other controlled substance specified in s.  
 63       893.135(1)(c)4.a., xylazine, cocaine, amphetamines, cathinones,  
 64       or any other controlled substance or adulterant. This exclusion  
 65       does not apply to a narcotic-drug-testing product that can  
 66       measure or determine the quantity, weight, or potency of a  
 67       controlled substance.

68       (5) Scales and balances used, intended for use, or designed  
 69       for use in weighing or measuring controlled substances.

70       (6) Diluents and adulterants, such as quinine  
 71       hydrochloride, caffeine, dimethyl sulfone, mannitol, mannite,  
 72       dextrose, and lactose, used, intended for use, or designed for  
 73       use in diluting controlled substances; or substances such as  
 74       damiana leaf, marshmallow leaf, and mullein leaf, used, intended  
 75       for use, or designed for use as carrier mediums of controlled  
 76       substances.

77       (7) Separation gins and sifters used, intended for use, or  
 78       designed for use in removing twigs and seeds from, or in  
 79       otherwise cleaning or refining, cannabis.

80       (8) Blenders, bowls, containers, spoons, and mixing devices  
 81       used, intended for use, or designed for use in compounding  
 82       controlled substances.

83       (9) Capsules, balloons, envelopes, and other containers  
 84       used, intended for use, or designed for use in packaging small  
 85       quantities of controlled substances.

86       (10) Containers and other objects used, intended for use,  
 87       or designed for use in storing, concealing, or transporting

Page 3 of 5

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

1-00876-26

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88       controlled substances.

89       (11) Hypodermic syringes, needles, and other objects used,  
 90       intended for use, or designed for use in parenterally injecting  
 91       controlled substances into the human body.

92       (12) Objects used, intended for use, or designed for use in  
 93       ingesting, inhaling, or otherwise introducing controlled  
 94       substances, as described in s. 893.03, or substances described  
 95       in s. 877.111(1) into the human body, such as:

96       (a) Metal, wooden, acrylic, glass, stone, plastic, or  
 97       ceramic pipes, with or without screens, permanent screens,  
 98       hashish heads, or punctured metal bowls.

99       (b) Water pipes.

100       (c) Carburetion tubes and devices.

101       (d) Smoking and carburetion masks.

102       (e) Roach clips: meaning objects used to hold burning  
 103       material, such as a cannabis cigarette, that has become too  
 104       small or too short to be held in the hand.

105       (f) Miniature cocaine spoons, and cocaine vials.

106       (g) Chamber pipes.

107       (h) Carburetor pipes.

108       (i) Electric pipes.

109       (j) Air-driven pipes.

110       (k) Chillums.

111       (l) Bongs.

112       (m) Ice pipes or chillers.

113       (n) A cartridge or canister, which means a small metal  
 114       device used to contain nitrous oxide.

115       (o) A charger, sometimes referred to as a "cracker," which  
 116       means a small metal or plastic device that contains an interior

Page 4 of 5

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

1-00876-26

2026646\_\_

117 pin that may be used to expel nitrous oxide from a cartridge or  
118 container.

119 (p) A charging bottle, which means a device that may be  
120 used to expel nitrous oxide from a cartridge or canister.

121 (q) A whip-it, which means a device that may be used to  
122 expel nitrous oxide.

123 (r) A tank.

124 (s) A balloon.

125 (t) A hose or tube.

126 (u) A 2-liter-type soda bottle.

127 (v) Duct tape.

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

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil Justice **Tab #:** 4 **Sponsor:** G

Tab #. 4

**Sponsor:** Gaetz  
**Subject:** Drug E

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Drug Paraphernalia

Time: 3:45—6:00 p.m.

Time: 6.15 - 8.00 p.m.

Place: 97-Gen  
Bill #: SB 646

### Final Action: Favorable

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil  
Justice **Tab #:** 4

**Sponsor:** Gaetz  
**Subject:** Drug Paraphernalia

**Meeting Date:** Wednesday, February 4, 2026

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building  
**Bill #:** SB 646

**Final Action:** Favorable

**CODES:** FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
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OO=Out of Order  
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The Florida Senate

## Committee Agenda Request

**To:** Senator Ileana Garcia, Chair  
Appropriations Committee on Criminal and Civil Justice

**Subject:** Committee Agenda Request

**Date:** January 26, 2026

---

I respectfully request that **Senate Bill #646**, relating to Drug Paraphernalia, be placed on the:

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

A blue ink signature of Senator Don Gaetz, which is a stylized, flowing script.

\_\_\_\_\_  
Senator Don Gaetz  
Florida Senate, District 1

February 4, 2026

Meeting Date  
Criminal & Civil Approps

Committee

Name **Barney Bishop**

Address **1454 Vieux Carre Drive**

Street

**Tallahassee FL 32312**

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 (flesenate.gov)*

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

646

Bill Number or Topic

Amendment Barcode (if applicable)

Phone **850-510-9922**

Email **barney@BarneyBishop.com**

**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.)

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

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BILL: SB 646

INTRODUCER: Senator Gaetz

SUBJECT: Drug Paraphernalia

DATE: February 3, 2026      REVISED: \_\_\_\_\_

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

---

## **I. Summary:**

SB 646 amends s. 893.145, F.S., relating to drug paraphernalia, to exclude from the definition of “drug paraphernalia” narcotic drug testing products that are used to determine whether a controlled substance contains dangerous fentanyl or fentanyl analogues, xylazine, cocaine, amphetamines, cathinones, or any other controlled substance or adulterant.

The bill creates new legislative findings regarding drug-testing products, including test strips, reagent kits, and related products. The bill provides that testing products constitute evidence-based harm reduction strategies that do not encourage drug use but rather prevent overdose and death by allowing individuals and communities to identify the presence of dangerous controlled substances and adulterants.

The bill may have a negative insignificant prison bed impact on the Department of Corrections. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

Drug testing kits or “drug checking” has become a common harm reduction method used to test illicit substances.<sup>1</sup> There are various types of drug-checking kits. Some test the potency of a substance, meaning they can provide information about the strength of a substance, by ascertaining how much of a drug it contains. Others test for the purity of a substance and the

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<sup>1</sup> Science Direct, *Adulterants and altruism: A qualitative investigation of “drug checkers” in North America*, available at <https://www.sciencedirect.com/science/article/abs/pii/S0955395919302609?via%3Dihub> (last visited January 15, 2026)

presence of other drugs. This helps identify whether the substance content is as it has been sold, or if it also contains other drugs or harmful substances.<sup>2</sup>

Currently, testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of, controlled substances, excluding narcotic-drug-testing products that are used solely to determine whether a controlled substance contains fentanyl<sup>3</sup> or any other controlled substance.<sup>4</sup> This exclusion does not apply to a narcotic-drug-testing product that can measure or determine the quantity, weight, or potency of a controlled substance.<sup>5</sup>

According to the Centers for Disease Control and Prevention (CDC), fentanyl test strips are “small strips of paper that can detect the presence of fentanyl in all different kinds of drugs such as cocaine, methamphetamine, heroin, etc. and drug forms (pills, powder, and injectables).”<sup>6</sup>

Xylazine test strips are small strips of paper that can be placed within a personal sample of drugs to detect the presence of xylazine. Such strips may be used to inform decisions about drug use practices; for example, upon receiving a positive test result, an individual may opt to not use the drugs or use them in a less risky manner.<sup>7</sup>

### **Scheduling of a Controlled Substance**

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”<sup>8</sup> 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.

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<sup>2</sup> Recovered, Drug-Checking Test Kits, available at <https://recovered.org/drug-safety-resources/drug-checking-kits> (last visited January 15, 2026).

<sup>3</sup> Section 893.03(2)(b)9, F.S.

<sup>4</sup> Section 893.135(1)(c)4.a, F.S.

<sup>5</sup> Section 893.145, F.S.

<sup>6</sup> Centers for Disease Control and Prevention, *What You Can Do to Test for Fentanyl*, available at [https://www.cdc.gov/stop-overdose/safety/?CDC\\_AAref\\_Val=https://www.cdc.gov/stopoverdose/fentanyl/fentanyl-test-strips.html](https://www.cdc.gov/stop-overdose/safety/?CDC_AAref_Val=https://www.cdc.gov/stopoverdose/fentanyl/fentanyl-test-strips.html) (last visited on January 15, 2026).

<sup>7</sup> Substance Abuse and Mental Health Services Administration, *Fentanyl and Xylazine Test Strips*, available at <https://www.samhsa.gov/substance-use/treatment/overdose-prevention/fentanyl-xylazine-test-strips> (last visited January 15, 2026).

<sup>8</sup> 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 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.

“Fentanyl is a powerful synthetic opioid that is similar to morphine but is 50 to 100 times more potent. It is a prescription drug that is also used and made illegally.”<sup>9</sup> Fentanyl is a Schedule (2)(b) controlled substance.<sup>10</sup>

Xylazine is classified as a Schedule I drug. 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.<sup>11</sup> Research has shown xylazine is often added to illicit opioids, including fentanyl, and people report using xylazine-containing fentanyl to lengthen its euphoric effects.<sup>12</sup>

Cocaine<sup>13</sup> and amphetamines<sup>14</sup> are classified as a Schedule II drug.

Cathinones is classified as a Schedule I drug. Cathinones is often found in bath salts or flakka.

### **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 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

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<sup>9</sup> *Fentanyl DrugFacts*, National Institute on Drug Abuse (footnotes omitted), available at <https://nida.nih.gov/publications/drugfacts/fentanyl> (last visited on Feb. 7, 2023). As a medicine, fentanyl is “typically used to treat patients with severe pain, especially after surgery[,]” and “is also sometimes used to treat patients with chronic pain who are physically tolerant to other opioids.” *Id.*

<sup>10</sup> Section 893.03(2)(b)9., F.S.

<sup>11</sup> 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).

<sup>12</sup> National Institute on Drug Abuse, *Xylazine Research Topics*, available at <https://nida.nih.gov/research-topics/xylazine> (last visited on December 11, 2025).

<sup>13</sup> Section 893.03, F.S.

<sup>14</sup> *Id.*

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.

### Drug Paraphernalia Statutes

“Drug paraphernalia” means *all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, transporting, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of ch. 893, F.S., or s. 877.111, F.S.*<sup>15</sup> Drug paraphernalia is contraband which is subject to civil forfeiture.<sup>16</sup>

Drug paraphernalia, in part includes all of the following:

- Testing equipment.
- Scales and balances.
- Separation gins and sifters.
- Hypodermic syringes or needles.<sup>17</sup>

When determining in a criminal case whether an object constitutes drug paraphernalia, a jury or judge must consider, in addition to all other logically relevant factors, the following:

- Statements by an owner or by anyone in control of the object concerning its use.
- The proximity of the object, in time and space, to a direct violation of this act.
- The proximity of the object to controlled substances.
- The existence of any residue of controlled substances on the object.
- Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons who he or she knows, or should reasonably know, intend to use the object to facilitate a violation of this act. The innocence of an owner, or of anyone in control of the object, as to a direct violation of this act shall not prevent a finding that the object is intended for use, or designed for use, as drug paraphernalia.
- Instructions, oral or written, provided with the object concerning its use.
- Descriptive materials accompanying the object which explain or depict its use.
- Any advertising concerning its use.
- The manner in which the object is displayed for sale.
- Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor of or dealer in tobacco products.
- Direct or circumstantial evidence of the ratio of sales of the object or objects to the total sales of the business enterprise.

<sup>15</sup> Section 877.111, F.S., prohibits inhaling, etc., of certain substances.

<sup>16</sup> Section 893.145, F.S.

<sup>17</sup> Section 893.145(4), F.S., additional items considered paraphernalia include: testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of, controlled substances, excluding narcotic-drug-testing products that are used solely to determine whether a controlled substance contains fentanyl as described in s. 893.03(2)(b)9, F.S. or any other controlled substance specified in s. 893.135(1)(c)4.a, F.S. This exclusion does not apply to a narcotic-drug-testing product that can measure or determine the quantity, weight, or potency of a controlled substance.

- The existence and scope of legitimate uses for the object in the community.
- Expert testimony concerning its use.<sup>18</sup>

It is a first degree misdemeanor<sup>19</sup> to:

- Use, or possess with intent to use, drug paraphernalia to test a controlled substance.<sup>20</sup>
- Advertise objects in a publication when it is known or reasonable to know that the purpose is to promote the sale of objects designed or intended for use as drug paraphernalia.<sup>21</sup>

It is a third degree felony<sup>22</sup> to:

- Deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to test a controlled substance in violation of s. 893.147, F.S.<sup>23</sup>
- Use, possess with the intent to use, or manufacture with the intent to use drug paraphernalia, knowing or under circumstances in which one reasonably should know that it will be used to transport a controlled substance or contraband as defined in s. 932.701(2)(a)1., F.S.<sup>24</sup>

### **Immunity from Arrest, Charge, Prosecution, or Penalization**

A person acting in good faith who seeks medical assistance for an individual experiencing, or believed to be experiencing, a drug-related overdose may not be arrested, charged, prosecuted, or penalized for possession of a controlled substance or use or possession of drug paraphernalia.<sup>25</sup> Similar immunity is provided for the person who experiences, or has a good faith belief that he or she is experiencing, drug-related overdose and is in need of medical assistance.<sup>26</sup><sup>27</sup>

The immunity statute appears to provide immunity from arrest, etc., for a violation of s. 893.147(1), F.S. (use or possession), assuming a testing product was used or possessed and the criteria of s. 893.147, F.S., were met. However, there are other offenses in s. 893.147, F.S., which might be applicable to a testing product and that may not qualify for immunity.

### **III. Effect of Proposed Changes:**

The bill amends s. 893.145, F.S., relating to drug paraphernalia, to exclude from the definition of “drug paraphernalia” narcotic drug testing products that are used to determine whether a controlled substance contains dangerous fentanyl or fentanyl analogues, xylazine, cocaine, amphetamines, cathinones, or any other controlled substance or adulterant.

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<sup>18</sup> Section 893.146, F.S.

<sup>19</sup> A first degree misdemeanor is punishable by a term of not more than one year in county jail and a fine not exceeding \$1,000. Sections 775.082 and 775.083, F.S.

<sup>20</sup> Section 893.147(1)(a), F.S.

<sup>21</sup> Section 893.147(5), F.S.

<sup>22</sup> A third degree felony is generally punishable by not more than five years in state prison and a fine not exceeding \$5,000. Sections 775.082 and 775.083, F.S. *But see ss. 775.082(10) and 921.00241, F.S. (prison diversion).*

<sup>23</sup> Section 893.147(2), F.S.

<sup>24</sup> Section 893.147(4), F.S.

<sup>25</sup> Section 893.21(1), F.S.

<sup>26</sup> Section 893.21, F.S.

<sup>27</sup> Section 893.21(2), F.S.

The bill creates new legislative findings regarding drug-testing products, including test strips, reagent kits, and related products. The bill provides that testing products constitute evidence-based harm reduction strategies that do not encourage drug use but rather prevent overdose and death by allowing individuals and communities to identify the presence of dangerous controlled substances and adulterants.

#### **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 Art. 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 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 negative insignificant prison bed impact on the Department of Corrections (DOC), meaning that the bill may reduce the number of individuals admitted to prison. The EDR provides the following additional information regarding its estimate:

- Per the DOC, in FY 24-25, there were two new commitments to prison for violations under s. 893.147, F.S.<sup>28</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 893.145 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.

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

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<sup>28</sup> Office of Economic and Demographic Research, *SB 646- Drug Paraphernalia*, (on file with the Senate Committee on Criminal Justice).

**By Senator Bradley**

6-01136-26

2026820

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

14 Section 1. Subsection (1) of section 43.51, Florida  
15 Statutes, is amended to read:

### 43.51 Problem-solving court reports.-

27 (a) The number of participants by court type.  
28 (b) Participant primary offenses that resulted in the court  
29 program referral or sentence, treatment compliance, completion

Page 1 of 3

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

6-01136-26

2026820

30       status and reasons for failure to complete, offenses committed  
31       during treatment and the sanctions imposed, frequency of court  
32       appearances, and units of service.  
33        (c) Participant recidivism rate by category, including new  
34       arrests, new adjudications, and new felony adjudications.  
35        (d) Participant changes in the status of employment,  
36       housing, and child custody during program participation.  
37        (e) Other uniform information that demonstrates the  
38       effectiveness of the program.

39                   Section 2. Paragraph (b) of subsection (5) of section  
40 394.47892, Florida Statutes, is amended to read:

41 394.47892 Mental health court programs.-

42 (5)

(b) Each mental health court program shall collect sufficient client-level data and programmatic information for purposes of program evaluation under s. 43.51. Client-level data includes primary offenses that resulted in the mental health court program referral or sentence, treatment compliance, completion status and reasons for failure to complete, offenses committed during treatment and the sanctions imposed, frequency of court appearances, and units of service. Programmatic information includes referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. The programmatic information and aggregate data must ~~on the number of mental health court program admissions and terminations by type of termination~~ shall be reported at least quarterly annually by each mental health court program to the Office of the State Courts Administrator.

Page 2 of 3

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

6-01136-26

2026820

59       Section 3. Paragraph (b) of subsection (6) of section  
60 397.334, Florida Statutes, is amended to read:  
61       397.334 Treatment-based drug court programs.—  
62       (6)  
63       (b) Each treatment-based drug court program shall collect  
64 sufficient client-level data and programmatic information for  
65 purposes of program evaluation under s. 43.51. Client-level data  
66 includes primary offenses that resulted in the treatment-based  
67 drug court program referral or sentence, treatment compliance,  
68 completion status and reasons for failure to complete, offenses  
69 committed during treatment and the sanctions imposed, frequency  
70 of court appearances, and units of service. Programmatic  
71 information includes referral and screening procedures,  
72 eligibility criteria, type and duration of treatment offered,  
73 and residential treatment resources. Each treatment-based drug  
74 court program must annually report at least quarterly the  
75 programmatic information and aggregate data ~~on the number of~~  
76 ~~treatment-based drug court program admissions and terminations~~  
77 ~~by type of termination~~ to the Office of the State Courts  
78 Administrator.

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

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil Justice **Tab #:** 5 **Sponsor:** B

Tab #. 5

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Problem-solving Court Reports

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building

Bill #: SB 820

**Final Action:** Favorable with Committee Substitute

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil  
Justice **Tab #:** 5

**Sponsor:** Bradley

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Problem-solving Court Reports

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building

**Bill #:** SB 820

**Final Action:** Favorable with Committee Substitute

**CODES:** FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
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# 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

January 27, 2025

Senator Ileana Garcia, Chairman  
Appropriations Committee on Criminal and Civil Justice  
201 The Capitol  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

Dear Chair Garcia:

I respectfully request that Senate Bill 820 be placed on the agenda of the Appropriations Committee on Criminal and Civil Justice at your earliest convenience. This bill amends existing reporting requirements of the State Courts Administrator with regards to problem-solving court programs.

Thank you for your consideration and please reach out if you have any questions or concerns about the bill.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Bradley".

Jennifer Bradley

cc: Marti Harkness, Staff Director  
Sheila Clark, Committee 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](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

2/4/26

Meeting Date  
Appropriations Committee/Crim & Civ  
Committee

Name **Eric W. Maclure, State Courts Administrator**

Address **Supreme Court Bldg., 500 S. Duval Street**  
Street

**Tallahassee**      **Florida**      **32399**

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:

**State Courts System**

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  
**APPEARANCE RECORD**

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

**SB 820**

Bill Number or Topic

**571020**

Amendment Barcode (if applicable)

February 4, 2026

Meeting Date

Criminal & Civil Approps

Committee

Name **Barney Bishop**

Address **1454 Vieux Carre Drive**

Street

**Tallahassee**

**FL**

**32312**

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](http://flsenate.gov)*

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

S-001 (08/10/2021)

The Florida Senate

**APPEARANCE RECORD**

820

Bill Number or Topic

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

Amendment Barcode (if applicable)

Phone **850-510-9922**

Email **barney@BarneyBishop.com**



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/05/2026	.	
	.	
	.	
	.	

---

The Appropriations Committee on Criminal and Civil Justice (Bradley) recommended the following:

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

2  
3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. Section 43.51, Florida Statutes, is amended to  
6 read:

7                   43.51 Problem-solving court reports.—

8                   (1) The Office of the State Courts Administrator shall  
9 provide an annual report to the President of the Senate and the  
10 Speaker of the House of Representatives on problem-solving



571020

11 courts no later than January 31 of each year for the previous  
12 fiscal year. The report must:

13 (a) Provide all of the following information for each  
14 problem-solving court:

15 1. which details The number of participants for the in each  
16 problem-solving court for each fiscal year. the court has been  
17 operating and

18 2. The types of services provided.

19 3. identifies Each source of funding for the each court  
20 during each fiscal year., and

21 4. provides Information on the performance of the each  
22 court based upon outcome measures established by the courts.

23 (b) Provide all of the following uniform aggregate data for  
24 each problem-solving court:

25 1. The number of participants.

26 2. Participant primary offense that resulted in the court  
27 program referral or sentence, if applicable.

28 3. Treatment compliance.

29 4. Program completion status and reasons for any failure to  
30 complete.

31 5. Offenses committed during program participation, if  
32 applicable.

33 6. Frequency of court appearances.

34 7. Units of service.

35 8. Participant changes in the status of employment,  
36 housing, and child custody during program participation.

37 9. Other uniform information that demonstrates the  
38 effectiveness of the program.

39 (2) For purposes of this section, the term "problem-solving



40 court" includes, but is not limited to, a drug court pursuant to  
41 s. 397.334, s. 948.01, s. 948.06, s. 948.08, s. 948.16, or s.  
42 948.20; a dependency drug court pursuant to s. 39.507 or s.  
43 39.521; an early childhood court pursuant to s. 39.01304; a  
44 veterans treatment court program pursuant to s. 394.47891, s.  
45 948.08, s. 948.16, or s. 948.21; a mental health court program  
46 pursuant to s. 394.47892, s. 948.01, s. 948.06, s. 948.08, or s.  
47 ~~948.16; a community court pursuant to s. 948.081; or a~~  
48 ~~delinquency pretrial intervention court program pursuant to s.~~  
49 ~~985.345.~~

50 Section 2. Present subsection (2) of section 39.01304,  
51 Florida Statutes, is redesignated as subsection (3), and a new  
52 subsection (2) is added to that section, to read:

53 39.01304 Early childhood court programs.—

54 (2) Each early childhood court program shall collect the  
55 data and information prescribed in s. 43.51(1) for purposes of  
56 program evaluation. In addition, early childhood court programs  
57 shall collect the number of admissions and terminations,  
58 referral and screening procedures, eligibility criteria, type  
59 and duration of treatment offered, and residential treatment  
60 resources. Each early childhood court program shall report  
61 annually to the Office of the State Courts Administrator the  
62 data and information required to be collected under this  
63 subsection.

64 Section 3. Present subsection (12) of section 394.47891,  
65 Florida Statutes, is redesignated as subsection (13), and a new  
66 subsection (12) is added to that section, to read:

67 394.47891 Veterans treatment court programs.—

68 (12) PROGRAM DATA.—Each veterans treatment court program



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69 shall collect the data and information prescribed in s. 43.51(1)  
70 for purposes of program evaluation. In addition, veterans  
71 treatment court programs shall collect the number of admissions  
72 and terminations, referral and screening procedures, eligibility  
73 criteria, type and duration of treatment offered, and  
74 residential treatment resources. Each veterans treatment court  
75 program shall report annually to the Office of the State Courts  
76 Administrator the data and information required to be collected  
77 under this subsection.

78       Section 4. Paragraph (b) of subsection (5) of section  
79 394.47892, Florida Statutes, is amended to read:

80       394.47892 Mental health court programs.—

81       (5)

82       (b) Each mental health court program shall collect the  
83 sufficient client-level data and programmatic information  
84 prescribed in s. 43.51(1) for purposes of program evaluation. In  
85 addition, mental health court programs shall collect the number  
86 of admissions and terminations, Client-level data includes  
87 primary offenses that resulted in the mental health court  
88 program referral or sentence, treatment compliance, completion  
89 status and reasons for failure to complete, offenses committed  
90 during treatment and the sanctions imposed, frequency of court  
91 appearances, and units of service. Programmatic information  
92 includes referral and screening procedures, eligibility  
93 criteria, type and duration of treatment offered, and  
94 residential treatment resources. Each mental health court  
95 program shall report annually to the Office of the State Courts  
96 Administrator the data and information required to be collected  
97 under this paragraph The programmatic information and aggregate



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98 ~~data on the number of mental health court program admissions and~~  
99 ~~terminations by type of termination shall be reported annually~~  
100 ~~by each mental health court program to the Office of the State~~  
101 ~~Courts Administrator.~~

102 Section 5. Paragraph (b) of subsection (6) of section  
103 397.334, Florida Statutes, is amended to read:

104 397.334 Treatment-based drug court programs.—

105 (6)

106 (b) Each treatment-based drug court program shall collect  
107 the sufficient client level data and programmatic information  
108 prescribed in s. 43.51(1) for purposes of program evaluation. In  
109 addition, treatment-based drug court programs shall collect the  
110 number of admissions and terminations, client level data  
111 includes primary offenses that resulted in the treatment-based  
112 drug court program referral or sentence, treatment compliance,  
113 completion status and reasons for failure to complete, offenses  
114 committed during treatment and the sanctions imposed, frequency  
115 of court appearances, and units of service. Programmatic  
116 information includes referral and screening procedures,  
117 eligibility criteria, type and duration of treatment offered,  
118 and residential treatment resources. Each treatment-based drug  
119 court program shall must annually report annually to the Office  
120 of the State Courts Administrator the data and programmatic  
121 information required to be collected under this paragraph and  
122 aggregate data on the number of treatment-based drug court  
123 program admissions and terminations by type of termination to  
124 the Office of the State Courts Administrator.

125 Section 6. The annual problem-solving court report prepared  
126 by the Office of the State Courts Administrator (OSCA) pursuant



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127 to s. 43.51, Florida Statutes, for the 2025-2026 fiscal year  
128 must provide uniform aggregate data required by s. 43.51,  
129 Florida Statutes, for at least 30 percent of problem-solving  
130 courts funded by the state courts system's problem-solving  
131 courts appropriation. The annual problem-solving court report  
132 prepared by OSCA pursuant to s. 43.51, Florida Statutes, for the  
133 2026-2027 fiscal year must provide uniform aggregate data  
134 required by s. 43.51, Florida Statutes, for every problem-  
135 solving court funded by the state courts system's problem-  
136 solving court appropriation. For the 2027-2028 fiscal year, and  
137 every fiscal year thereafter, the annual problem-solving court  
138 report prepared by OSCA pursuant to s. 43.51, Florida Statutes,  
139 must provide uniform aggregate data required by s. 43.51,  
140 Florida Statutes, for all problem-solving courts.

141 Section 7. The amendments made by this act to ss. 39.01304,  
142 394.47891, 394.47892, and 397.334, Florida Statutes, shall apply  
143 to court programs funded by the state courts system's problem-  
144 solving court appropriation on the effective date of this act  
145 and shall apply to all other court programs on July 1, 2027.

146 Section 8. This act shall take effect July 1, 2026.

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

149 And the title is amended as follows:

150 Delete everything before the enacting clause  
151 and insert:

152 A bill to be entitled  
153 An act relating to problem-solving court reports;  
154 amending s. 43.51, F.S.; requiring the Office of the  
155 State Courts Administrator to provide a problem-



156 solving court report to the Legislature annually by a  
157 specified date; revising information that must be  
158 included in such report; revising the definition of  
159 the term "problem-solving court"; amending ss.  
160 39.01304, 394.47891, 394.47892, and 397.334, F.S.;  
161 requiring specified court programs to collect certain  
162 data and information for program evaluation; requiring  
163 each such court program to report such data and  
164 information annually to the office; specifying  
165 requirements for the annual problem-solving court  
166 report prepared by the office; providing  
167 applicability; providing an effective date.

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.)

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

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BILL: CS/SB 820

INTRODUCER: Appropriations Committee on Criminal and Civil Justice and Senator Bradley

SUBJECT: Problem-solving Court Reports

DATE: February 6, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Davis	Cibula	JU	<b>Favorable</b>
2. Kolich	Harkness	ACJ	<b>Fav/CS</b>
3. _____	_____	RC	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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## I. Summary:

CS/SB 820 specifies additional data that must be presented in the annual problem-solving court reports prepared by the Office of the State Courts Administrator. The bill creates data reporting requirements for early childhood court and veterans treatment court programs and amends data reporting requirements for mental health courts and drug courts.

The bill sets forth reporting timelines for problem-solving courts funded by the state courts system's problem-solving court appropriation and all other problem-solving courts.

The bill has a significant negative fiscal impact to the State Courts System. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

## II. Present Situation:

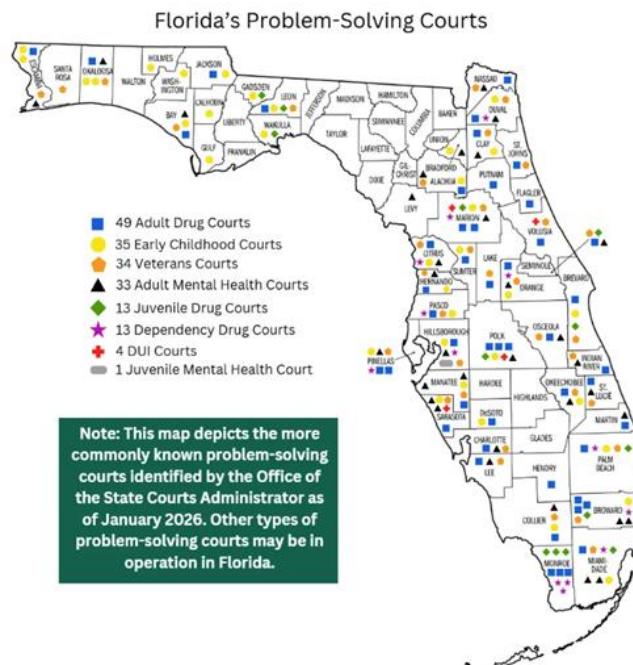
### Problem-Solving Courts

Florida developed the national model for problem-solving courts in 1989 when it created the country's first drug court in Miami-Dade County. Since then, other types of problem-solving courts have been developed using that template for the drug court model.<sup>1</sup>

Problem-solving courts are unique among the trial and appellate courts in the state. Rather than operate in the traditional adversarial model, problem-solving courts provide non-adversarial proceedings with a dedicated judge who monitors each participant's progress and compliance. The courts also provide a broad-based problem-solving team made up of case managers, prosecuting and defense attorneys, treatment professionals, even law enforcement and correctional officers, as well as a guardian ad litem, if necessary.<sup>2</sup> The programs require regular court appearances by the participants and the length of the program is often, though not always, determined by the progress the participant makes as measured against specific guidelines.<sup>3</sup>

According to the Office of the State Courts Administrator (OSCA), there are currently 182 problem-solving courts operating in the state as shown on the map to the right.<sup>4</sup> These courts are specifically designed to address the root causes of why people are involved in the criminal justice system and to help those people receive the treatment they need to leave the system. While participation in these court programs is voluntary, there is a list of factors, such as the commission of violent crimes, which can disqualify someone from participating.

### Problem-Solving Court Month and Opioid and Stimulant Use Disorder Awareness Month



<sup>1</sup> Florida Courts, Office of the State Courts Administrator, *About Problem-Solving Courts*, <https://www.flcourts.gov/Services/Problem-Solving-Courts/about-problem-solving-courts> (last visited Jan. 29, 2026).

<sup>2</sup> *Id.*

<sup>3</sup> Florida's 10<sup>th</sup> Judicial Circuit, *Problem Solving Court*, <https://www.jud10.flcourts.org/problem-solving-court#:~:text=Problem%20Solving%20Court%20programs%20are,random%20testing%20for%20substance%20use> (Jan. 29, 2026).

<sup>4</sup> Florida Courts, Office of the State Courts Administrator, *About Problem-Solving Courts*, <https://www.flcourts.gov/Services/Problem-Solving-Courts/about-problem-solving-courts> (last visited Jan. 29, 2026).

According to OSCA, the most common problem-solving courts include adult, juvenile, and dependency drug courts, early childhood courts, veterans' courts, adult and juvenile mental health courts, and DUI courts.<sup>5</sup>

## Reporting Requirements

### ***Problem-solving Court Reports***

The Office of the State Courts Administrator is required to provide an annual report to the President of the Senate and the Speaker of the House of Representatives which identifies:

- The number of participants in each problem-solving court for each fiscal year the court has operated.
- The types of services provided.
- Each source of funding for each court for each fiscal year.
- Information on the performance of each court based upon outcome measures established by the courts.<sup>6</sup>

### ***Mental Health Court Programs and Treatment-based Drug Court Programs Reports***

Sections 394.47892(5)(b) and 397.334(6)(b), F.S., require mental health court programs and treatment-based drug court programs, respectively, to “collect sufficient client-level data and programmatic information” for the programs to be evaluated.

“Client-level data” includes:

- Primary offenses that resulted in the program referral or sentence.
- Treatment compliance.
- Completion status and reasons for failure to complete.
- Offenses committed during treatment and the sanctions imposed.
- Frequency of court appearances.
- Units of service.

“Programmatic information” includes referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. The programmatic information and aggregate data on the number of admissions and terminations by type of termination must be reported annually to OSCA.

## **III. Effect of Proposed Changes:**

### **Problem-solving Court Reports – Section 1**

The bill amends s. 43.51, F.S., to require additional and specific data in OSCA’s annual problem-solving court report to the officers of the Legislature. The annual report must be provided no later than January 31 of each year for the previous fiscal year. The report must include, at a minimum, the following uniform aggregate participant data for each problem-solving court:

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<sup>5</sup> *Id.*

<sup>6</sup> Section 43.51(1), F.S.

- The number of participants.
- Participant primary offenses that resulted in the court program referral or sentence, if applicable.
- Treatment compliance.
- Program completion status and reasons for any failure to complete.
- Offenses committed during program participation, if applicable.
- The frequency of court appearances.
- Units of service.

The report must also include these specific impact and outcome measures by each problem-solving court:

- Participant changes in the status of employment, housing, and child custody during program participation.
- Other uniform information that demonstrates the effectiveness of the program.

The bill amends the definition of problem-solving court" to include a dependency drug court pursuant to s. 39.507 or s. 39.521; and an early childhood court pursuant to s. 39.01304, F.S.

### **Early Childhood Court and Veterans Treatment Court Programs – Sections 2 and 3**

The bill amends ss. 39.01304 and 394.47891, F.S., relating to early childhood court programs and veterans treatment court programs, respectively, to require the collection of data and information prescribed in s. 43.51, F.S., for the purpose of program evaluation. Additionally, the programs must collect the number of admissions and terminations, referral and screening procedures, eligibility criteria, type and duration of treatment offered, and residential treatment resources. The bill requires each early childhood court program and each veterans treatment court program to report the data and information to OSCA annually.

### **Mental Health Court and Treatment-based Drug Court Programs – Sections 4 and 5**

The bill also amends ss. 394.47892 and 397.334, F.S., relating to mental health court programs and treatment-based drug court programs, respectively, to require the collection of data and information prescribed in s. 43.51, F.S., for the purpose of program evaluation. Additionally, the programs must collect the number of admissions and terminations and are no longer required to collect specified client-level data. The bill requires each mental health court program and each treatment-based drug court program to report the data and information to OSCA annually.

### **Problem-Solving Court Report – Section 6**

The annual problem-solving court report prepared by OSCA must provide uniform aggregate data required by s. 43.51, F.S., as follows:

- For the 2025-2026 fiscal year, data from at least 30% of problem-solving courts funded by the state courts system's problem-solving court appropriation.
- For the 2026-2027 fiscal year, data from every problem-solving court funded by the state courts system's problem-solving court appropriation.
- For the 2027-2028 fiscal year, and every fiscal year thereafter, data from all problem-solving courts.

The changes to data and information requirements for early childhood, veterans treatment, mental health, and treatment-based drug court programs take effect July 1, 2026, if funded through the state courts system's problem-solving court appropriation, and apply to all other programs beginning July 1, 2027.

The bill takes effect July 1, 2026.

#### **IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**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 Office of the State Courts Administrator (OSCA) estimates a fiscal impact of \$1,093,456, including \$11,957 in nonrecurring costs, to implement the bill. The estimate includes \$886,731 for 13 OPS case manager positions and \$126,273 for one statewide FTE. The OSCA estimates a \$50,000 cost for statewide technology and \$30,452 for trial court technology.<sup>7</sup>

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<sup>7</sup> Office of the State Courts Administrator, *2026 Legislative Session – HB 831/SB 820 Estimated Fiscal Impact*, (on file with the Senate Appropriations Committee on Criminal and Civil Justice).

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 43.51, 39.01304, 394.47891, 394.47892, and 397.334.

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

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

**CS by Appropriations Committee on Criminal and Civil Justice on February 4, 2026:**

The committee substitute:

- Provides that the annual report on problem-solving courts is due no later than January 31 of each year for the previous fiscal year.
- Requires that information in the annual report must be provided by each problem-solving court and removes recidivism reporting requirements.
- Defines problem solving courts to include a dependency drug court pursuant to s. 39.507 or s. 39.521 and an early childhood court pursuant to s. 39.01304, F.S.; removes community court pursuant to s. 948.081, F.S., from the definition.
- Amends ss. 39.01304 and 394.47891, F.S., relating to early childhood court programs and veterans treatment court programs, to require the collection of certain data and information for the purpose of program evaluation.
- Changes the type of data and information that mental health and treatment-based drug court programs must collect and changes the reporting requirements to OSCA from quarterly to annually.
- Provides that the annual problem-solving court report prepared by OSCA must provide uniform aggregate data required by s. 43.51, F.S., by certain timeframes.
- Provides that changes to data and information requirements for early childhood, veterans treatment, mental health, and treatment-based drug court programs take effect July 1, 2026, if funded through the state courts system's problem-solving court appropriation, and apply to all other programs beginning July 1, 2027.

**B. Amendments:**

None.

By Senator Martin

33-00516C-26

20261734

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

33-00516C-26

20261734

790.233(3), F.S., relating to screening for sexually  
transmissible disease, inapplicability of ch. 493,  
F.S., violation of an injunction for protection  
against domestic violence, manslaughter, aggravated  
manslaughter of an elderly person or disabled adult,  
aggravated manslaughter of a child, aggravated  
manslaughter of an officer, a firefighter, an  
emergency medical technician, or a paramedic, and  
possession of firearm or ammunition prohibited when  
person is subject to an injunction against committing  
acts of domestic violence, stalking, or cyberstalking,  
and penalties, to incorporate the amendment made to s.  
943.10, F.S., in references thereto; reenacting ss.  
39.01(1) and (37)(e), 44.1011(2)(d), 44.102(2)(d),  
984.04(1), 984.071(1), 984.10(1) and (2), 984.12,  
984.13(3), and 985.03(23), F.S., relating to  
definitions in proceedings relating to children,  
definitions in dependency mediation, court-ordered  
mediation, early truancy intervention, families in  
need of services and children in need of services,  
procedures and jurisdiction, resources and  
information, intake, case staffing, services and  
treatment related to a family in need of services,  
taking a child into custody, and definitions relating  
to juvenile justice, respectively, to incorporate the  
amendment made to s. 984.03, F.S., in references  
thereto; reenacting ss. 984.03(33), 984.07(1), and  
984.151(12), F.S., relating to definitions relating to  
children and families in need of services, right to

Page 2 of 29

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33-00516C-26

20261734

59 counsel, waiver, appointed counsel, compensation, and  
60 early truancy intervention, truancy petition, and  
61 judgment, respectively, to incorporate the amendment  
62 made to s. 984.09, F.S., in references thereto;  
63 providing an effective date.

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

67 Section 1. Subsection (1) of section 14.33, Florida  
68 Statutes, is amended to read:

69 14.33 Medal of Heroism.—

70       (1) The Governor may award a Medal of Heroism of  
71 appropriate design, with ribbons and appurtenances, to a law  
72 enforcement, correctional, ~~or~~ correctional probation officer,  
73 juvenile detention officer, or juvenile probation officer, as  
74 defined in s. 943.10(14); a firefighter, as defined in s.  
75 112.191(1)(b); an emergency medical technician, as defined in s.  
76 401.23; or a paramedic, as defined in s. 401.23. A recipient  
77 must have distinguished himself or herself conspicuously by  
78 gallantry and intrepidity, must have risked his or her life  
79 deliberately above and beyond the call of duty while performing  
80 duty in his or her respective position, and must have engaged in  
81 hazardous or perilous activities to preserve lives with the  
82 knowledge that such activities might result in great personal  
83 harm.

84           Section 2. Section 112.19, Florida Statutes, is amended to  
85 read:

86 112.19 Law enforcement, correctional, and correctional  
87 probation officers; death benefits.—

Page 3 of 29

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33-00516C-26

20261734

88 (1) As used in this section, the term:

89       (a) "Employer" means a state board, commission, department,  
90 division, bureau, or agency, or a county, municipality, or other  
91 political subdivision of the state, which employs, appoints, or  
92 otherwise engages the services of law enforcement, correctional,  
93 or correctional probation officers.

94 (b) "Fresh pursuit" means the pursuit of a person who has  
95 committed or is reasonably suspected of having committed a  
96 felony, misdemeanor, traffic infraction, or violation of a  
97 county or municipal ordinance. The term does not imply instant  
98 pursuit, but pursuit without unreasonable delay.

99 (c) "Insurance" means insurance procured from a stock  
100 company or mutual company or association or exchange authorized  
101 to do business as an insurer in this state.

(d) "Law enforcement, correctional, or correctional probation officer" means any officer as defined in s. 943.10(14) or employee of the state or any political subdivision of the state, including any law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, juvenile probation officer, state attorney investigator, public defender investigator, or criminal conflict and civil regional counsel investigator, whose duties require such officer or employee to investigate, pursue, apprehend, arrest, transport, or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime; and the term includes any member of a bomb disposal unit whose primary responsibility is the location, handling, and disposal of explosive devices. The term also includes any full-time officer or employee of the state or any political subdivision of

Page 4 of 29

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33-00516C-26

20261734

117 the state, certified pursuant to chapter 943, whose duties  
 118 require such officer to serve process or to attend a session of  
 119 a circuit or county court as bailiff.

120 (2)(a) The sum of \$75,000 must be paid as provided in this  
 121 section when a law enforcement, correctional, or correctional  
 122 probation officer, while engaged in the performance of the  
 123 officer's law enforcement duties, is accidentally killed or  
 124 receives accidental bodily injury which results in the loss of  
 125 the officer's life, provided that such killing is not the result  
 126 of suicide and that such bodily injury is not intentionally  
 127 self-inflicted.

128 (b) The sum of \$75,000 must be paid as provided in this  
 129 section if a law enforcement, correctional, or correctional  
 130 probation officer is accidentally killed as specified in  
 131 paragraph (a) and the accidental death occurs:

- 132 1. As a result of the officer's response to fresh pursuit;
- 133 2. As a result of the officer's response to what is  
 134 reasonably believed to be an emergency;
- 135 3. At the scene of a traffic accident to which the officer  
 136 has responded; or
- 137 4. While the officer is enforcing what is reasonably  
 138 believed to be a traffic law or ordinance.

139 This sum is in addition to any sum provided for in paragraph  
 140 (a).

142 (c) If a law enforcement, correctional, or correctional  
 143 probation officer, while engaged in the performance of the  
 144 officer's law enforcement duties, is unlawfully and  
 145 intentionally killed or dies as a result of such unlawful and

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146 intentional act, the sum of \$225,000 must be paid as provided in  
 147 this section.

148 (d) Such payments, pursuant to paragraphs (a), (b), and  
 149 (c), whether secured by insurance or not, must be made to the  
 150 beneficiary designated by such law enforcement, correctional, or  
 151 correctional probation officer in writing, signed by the officer  
 152 and delivered to the employer during the officer's lifetime. If  
 153 no such designation is made, then the payments must be paid to  
 154 the officer's surviving child or children and to the officer's  
 155 surviving spouse in equal portions, and if there is no surviving  
 156 child or spouse, then to the officer's parent or parents. If a  
 157 beneficiary is not designated and there is no surviving child,  
 158 spouse, or parent, then the sum must be paid to the officer's  
 159 estate.

160 (e) Such payments, pursuant to paragraphs (a), (b), and  
 161 (c), are in addition to any workers' compensation or retirement  
 162 plan benefits and are exempt from the claims and demands of  
 163 creditors of such law enforcement, correctional, or correctional  
 164 probation officer.

165 (f) If a full-time law enforcement, correctional, or  
 166 correctional probation officer who is certified pursuant to  
 167 chapter 943 and employed by a state agency is killed in the line  
 168 of duty while the officer is engaged in the performance of law  
 169 enforcement duties or as a result of an assault against the  
 170 officer under riot conditions:

171 1. The sum of \$10,000 must be paid, as provided for in  
 172 paragraph (d), toward the funeral and burial expenses of such  
 173 officer. Such benefits are in addition to any other benefits to  
 174 which employee beneficiaries and dependents are entitled under

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175 the Workers' Compensation Law or any other state or federal  
 176 statutes; and  
 177 2. The officer's employing agency may pay up to \$5,000  
 178 directly toward the venue expenses associated with the funeral  
 179 and burial services of such officer.

180 (g) Any political subdivision of the state that employs a  
 181 full-time law enforcement officer as defined in s. 943.10(1) or  
 182 a full-time correctional officer as defined in s. 943.10(2) who  
 183 is killed in the line of duty on or after July 1, 1993, as a  
 184 result of an act of violence inflicted by another person while  
 185 the officer is engaged in the performance of law enforcement  
 186 duties or as a result of an assault against the officer under  
 187 riot conditions shall pay the entire premium of the political  
 188 subdivision's health insurance plan for the employee's surviving  
 189 spouse until remarried, and for each dependent child of the  
 190 employee until the child reaches the age of majority or until  
 191 the end of the calendar year in which the child reaches the age  
 192 of 25 if:

193 1. At the time of the employee's death, the child is  
 194 dependent upon the employee for support; and

195 2. The surviving child continues to be dependent for  
 196 support, or the surviving child is a full-time or part-time  
 197 student and is dependent for support.

198 (h) 1. Any employer who employs a full-time law enforcement,  
 199 correctional, or correctional probation officer who, on or after  
 200 January 1, 1995, suffers a catastrophic injury, as defined in s.  
 201 440.02, Florida Statutes 2002, in the line of duty shall pay the  
 202 entire premium of the employer's health insurance plan for the  
 203 injured employee, the injured employee's spouse, and for each

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204 dependent child of the injured employee until the child reaches  
 205 the age of majority or until the end of the calendar year in  
 206 which the child reaches the age of 25 if the child continues to  
 207 be dependent for support, or the child is a full-time or part-  
 208 time student and is dependent for support. The term "health  
 209 insurance plan" does not include supplemental benefits that are  
 210 not part of the basic group health insurance plan. If the  
 211 injured employee subsequently dies, the employer shall continue  
 212 to pay the entire health insurance premium for the surviving  
 213 spouse until remarried, and for the dependent children, under  
 214 the conditions outlined in this paragraph. However:

215 a. Health insurance benefits payable from any other source  
 216 shall reduce benefits payable under this section.

217 b. It is unlawful for a person to willfully and knowingly  
 218 make, or cause to be made, or to assist, conspire with, or urge  
 219 another to make, or cause to be made, any false, fraudulent, or  
 220 misleading oral or written statement to obtain health insurance  
 221 coverage as provided under this paragraph. A person who violates  
 222 this sub subparagraph commits a misdemeanor of the first degree,  
 223 punishable as provided in s. 775.082 or s. 775.083.

224 c. In addition to any applicable criminal penalty, upon  
 225 conviction for a violation as described in sub subparagraph b.,  
 226 a law enforcement, correctional, or correctional probation  
 227 officer or other beneficiary who receives or seeks to receive  
 228 health insurance benefits under this paragraph shall forfeit the  
 229 right to receive such health insurance benefits, and shall  
 230 reimburse the employer for all benefits paid due to the fraud or  
 231 other prohibited activity. For purposes of this sub-  
 232 subparagraph, the term "conviction" means a determination of

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233 guilt that is the result of a plea or trial, regardless of  
 234 whether adjudication is withheld.  
 235 2. In order for the officer, spouse, and dependent children  
 236 to be eligible for such insurance coverage, the injury must have  
 237 occurred while the officer was in the line of duty or engaged in  
 238 an official training exercise. Except as otherwise provided  
 239 herein, this paragraph may not be construed to limit health  
 240 insurance coverage for which the officer, spouse, or dependent  
 241 children may otherwise be eligible, except that a person who  
 242 qualifies under this section is not eligible for the health  
 243 insurance subsidy provided under chapter 121, chapter 175, or  
 244 chapter 185.  
 245 (i) The Bureau of Crime Prevention and Training within the  
 246 Department of Legal Affairs shall adopt rules necessary to  
 247 implement paragraphs (a), (b), and (c).  
 248 (3) If a law enforcement, correctional, or correctional  
 249 probation officer is accidentally killed as specified in  
 250 paragraph (2)(b) on or after June 22, 1990, but before July 1,  
 251 2019, or unlawfully and intentionally killed as specified in  
 252 paragraph (2)(c) on or after July 1, 1980, but before July 1,  
 253 2019, the state must waive certain educational expenses that the  
 254 child or spouse of the deceased officer incurs while obtaining a  
 255 career certificate, an undergraduate education, or a  
 256 postgraduate education. The amount waived by the state must be  
 257 in an amount equal to the cost of tuition and matriculation and  
 258 registration fees for a total of 120 credit hours. The child or  
 259 spouse may attend a state career center, a Florida College  
 260 System institution, or a state university on either a full-time  
 261 or part-time basis. The benefits provided to a child under this

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262 subsection shall continue until the child's 25th birthday. The  
 263 benefits provided to a spouse under this subsection must  
 264 commence within 5 years after the death occurs, and entitlement  
 265 thereto shall continue until the 10th anniversary of that death.  
 266 (a) Upon failure of any child or spouse who receives a  
 267 waiver in accordance with this subsection to comply with the  
 268 ordinary and minimum requirements regarding discipline and  
 269 scholarship of the institution attended, such benefits must be  
 270 withdrawn as to the child or spouse and no further moneys may be  
 271 expended for the child's or spouse's benefits so long as such  
 272 failure or delinquency continues.  
 273 (b) Only a student in good standing in his or her  
 274 respective institution may receive the benefits provided in this  
 275 subsection.  
 276 (c) A child or spouse receiving benefits under this  
 277 subsection must be enrolled according to the customary rules and  
 278 requirements of the institution attended.  
 279 (4)(a) The employer of such law enforcement, correctional,  
 280 or correctional probation officer is liable for the payment of  
 281 the sums specified in this section and is deemed self-insured,  
 282 unless it procures and maintains, or has already procured and  
 283 maintained, insurance to secure such payments. Any such  
 284 insurance may cover only the risks indicated in this section, in  
 285 the amounts indicated in this section, or it may cover those  
 286 risks and additional risks and may be in larger amounts. Any  
 287 such insurance must be placed by such employer only after public  
 288 bid of such insurance coverage which must be awarded to the  
 289 carrier making the lowest best bid.  
 290 (b) Payment of benefits to beneficiaries of state

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 291 employees, or of the premiums to cover the risk, under this  
 292 section must be paid from existing funds otherwise appropriated  
 293 to the department employing the law enforcement, correctional,  
 294 or correctional probation officers.

295 (5) The State Board of Education shall adopt rules and  
 296 procedures, and the Board of Governors shall adopt regulations  
 297 and procedures, as are appropriate and necessary to implement  
 298 the educational benefits provisions of this section.

299 (6) Notwithstanding any provision of this section to the  
 300 contrary, the death benefits provided in paragraphs (2)(c) and  
 301 (g) shall also be applicable and paid in cases where an officer  
 302 received bodily injury before July 1, 1993, and subsequently  
 303 died on or after July 1, 1993, as a result of such in-line-of-  
 304 duty injury attributable to an unlawful and intentional act, or  
 305 an act of violence inflicted by another, or an assault on the  
 306 officer under riot conditions. Payment of such benefits must be  
 307 in accordance with this section. This subsection may not be  
 308 construed to limit death benefits for which those individuals  
 309 listed in paragraph (2)(d) may otherwise be eligible.

310 Section 3. Paragraph (b) of subsection (1) and subsections  
 311 (2) and (3) of section 112.193, Florida Statutes, are amended to  
 312 read:

313 112.193 Law enforcement, correctional, and correctional  
 314 probation, juvenile detention, and juvenile probation officers'  
 315 commemorative service awards.-

316 (1) For the purposes of this section, the term:

317 (b) "Law enforcement, correctional, or correctional  
 318 probation, juvenile detention, or juvenile probation officer"  
 319 means any full-time, part-time, or auxiliary officer as defined

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 320 in s. 943.10(14).

321 (2) Each employer that employs or appoints law enforcement,  
 322 correctional, ~~or~~ correctional probation, juvenile detention, or  
 323 juvenile probation officers may present to each such employee  
 324 who retires under any provision of a state or municipal  
 325 retirement system, including medical disability retirement, or  
 326 who is eligible to retire under any such provision but, instead,  
 327 resigns from one employer to accept an elected public office,  
 328 one complete uniform including the badge worn by that officer,  
 329 the officer's service handgun, if one was issued as part of the  
 330 officer's equipment, and an identification card clearly marked  
 331 "RETIRED."

332 (3) Upon the death of a law enforcement, correctional, ~~or~~  
 333 correctional probation, juvenile detention, or juvenile  
 334 probation officer, the employer may present to the spouse or  
 335 other beneficiary of the officer, upon request, one complete  
 336 uniform, including the badge worn by the officer. However, if a  
 337 law enforcement, correctional, ~~or~~ correctional probation,  
 338 juvenile detention, or juvenile probation officer is killed in  
 339 the line of duty, the employer may present, upon request, to the  
 340 spouse or other beneficiary of the officer the officer's  
 341 service-issued handgun, if one was issued as part of the  
 342 officer's equipment. If the employer is not in possession of the  
 343 service-issued handgun, the employer may, within its discretion,  
 344 and upon written request of the spouse or other beneficiary,  
 345 present a similar handgun. The provisions of this section shall  
 346 also apply in that instance to a law enforcement or correctional  
 347 officer who died before May 1, 1993. In addition, the officer's  
 348 service handgun may be presented by the employer for any such

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349 officer who was killed in the line of duty prior to this act  
 350 becoming a law.

351 Section 4. Subsections (1) and (3) of section 112.194,  
 352 Florida Statutes, are amended to read:

353 112.194 Law enforcement and correctional, juvenile  
 354 detention, and juvenile probation officers' Medal of Valor.—

355 (1) Any state board, commission, department, division,  
 356 bureau, or agency, or any county or municipality that employs or  
 357 appoints law enforcement officers, ~~or~~ correctional officers,  
 358 juvenile detention officers, or juvenile probation officers, as  
 359 defined in s. 943.10(14), may establish an award program to  
 360 award a Medal of Valor to any such officer whose actions are  
 361 extraordinary and expose the officer to peril beyond the call of  
 362 duty.

363 (3) Upon the death of such a law enforcement officer ~~or~~  
 364 correctional officer, juvenile detention officer, or juvenile  
 365 probation officer, the employer may present the Medal of Valor  
 366 posthumously to the officer's closest living relative.

367 Section 5. Paragraph (a) of subsection (1) of section  
 368 787.035, Florida Statutes, is amended to read:

369 787.035 Sheltering unmarried minors; aiding unmarried minor  
 370 runaways; violations.—

371 (1)(a) A person who is not an authorized agent of the  
 372 Department of Juvenile Justice or the Department of Children and  
 373 Families may not knowingly shelter an unmarried minor for more  
 374 than 24 hours without the consent of the minor's parent or  
 375 guardian or without notifying a law enforcement officer of the  
 376 minor's name and the fact that the minor is being provided  
 377 shelter.

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378 Section 6. Subsection (14) of section 943.10, Florida  
 379 Statutes, is amended, and new subsections (23) and (24) are  
 380 added to that section, to read:

381 943.10 Definitions; ss. 943.085-943.255.—The following  
 382 words and phrases as used in ss. 943.085-943.255 are defined as  
 383 follows:

384 (14) "Officer" means any person employed or appointed as a  
 385 full-time, part-time, or auxiliary law enforcement officer,  
 386 correctional officer, ~~or~~ correctional probation officer,  
 387 juvenile detention officer, or juvenile probation officer.

388 (23) "Juvenile detention officer" means an officer who is  
 389 responsible for the direct supervision of youth who are held in  
 390 secure detention.

391 (24) "Juvenile probation officer" means an authorized agent  
 392 of the Department of Juvenile Justice who performs the intake,  
 393 case management, or supervision functions.

394 Section 7. Subsection (15) of section 984.03, Florida  
 395 Statutes, is amended to read:

396 984.03 Definitions.—When used in this chapter, the term:

397 (15) "Family in need of services" means a family that has a  
 398 child who is running away; who is ungovernable and persistently  
 399 disobeying reasonable and lawful demands of the parent, ~~or~~ legal  
 400 guardian, or custodian and is beyond the control of the parent,  
 401 ~~or~~ legal guardian, or custodian; or who is a habitual truant or  
 402 engaging in other serious behaviors that place the child at risk  
 403 of future abuse, neglect, or abandonment or at risk of entering  
 404 the juvenile justice system. The child must be referred to a law  
 405 enforcement agency, the department, or an agency contracted to  
 406 provide services to children in need of services. A family is

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407 not eligible to receive voluntary family services if, at the  
 408 time of the referral, the child is currently under court-ordered  
 409 supervision by the department for delinquency under chapter 985  
 410 or under court-ordered supervision by the Department of Children  
 411 and Families under chapter 39.

412 Section 8. Subsection (2) of section 984.09, Florida  
 413 Statutes, is amended to read:

414 984.09 Punishment for contempt of court; alternative  
 415 sanctions.—

416 (2) PLACEMENT IN A SHELTER.—A child subject to proceedings  
 417 under this chapter adjudicated as a child in need of services  
 418 may only be placed in a shelter for purposes of punishment for  
 419 contempt of court if alternative sanctions are unavailable or  
 420 inappropriate, or if the child has already been ordered to serve  
 421 an alternative sanction but failed to comply with the sanction.

422 Section 9. For the purpose of incorporating the amendment  
 423 made by this act to section 112.19, Florida Statutes, in a  
 424 reference thereto, paragraph (a) of subsection (1) of section  
 425 112.1912, Florida Statutes, is reenacted to read:

426 112.1912 First responders; death benefits for educational  
 427 expenses.—

428 (1) As used in this section, the term "first responder"  
 429 means:

430 (a) A law enforcement, correctional, or correctional  
 431 probation officer as defined in s. 112.19(1) who is killed as  
 432 provided in s. 112.19(2) on or after July 1, 2019;

433 Section 10. For the purpose of incorporating the amendment  
 434 made by this act to section 943.10, Florida Statutes, in a  
 435 reference thereto, subsection (1) of section 384.287, Florida

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436 Statutes, is reenacted to read:

437 384.287 Screening for sexually transmissible disease.—  
 438 (1) An officer as defined in s. 943.10(14); support  
 439 personnel as defined in s. 943.10(11) who are employed by the  
 440 Department of Law Enforcement, including, but not limited to,  
 441 any crime scene analyst, forensic technologist, or crime lab  
 442 analyst; firefighter as defined in s. 633.102; or ambulance  
 443 driver, paramedic, or emergency medical technician as defined in  
 444 s. 401.23, acting within the scope of employment, who comes into  
 445 contact with a person in such a way that significant exposure,  
 446 as defined in s. 381.004, has occurred may request that the  
 447 person be screened for a sexually transmissible disease that can  
 448 be transmitted through a significant exposure.

449 Section 11. For the purpose of incorporating the amendment  
 450 made by this act to section 943.10, Florida Statutes, in a  
 451 reference thereto, subsection (1) of section 493.6102, Florida  
 452 Statutes, is reenacted to read:

453 493.6102 Inapplicability of this chapter.—This chapter  
 454 shall not apply to:

455 (1) Any individual who is an "officer" as defined in s.  
 456 943.10(14) or is a law enforcement officer of the United States  
 457 Government, while such local, state, or federal officer is  
 458 engaged in her or his official duties or when performing off-  
 459 duty security activities approved by her or his superiors.

460 Section 12. For the purpose of incorporating the amendment  
 461 made by this act to section 943.10, Florida Statutes, in a  
 462 reference thereto, paragraph (b) of subsection (4) of section  
 463 741.31, Florida Statutes, is reenacted to read:

464 741.31 Violation of an injunction for protection against

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465 domestic violence.—

466 (4)

467 (b)1. It is a violation of s. 790.233, and a misdemeanor of  
468 the first degree, punishable as provided in s. 775.082 or s.  
469 775.083, for a person to violate a final injunction for  
470 protection against domestic violence by having in his or her  
471 care, custody, possession, or control any firearm or ammunition.

472 2. It is the intent of the Legislature that the  
473 disabilities regarding possession of firearms and ammunition are  
474 consistent with federal law. Accordingly, this paragraph shall  
475 not apply to a state or local officer as defined in s.  
476 943.10(14), holding an active certification, who receives or  
477 possesses a firearm or ammunition for use in performing official  
478 duties on behalf of the officer's employing agency, unless  
479 otherwise prohibited by the employing agency.

480 Section 13. For the purpose of incorporating the amendment  
481 made by this act to section 943.10, Florida Statutes, in a  
482 reference thereto, subsection (4) of section 782.07, Florida  
483 Statutes, is reenacted to read:

484 782.07 Manslaughter; aggravated manslaughter of an elderly  
485 person or disabled adult; aggravated manslaughter of a child;  
486 aggravated manslaughter of an officer, a firefighter, an  
487 emergency medical technician, or a paramedic.—

488 (4) A person who causes the death, through culpable  
489 negligence, of an officer as defined in s. 943.10(14), a  
490 firefighter as defined in s. 112.191, an emergency medical  
491 technician as defined in s. 401.23, or a paramedic as defined in  
492 s. 401.23, while the officer, firefighter, emergency medical  
493 technician, or paramedic is performing duties that are within

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494 the course of his or her employment, commits aggravated  
495 manslaughter of an officer, a firefighter, an emergency medical  
496 technician, or a paramedic, a felony of the first degree,  
497 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

498 Section 14. For the purpose of incorporating the amendment  
499 made by this act to section 943.10, Florida Statutes, in a  
500 reference thereto, subsection (3) of section 790.233, Florida  
501 Statutes, is reenacted to read:

502 790.233 Possession of firearm or ammunition prohibited when  
503 person is subject to an injunction against committing acts of  
504 domestic violence, stalking, or cyberstalking; penalties.—

505 (3) It is the intent of the Legislature that the  
506 disabilities regarding possession of firearms and ammunition are  
507 consistent with federal law. Accordingly, this section does not  
508 apply to a state or local officer as defined in s. 943.10(14),  
509 holding an active certification, who receives or possesses a  
510 firearm or ammunition for use in performing official duties on  
511 behalf of the officer's employing agency, unless otherwise  
512 prohibited by the employing agency.

513 Section 15. For the purpose of incorporating the amendment  
514 made by this act to section 984.03, Florida Statutes, in  
515 references thereto, subsection (1) and paragraph (e) of  
516 subsection (37) of section 39.01, Florida Statutes, are  
517 reenacted to read:

518 39.01 Definitions.—When used in this chapter, unless the  
519 context otherwise requires:

520 (1) "Abandoned" or "abandonment" means a situation in which  
521 the parent or legal custodian of a child or, in the absence of a  
522 parent or legal custodian, the caregiver, while being able, has

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523 made no significant contribution to the child's care and  
 524 maintenance or has failed to establish or maintain a substantial  
 525 and positive relationship with the child, or both. For purposes  
 526 of this subsection, "establish or maintain a substantial and  
 527 positive relationship" includes, but is not limited to, frequent  
 528 and regular contact with the child through frequent and regular  
 529 visitation or frequent and regular communication to or with the  
 530 child, and the exercise of parental rights and responsibilities.  
 531 Marginal efforts and incidental or token visits or  
 532 communications are not sufficient to establish or maintain a  
 533 substantial and positive relationship with a child. A man's  
 534 acknowledgment of paternity of the child does not limit the  
 535 period of time considered in determining whether the child was  
 536 abandoned. The term does not include a surrendered infant as  
 537 described in s. 383.50, a "child in need of services" as defined  
 538 in chapter 984, or a "family in need of services" as defined in  
 539 chapter 984. The absence of a parent, legal custodian, or  
 540 caregiver responsible for a child's welfare, who is a  
 541 servicemember, by reason of deployment or anticipated deployment  
 542 as defined in 50 U.S.C. s. 3938(e), may not be considered or  
 543 used as a factor in determining abandonment. The incarceration,  
 544 repeated incarceration, or extended incarceration of a parent,  
 545 legal custodian, or caregiver responsible for a child's welfare  
 546 may support a finding of abandonment.

547 (37) "Harm" to a child's health or welfare can occur when  
 548 any person:

549 (e) Abandons the child. Within the context of the  
 550 definition of "harm," the term "abandoned the child" or  
 551 "abandonment of the child" means a situation in which the parent

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552 or legal custodian of a child or, in the absence of a parent or  
 553 legal custodian, the caregiver, while being able, has made no  
 554 significant contribution to the child's care and maintenance or  
 555 has failed to establish or maintain a substantial and positive  
 556 relationship with the child, or both. For purposes of this  
 557 paragraph, "establish or maintain a substantial and positive  
 558 relationship" includes, but is not limited to, frequent and  
 559 regular contact with the child through frequent and regular  
 560 visitation or frequent and regular communication to or with the  
 561 child, and the exercise of parental rights and responsibilities.  
 562 Marginal efforts and incidental or token visits or  
 563 communications are not sufficient to establish or maintain a  
 564 substantial and positive relationship with a child. The term  
 565 "abandoned" does not include a surrendered infant as described  
 566 in s. 383.50, a child in need of services as defined in chapter  
 567 984, or a family in need of services as defined in chapter 984.  
 568 The incarceration, repeated incarceration, or extended  
 569 incarceration of a parent, legal custodian, or caregiver  
 570 responsible for a child's welfare may support a finding of  
 571 abandonment.

572 Section 16. For the purpose of incorporating the amendment  
 573 made by this act to section 984.03, Florida Statutes, in a  
 574 reference thereto, paragraph (d) of subsection (2) of section  
 575 44.1011, Florida Statutes, is reenacted to read:

576 44.1011 Definitions.—As used in this chapter:

577 (2) "Mediation" means a process whereby a neutral third  
 578 person called a mediator acts to encourage and facilitate the  
 579 resolution of a dispute between two or more parties. It is an  
 580 informal and nonadversarial process with the objective of

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581 helping the disputing parties reach a mutually acceptable and  
 582 voluntary agreement. In mediation, decisionmaking authority  
 583 rests with the parties. The role of the mediator includes, but  
 584 is not limited to, assisting the parties in identifying issues,  
 585 fostering joint problem solving, and exploring settlement  
 586 alternatives. "Mediation" includes:

587 (d) "Dependency or in need of services mediation," which  
 588 means mediation of dependency, child in need of services, or  
 589 family in need of services matters. Negotiations in dependency  
 590 or in need of services mediation are primarily conducted by the  
 591 parties. Counsel for each party may attend the mediation  
 592 conference and privately communicate with their clients.  
 593 However, presence of counsel is not required and, in the  
 594 discretion of the mediator and with the agreement of the  
 595 parties, mediation may proceed in the absence of counsel unless  
 596 otherwise ordered by the court.

597 Section 17. For the purpose of incorporating the amendment  
 598 made by this act to section 984.03, Florida Statutes, in a  
 599 reference thereto, paragraph (d) of subsection (2) of section  
 600 44.102, Florida Statutes, is reenacted to read:

601 44.102 Court-ordered mediation.—

602 (2) A court, under rules adopted by the Supreme Court:

603 (d) In circuits in which a dependency or in need of  
 604 services mediation program has been established, may refer to  
 605 mediation all or any portion of a matter relating to dependency  
 606 or to a child in need of services or a family in need of  
 607 services.

608 Section 18. For the purpose of incorporating the amendment  
 609 made by this act to section 984.03, Florida Statutes, in a

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610 reference thereto, subsection (1) of section 984.04, Florida  
 611 Statutes, is reenacted to read:

612 984.04 Early truancy intervention; families in need of  
 613 services and children in need of services; procedures and  
 614 jurisdiction.—

615 (1) The department shall be responsible for all nonjudicial  
 616 proceedings involving voluntary family services for a family  
 617 identified as a family in need of services according to rules  
 618 established by the department under chapter 120.

619 Section 19. For the purpose of incorporating the amendment  
 620 made by this act to section 984.03, Florida Statutes, in a  
 621 reference thereto, subsection (1) of section 984.071, Florida  
 622 Statutes, is reenacted to read:

623 984.071 Resources and information.—

624 (1) The department shall develop and publish an information  
 625 guide that explains the current process under this chapter for  
 626 obtaining assistance for a child in need of services or a family  
 627 in need of services and the community services and resources  
 628 available to parents. The information guide shall be published  
 629 in a written format for distribution and shall also be published  
 630 on the department's website. Each information guide shall be  
 631 reviewed annually and updated as appropriate. The school  
 632 district shall distribute this information guide to parents of  
 633 truant children, and to other parents upon request or as deemed  
 634 appropriate by the school district. In addition, the department  
 635 shall distribute the information guide to state and local law  
 636 enforcement agencies. Any law enforcement officer who has  
 637 contact with the parent of a child who is locked out of the  
 638 home, who is ungovernable, or who runs away from home shall make

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639 the information guide available to the parent.

640 Section 20. For the purpose of incorporating the amendment  
641 made by this act to section 984.03, Florida Statutes, in  
642 references thereto, subsections (1) and (2) of section 984.10,  
643 Florida Statutes, are reenacted to read:

644 984.10 Intake.—

645 (1) Intake shall be performed by the department or the  
646 department's authorized agent. A report alleging that a child is  
647 from a family in need of services shall be made to the intake  
648 office operating in the county in which the child is found or in  
649 which the case arose. Any person or agency, including, but not  
650 limited to, the parent, legal guardian, or custodian, the local  
651 school district, a law enforcement agency, or the Department of  
652 Children and Families, having knowledge of the facts may make a  
653 report.

654 (2) A representative of the department shall make a  
655 preliminary determination as to whether the report is complete.  
656 The criteria for the completeness of a report with respect to a  
657 child alleged to be from a family in need of services while  
658 subject to compulsory school attendance shall be governed by s.  
659 984.03. In any case in which the representative of the  
660 department finds that the report is incomplete, the  
661 representative of the department shall return the report without  
662 delay to the person or agency originating the report or having  
663 knowledge of the facts or to the appropriate law enforcement  
664 agency having investigative jurisdiction and request additional  
665 information in order to complete the report.

666 Section 21. For the purpose of incorporating the amendment  
667 made by this act to section 984.03, Florida Statutes, in a

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668 reference thereto, section 984.12, Florida Statutes, is  
669 reenacted to read:

670 984.12 Case staffing; services and treatment related to a  
671 family in need of services.—

672 (1) The appropriate representative of the department shall  
673 request a meeting of the family and child with a case staffing  
674 committee to review the case of any family or child who the  
675 department determines is in need of services if:

676 (a) The family or child is not in agreement with the  
677 services or treatment offered;

678 (b) The family or child will not participate in the  
679 services or treatment selected; or

680 (c) The representative of the department needs assistance  
681 in developing an appropriate plan for services. The time and  
682 place selected for the meeting shall be convenient for the child  
683 and family.

684 (2) The composition of the case staffing committee shall be  
685 based on the needs of the family and child. It shall include a  
686 representative from the child's school district and a  
687 representative of the department, and may include the  
688 department's authorized agent and a supervisor of the  
689 department's contracted provider; a representative from the area  
690 of health, mental health, substance abuse, or social services; a  
691 representative of the state attorney; a representative of law  
692 enforcement; and any person recommended by the child, family, or  
693 department. The child and the child's parent, legal guardian, or  
694 custodian must be invited to attend the committee meeting.

695 (3) The case staffing committee shall:

696 (a) Identify the family's concerns and contributing

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697 factors.

698 (b) Request the family and child to identify their needs  
699 and concerns.

700 (c) Seek input from the school district and any other  
701 persons in attendance with knowledge of the family or child's  
702 situation and concerns.

703 (d) Consider the voluntary family services or other  
704 community services that have been offered and the results of  
705 those services.

706 (e) Identify whether truancy is a concern and evaluate  
707 compliance with the remedial strategies provided pursuant to s.  
708 1003.26.

709 (f) Reach a timely decision to provide the child or family  
710 with services and recommend any appropriate treatment through  
711 the development of a plan for services.

712 (4) The plan for services shall contain the following:

713 (a) Statement of the concerns.

714 (b) Needs of the child.

715 (c) Needs of the parents, legal guardian, or custodian.

716 (d) Measurable objectives that address the identified  
717 problems and needs.

718 (e) Services and treatment to be provided, to include:

719 1. Type of services or treatment.

720 2. Frequency of services or treatment.

721 3. Location.

722 4. Accountable service providers or staff.

723 (f) Timeframes for achieving objectives.

724 (5) Upon receipt of the plan, the child and family shall  
725 acknowledge their position by accepting or rejecting the

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726 services and provisions in writing. If the plan is accepted, it  
727 shall be implemented as soon as is practicable.

728 (6) The assigned case manager shall have responsibility for  
729 implementing the plan. The department's authorized agent shall  
730 periodically review the progress towards achieving the  
731 objectives of the plan in order to:

732 (a) Advise the case staffing committee of the need to make  
733 adjustments to the plan;

734 (b) Recommend a child in need of services petition be filed  
735 by the department; or

736 (c) Terminate the case as indicated by successful or  
737 substantial achievement of the objectives of the plan.

738 (7) The parent, legal guardian, or custodian may convene a  
739 meeting of the case staffing committee. A case staffing  
740 committee meeting requested by a parent, guardian, or legal  
741 custodian must be convened within 7 days, excluding weekends and  
742 legal holidays, after the date the department's representative  
743 receives the request in writing.

744 (8) Any other member of the committee may convene a meeting  
745 if voluntary family services have been offered and the services  
746 have been rejected by the child or family, or the child has not  
747 made measurable progress toward achieving the service plan  
748 goals, and the member finds that doing so is in the best  
749 interest of the family or child.

750 (9) A case staffing committee meeting must be convened  
751 within 30 days after the date the case is referred by the court  
752 pursuant to s. 984.151.

753 (10) Within 7 days after meeting, the case staffing  
754 committee shall provide the parent, legal guardian, or custodian

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755 with a written report that details the reasons for the  
 756 committee's decision to recommend, or decline to recommend, that  
 757 the department file a petition alleging that the child is a  
 758 child in need of services.

759 (11) The case staffing committee may reconvene from time to  
 760 time as may be necessary to make adjustments to the plan.

761 Section 22. For the purpose of incorporating the amendment  
 762 made by this act to section 984.03, Florida Statutes, in a  
 763 reference thereto, subsection (3) of section 984.13, Florida  
 764 Statutes, is reenacted to read:

765 984.13 Taking a child into custody.—

766 (3) If the child is taken into custody and is delivered to  
 767 a shelter, the department's authorized agent shall review the  
 768 facts and make such further inquiry as necessary to determine  
 769 whether the child shall remain in shelter, receive voluntary  
 770 family services that would allow the child alleged to be from a  
 771 family in need of services to remain at home, or be released.

772 Section 23. For the purpose of incorporating the amendment  
 773 made by this act to section 984.03, Florida Statutes, in a  
 774 reference thereto, subsection (23) of section 985.03, Florida  
 775 Statutes, is reenacted to read:

776 985.03 Definitions.—As used in this chapter, the term:

777 (23) "Family in need of services" has the same meaning as  
 778 provided in s. 984.03.

779 Section 24. For the purpose of incorporating the amendment  
 780 made by this act to section 984.09, Florida Statutes, in a  
 781 reference thereto, subsection (33) of section 984.03, Florida  
 782 Statutes, is reenacted to read:

783 984.03 Definitions.—When used in this chapter, the term:

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784 (33) "Shelter" means a department-approved shelter facility  
 785 for the temporary care of runaway children; for children placed  
 786 for voluntary shelter respite upon request of the child or the  
 787 child's parent, legal guardian, or custodian; or for placement  
 788 of a child who has been adjudicated a child in need of services  
 789 or who has been found in contempt of court under s. 984.09.  
 790 Shelters must provide 24-hour continual supervision. A shelter  
 791 must be licensed by the Department of Children and Families as a  
 792 licensed child-caring agency.

793 Section 25. For the purpose of incorporating the amendment  
 794 made by this act to section 984.09, Florida Statutes, in a  
 795 reference thereto, subsection (1) of section 984.07, Florida  
 796 Statutes, is reenacted to read:

797 984.07 Right to counsel; waiver; appointed counsel;  
 798 compensation.—

799 (1) When a petition is filed alleging that a child is a  
 800 child in need of services or if the child is subject to contempt  
 801 proceedings under s. 984.09, the child must be represented by  
 802 counsel at each court appearance. The court must appoint counsel  
 803 unless the child is not indigent and has counsel present to  
 804 represent the child or the record in that proceeding  
 805 affirmatively demonstrates by clear and convincing evidence that  
 806 the child knowingly and intelligently waived the right to  
 807 counsel after being fully advised by the court of the nature of  
 808 the proceedings and the dispositional alternatives available to  
 809 the court. If the child waives counsel at any proceeding, the  
 810 court shall advise the child with respect to the right to  
 811 counsel at every subsequent hearing.

812 Section 26. For the purpose of incorporating the amendment

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813 made by this act to section 984.09, Florida Statutes, in a  
814 reference thereto, subsection (12) of section 984.151, Florida  
815 Statutes, is reenacted to read:

816 984.151 Early truancy intervention; truancy petition;  
817 judgment.—

818 (12) The court may not order a child placed in shelter  
819 pursuant to this section unless the court has found the child to  
820 be in contempt for violation of a court order under s. 984.09.

821 Section 27. This act shall take effect upon becoming a law.

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil Justice **Tab #:** 6  
**Sponsor:** M

Tab #. 5

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Juvenile Justice

Time: 3:45—6:00 p.m.

Time: 8.15 - 9.00 p.m.

Place: 97 Senate

### Final Action: Favorable

CODES: FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
RS=Replaced by Substitute Amendment

TP=Temporarily Postponed  
VA=Vote After Roll Call  
VC=Vote Change After Roll Call

WD=Withdrawn  
OO=Out of Order  
AV=Abstain from Voting

The Florida Senate  
**COMMITTEE VOTE RECORD**

**Committee:** Appropriations Committee on Criminal and Civil  
Justice **Tab #:** 6

**Sponsor:** Martin

**Meeting Date:** Wednesday, February 4, 2026

**Subject:** Juvenile Justice

**Time:** 3:45—6:00 p.m.

**Place:** 37 Senate Building

**Bill #:** SB 1734

**Final Action:** Favorable

**CODES:** FAV=Favorable  
UNF=Unfavorable  
-R=Reconsidered

RCS=Replaced by Committee Substitute  
RE=Replaced by Engrossed Amendment  
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TP=Temporarily Postponed  
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WD=Withdrawn  
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## THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**  
Criminal Justice, *Chair*  
Appropriations Committee on Criminal  
and Civil Justice, *Vice Chair*  
Appropriations  
Appropriations Committee on  
Transportation, Tourism, and Economic  
Development  
Banking and Insurance  
Rules  
Transportation

**SENATOR JONATHAN MARTIN**  
33rd District

February 2nd, 2026

**RE: SB 1734: Juvenile Justice**

Dear Chair Garcia,

Please allow this letter to serve as my respectful request to place SB 1734 on the next committee agenda.

Your kind consideration of this request is greatly appreciated. Our stakeholders and I would be happy to answer any potential questions.

Sincerely,

A handwritten signature in black ink that reads "J. Martin".

Jonathan Martin  
Senate District 33

REPLY TO:

- 2000 Main Street, Suite 401, Fort Myers, Florida 33901 (239) 338-2570
- 315 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5033

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**BEN ALBRITTON**  
President of the Senate

**JASON BRODEUR**  
President Pro Tempore

February 4, 2026

The Florida Senate

Meeting Date  
Criminal & Civil Approps

## APPEARANCE RECORD

1734

Committee  
Name  
Barney BishopDeliver both copies of this form to  
Senate professional staff conducting the meetingAddress  
Street  
1454 Vieux Carre Drive  
Tallahassee  
City  
FL  
State  
32312  
ZipBill Number or Topic  
Amendment Barcode (if applicable)  
Phone 850-510-9922  
Email barney@BarneyBishop.comSpeaking:  For  Against  InformationOR 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 (fisenate.gov)*

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

S-001 (08/10/2021)

The Florida Senate

2/4/2021

Meeting Date

## APPEARANCE RECORD

SB 1734

Bill Number or Topic

Senate Approps Crim/ and  
Committee Civil Justice

Name Chris Klaben

Phone 513-300-5268

Address 2737 Centerview Dr.  
Street

Email Christopher.Klaben@fldoj.gov

Tallahassee

FL

32399

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 Department of Juvenile Justice

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](http://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.)

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

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BILL: SB 1734

INTRODUCER: Senator Martin

SUBJECT: Juvenile Justice

DATE: February 3, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Parker	Stokes	CJ	<b>Favorable</b>
2. Atchley	Harkness	ACJ	<b>Favorable</b>
3. _____	_____	FP	_____

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## I. Summary:

SB 1734 amends multiple statutes relating to Juvenile Detention Officers and Juvenile Probation Officers. Specifically, the bill amends:

- Section 14.33, F.S., to add juvenile detention officers and juvenile probation officers to the list of persons that the governor may award a Medal of Heroism.
- Sections 112.19 and 112.193, F.S., to include juvenile detention officers and juvenile probation officers in the definition of “Law enforcement, correctional, or correctional probation officer”. Expanding the definition of law enforcement will allow juvenile detention officers and juvenile probation officers to receive the same death benefits and commemorative service awards as other officers.
- Section 112.194, F.S., to authorize any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints juvenile detention officers or juvenile probation officers to establish a Medal of Valor award program.
- Section 787.035, F.S., to exempt the Department of Juvenile Justice (DJJ) from the prohibition against sheltering an unmarried minor without the consent of the minor’s parent or guardian or without notifying a law enforcement officer.
- Section 943.10 F.S., to include juvenile detention officer and juvenile probation officer in the definition of “officer” and defines:
  - “Officer” to mean any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, or juvenile probation officer.
  - “Juvenile detention officer” to mean an officer who is responsible for the direct supervision of youth who are held in secure detention.
  - “Juvenile probation officer” means an authorized agent of the DJJ who performs the intake case management, or supervision functions.
- Section 984.03, F.S., to revise the definition for the term “Family in need of services” to include legal guardians.

- Section 984.09, F.S., to provide that a child “subject to shelter placement proceedings” may only be placed in a shelter under certain circumstances, rather than a child “adjudicated in need of services.”

The bill does not have a fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

## II. **Present Situation:**

### **Commemorative Service Awards**

Section 112.193, F.S., provides specific guidelines for the commemorative service awards for law enforcement officers who retire, resign from position to accept an elected public office, or are killed in the line of duty. Each badge, service handgun, and identification card presented is to commemorate prior service.

Each employer that employs or appoints law enforcement, correctional, or correctional probation officers may present to each such employee who retires under any provision of a state or municipal retirement system, including medical disability retirement, or who is eligible to retire under any such provision but, instead, resigns from one employer to accept an elected public office:

- One completed uniform including the badge worn by that officer;
- The officer’s service handgun, if one was issued as part of the officer’s equipment; and
- An identification card clearly marked “RETIRED.”<sup>1</sup>

Upon the death of a law enforcement, correctional, or correctional probation officer, the employer may present to the spouse or other beneficiary of the officer, upon request:

- One complete uniform, including the badge worn by the officer.<sup>2</sup>
- If a law enforcement, correctional, or correctional probation officer is killed in the line of duty, the employer may present, upon request to the spouse or other beneficiary of the officer:
- The officer’s service-issued handgun, if one was issued as part of the officer’s equipment.<sup>3</sup>

If the employer is not in possession of the service-issued handgun, the employer may, within its discretion, and upon written request of the spouse or other beneficiary, present a similar handgun. In the instance that a law enforcement or correctional officer died before May 1, 1993, the above provisions apply, in addition, the officer’s service handgun may be presented by the employer for any such officer who was killed in the line of duty prior to the act becoming law.<sup>4</sup>

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<sup>1</sup> Section 112.193(2), F.S.

<sup>2</sup> Section 112.193(3), F.S.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

## **Medal of Heroism**

The Governor may award a Medal of Heroism to law enforcement officers, correctional officers, or correctional probation officers, firefighters, and emergency medical technicians, or paramedics. A recipient must have distinguished himself or herself conspicuously by gallantry and intrepidity, must have risked his or her life deliberately above and beyond the call of duty while performing duty in his or her respective position, and must have engaged in hazardous or perilous activities to preserve lives with the knowledge that such activities might result in great personal harm.<sup>5</sup>

A candidate or person seeking to nominate a candidate for the award must make written application to the Governor. The Governor may refer an application to any public or private entity for advice and recommendations regarding the application.<sup>6</sup>

## **Medal of Valor**

Any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints law enforcement officers or correctional officers and may establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty.<sup>7</sup>

The Medal of Valor may include, but is not limited to, a medal authorized to be worn on the officer's uniform during formal occasions and a commendation bar to be worn on the uniform during normal duty. The amount of funds that may be expended to provide a Medal of Valor must not exceed \$250.<sup>8</sup>

Upon the death of such a law enforcement officer or correctional officer, the employer may present the Medal of Valor posthumously to the officer's closest living relative.

## **Death Benefits for Law Enforcement Officers**

### ***Accidental death or bodily injury***

The sum of \$75,000 must be paid as provided in this section when a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is accidentally killed or receives accidental bodily injury which results in the loss of the officer's life, provided that such killing is not the result of suicide and that such bodily injury is not intentionally self-inflicted.<sup>9</sup>

The sum of \$75,000 must be paid as provided if a law enforcement, correctional, or correctional probation officer is accidentally killed and the accidental death occurs:

- As a result of the officer's response to fresh pursuit;<sup>10</sup>

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<sup>5</sup> Section 14.33(1), F.S.

<sup>6</sup> Section 14.33(2), F.S.

<sup>7</sup> Section 112.194(1), F.S.

<sup>8</sup> Section 112.194(2), F.S.

<sup>9</sup> Section 112.19(2)(a), F.S.

<sup>10</sup> Section 112.19(2)(b)1., F.S.

- As a result of the officer's response to what is reasonably believed to be an emergency;<sup>11</sup>
- At the scene of a traffic accident to which the officer has responded;<sup>12</sup> or
- While the officer is enforcing what is reasonably believed to be a traffic law or ordinance.<sup>13</sup>

### ***Death in the line of duty***

If an officer is killed in the line of duty, additional sums are paid in addition to any workers' compensation or retirement plan benefits and are exempt from creditor claims.<sup>14</sup>

If a law enforcement, correctional, or correctional probation officer, while engaged in the performance of the officer's law enforcement duties, is unlawfully and intentionally killed or dies as a result of such unlawful and intentional act, the sum of \$225,000 must be paid,<sup>15</sup> whether secured by insurance or not, must be made to the beneficiary designated by such law enforcement, correctional, or correctional probation officer in writing, signed by the officer and delivered to the employer during the officer's lifetime. If no such designation is made, then the payments must be paid to the officer's surviving child or children and to the officer's surviving spouse in equal portions, and if there is no surviving child or spouse, then to the officer's parent or parents. If a beneficiary is not designated and there is no surviving child, spouse, or parent, then the sum must be paid to the officer's estate.<sup>16</sup>

If a full-time law enforcement, correctional, or correctional probation officer who is certified and employed by a state is killed in the line of duty while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions:

- The sum of \$10,000 must be paid toward the funeral and burial expenses of such officer. Such benefits are in addition to any other benefits to which employee beneficiaries and dependents are entitled under the Workers' Compensation Law or any other state or federal statutes;<sup>17</sup> and
- The officer's employing agency may pay up to \$5,000 directly toward the venue expenses associated with the funeral and burial services of such officer.<sup>18</sup>

### ***Dependent benefits***

Any division of the state that employs a full-time law enforcement officer or a full-time correctional officer who is killed in the line of duty on or after July 1, 1993, as a result of an act of violence inflicted by another person while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions must pay the entire premium of the political subdivision's health insurance plan for the employee's surviving spouse until remarried, and for each dependent child of the employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if:

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<sup>11</sup> Section 112.19(2)(b)2., F.S.

<sup>12</sup> Section 112.19(2)(b)3., F.S.

<sup>13</sup> Section 112.19(2)(b)4., F.S.

<sup>14</sup> Section 112.19(2)(e), F.S.

<sup>15</sup> Section 112.19(2)(c), F.S.

<sup>16</sup> Section 112.19(2)(d), F.S.

<sup>17</sup> Section 112.19(2)(f)1., F.S.

<sup>18</sup> Section 112.19(2)(f)2., F.S.

- At the time of the employee's death, the child is dependent upon the employee for support;<sup>19</sup> and
- The surviving child continues to be dependent for support, or the surviving child is a full-time or part-time student and is dependent for support.<sup>20</sup>

### ***Catastrophic injury***

Any employer who employs a full-time law enforcement, correctional, or correctional probation officer who, on or after January 1, 1995, suffers a catastrophic injury in the line of duty must pay the entire premium of the employer's health insurance plan for the injured employee, the injured employee's spouse, and for each dependent child of the injured employee until the child reaches the age of majority or until the end of the calendar year in which the child reaches the age of 25 if the child continues to be dependent for support, or the child is a full-time or part-time student and is dependent for support.<sup>21</sup>

### **DJJ Youth Services**

#### ***Family in Need of Services***

Chapter 984, F.S., establishes the processes for providing status offenders with voluntary and involuntary intervention services, through court order. Voluntary family services to families in need must be by voluntary agreement of the parent or legal guardian and the child or pursuant to a court order. Family in need of services are programs that are open to children ages 6-17 years old and their families to provide support and counseling programs to prevent runaways, habitual truancy, homelessness, and ungovernable behavior.<sup>22</sup>

Section 984.03, F.S., specifies that a "Family in need of services" means a family that has a child who is running away; who is ungovernable and persistently disobeying reasonable and lawful demands of the parent or legal custodian and is beyond the control of the parent or legal custodian; or who is a habitual truant or engaging in other serious behaviors that place the child at risk of future abuse, neglect, or abandonment or at risk of entering the juvenile justice system. The child must be referred to a law enforcement agency, the department, or an agency contracted to provide services to children in need of services. A family is not eligible to receive voluntary family services if, at the time of the referral, the child is currently under court-ordered supervision by the DJJ for delinquency or under court-ordered supervision by the Department of Children and Families (DCF).

#### ***Placement in Shelter***

A shelter is a place for temporary care for a child alleged to be dependent, a child from a family in need of services, or a child in need of services, pending court disposition before or after execution of a court order. Shelter placements may be either voluntary or involuntary, and if a bed is not available, a youth is placed on a waiting list until one becomes available. Through the

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<sup>19</sup> Section 112.19(2)(g)1., F.S.

<sup>20</sup> Section 112.19(2)(g)2., F.S.

<sup>21</sup> Section 112.19(2)(h)1., F.S.

<sup>22</sup> Florida Network of Youth and Family Services *CINS/FINS Shelter Services* available at [https://floridanetwork.org/wp-content/uploads/2024/12/FN\\_Brochure\\_ENG\\_WITH-UPDATES\\_12.2.2023.pdf](https://floridanetwork.org/wp-content/uploads/2024/12/FN_Brochure_ENG_WITH-UPDATES_12.2.2023.pdf) (last visited on January 20, 2026).

involuntary shelter hearing court process, placement may be made to provide an opportunity for the child and family to come to an agreement for the return of the child to their home. Shelter placement may also be necessary because the parent is unable to take immediate custody of the child or through a child being held in contempt by a truancy court.<sup>23</sup>

Section 984.09, F.S., provides that it is the legislative intent to restrict and limit the use of contempt powers and prohibit the use of detention care and secure detention facilities, specifying that the court must use alternative sanctions first and may only place a child in a secure setting if alternative sanctions are unavailable or inappropriate, or if the child has previously been found in contempt of court and failed to comply with an assigned alternative sanction.

#### ***Sheltering unmarried minors***

Section 787.035, F.S., specifies that a person who is not an authorized agent of the DJJ or the DCF may not knowingly shelter an unmarried minor for more than 24 hours without the consent of the minor's parent or guardian or without notifying a law enforcement officer of the minor's name and the fact that the minor is being provided shelter.

A person may not knowingly provide aid to an unmarried minor who has run away from home without first contacting the minor's parent or guardian or notifying a law enforcement officer.<sup>24</sup>

### **III. Effect of Proposed Changes:**

The bill amends multiple statutes relating to Juvenile Detention Officers and Juvenile Probation Officers.

**Section 1** amends s. 14.33, F.S., to add juvenile detention officers and juvenile probation officers to the list of law enforcement officers that the Governor may award a Medal of Heroism.

**Sections 2 and 3** amend ss. 112.19 and 112.193, F.S., to add juvenile detention officers and juvenile probation officers to the definition for "law enforcement, correctional, or correctional probation officers" for purposes of death benefits and commemorative service awards. Expanding the definition of law enforcement will allow juvenile detention officers and juvenile probation officers to receive the same death benefits and commemorative service awards as other officers.

**Section 4** amends s. 112.194, F.S., to authorize any state board, commission, department, division, bureau, or agency, or any county or municipality that employs or appoints juvenile detention officers or juvenile probation officers to establish an award program to award a Medal of Valor to any such officer whose actions are extraordinary and expose the officer to peril beyond the call of duty. This provision currently exists for law enforcement officers and correctional officers.

**Section 5** amends s. 787.035, F.S., to exempt the DJJ from the prohibition against sheltering an unmarried minor without the consent of the minor's parent or guardian or without notifying a

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<sup>23</sup> Section 984.09, F.S.

<sup>24</sup> Section 787.035(1)(b), F.S.

law enforcement officer. A person who is not an authorized agent of the DJJ or the DCF may not knowingly shelter an unmarried minor for more than 24 hours without the consent of the minor's parent or guardian or without notifying a law enforcement officer of the minor's name and the fact that the minor is being provided shelter.

**Section 6** amends s. 943.10 F.S., to include juvenile detention officers and juvenile probation officers in the definition of "officer" and defines:

- "Officer" to mean any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, correctional probation officer, juvenile detention officer, or juvenile probation officer.
- "Juvenile detention officer" to mean an officer who is responsible for the direct supervision of youth who are held in secure detention.
- "Juvenile probation officer" means an authorized agent of the DJJ who performs the intake case management, or supervision functions.

**Section 7** amends s. 984.03, F.S., revising the definition for the term "Family in need of services" to include legal guardians.

**Section 8** amends s. 984.09, F.S., to provide that a child "subject to shelter placement proceedings" may only be placed in a shelter under certain circumstances, rather than a child adjudicated in need of services. A child subject to proceedings under ch. 984, F.S., may only be placed in a shelter for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

#### **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 Art. 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:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 14.33, 112.19, 112.193, 112.194, 787.035, 943.10, 984.03, and 984.09.

This bill reenacts the following sections of the Florida Statutes: 112.1912, 384.287, 493.6102, 741.31, 782.07, 790.233, 39.01, 44.1011, 44.102, 984.04, 984.071, 984.10, 984.12, 984.13, 985.03, 984.07, and 984.151.

**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.

# CourtSmart Tag Report

Room: SB 37

Case No.:

Type:

Caption: Senate Appropriations Committee on Criminal and Civil Justice

Judge:

Started: 2/4/2026 3:46:05 PM

Ends: 2/4/2026 4:26:12 PM Length: 00:40:08

3:46:29 PM Sen. Garcia (chair)  
3:46:43 PM S 646  
3:47:02 PM Sen. Gaetz  
3:47:52 PM Sen. Garcia  
3:48:05 PM Barney Bishop  
3:48:11 PM Sen. Osgood  
3:50:10 PM Sen. Garcia  
3:50:16 PM Sen. Gaetz  
3:50:21 PM Sen. Garcia  
3:50:46 PM S 418  
3:50:51 PM Sen. Jones  
3:53:00 PM Sen. Garcia  
3:53:13 PM Barney Bishop, Lobbyist, Florida Smart Justice Alliance (waives in support)  
3:53:15 PM Jonathan Weller, Lobbyist, SPLC (waives in support)  
3:53:57 PM Laura Minutello, Lobbyist, Disability Rights FL  
3:58:24 PM Sen. Garcia  
3:58:43 PM Donna Lorman  
4:01:42 PM Sen. Garcia  
4:02:00 PM Monica Carretero  
4:04:14 PM Sen. Garcia  
4:04:37 PM Laurette Philipsen  
4:05:10 PM Sen. Garcia  
4:05:16 PM Sen. Martin  
4:05:48 PM Sen. Jones  
4:06:28 PM Sen. Martin  
4:07:31 PM Sen. Wright  
4:09:00 PM Sen. Smith  
4:09:39 PM Sen. Osgood  
4:10:39 PM Sen. Garcia  
4:10:43 PM Sen. Jones  
4:13:01 PM Sen. Garcia  
4:13:22 PM S 132  
4:13:28 PM Sen. Polsky  
4:15:14 PM Sen. Garcia  
4:15:23 PM Am. 183638  
4:15:28 PM Sen. Polsky  
4:15:40 PM Sen. Garcia  
4:15:57 PM Barbara DeVane, Lobbyist, FL Now (waives in support)  
4:16:01 PM Barney Bishop, Lobbyist, Florida Smart Justice Alliance (waives in support)  
4:16:08 PM Laura Minutello, Lobbyist, Disability Rights FL (waives in support)  
4:16:16 PM Sen. Polsky  
4:16:19 PM Sen. Garcia  
4:16:41 PM Sen. Polsky  
4:17:08 PM Sen. Garcia  
4:17:31 PM S 1734  
4:17:36 PM Sen. Martin  
4:18:26 PM Sen. Garcia  
4:18:31 PM Barney Bishop, Lobbyist, Florida Smart Justice Alliance (waives in support)  
4:18:38 PM Chris Klaban, Lobbyist, Florida Dept. of Juvenile Justice (waives in support)  
4:18:48 PM Sen. Martin  
4:18:51 PM Sen. Garcia  
4:19:16 PM Recording Paused

4:22:28 PM Recording Resumed  
4:22:40 PM S 820  
4:22:45 PM Sen. Bradley  
4:23:01 PM Am. 571020  
4:24:31 PM Sen. Garcia  
4:24:36 PM Eric Maclure, Lobbyist, State Courts System (waives in support)  
4:24:58 PM Sen. Bradley  
4:25:02 PM Sen. Garcia  
4:25:14 PM Barney Bishop, Lobbyist, Florida Smart Justice Alliance (waives in support)  
4:25:28 PM Sen. Bradley  
4:25:32 PM Sen. Garcia